

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 9

BCV-21-101927

**BOLTHOUSE LAND COMPANY, LLC, et al. vs ALL
PERSONS CLAIMING A RIGHT TO EXTRACT OR STORE
GROUNDWATER IN THE CUYAMA VALLEY
GROUNDWATER BASIN (NO.3-013), et al.**

August 7, 2023
9:30 AM

Judge: Honorable Yvette M. Palazuelos
Judicial Assistant: R. Arraiga
Courtroom Assistant: M. Tavakoli

CSR: L. Nickerson, CSR# 8746
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Robert Garth Kuhs; Richard G. Zimmer, Esq.; William T. Zimmer, Esq.

For Defendant(s): Jeffrey V. Dunn; Derek Hoffman; Paige Rolfe; Kathleen Patricia March

Other Appearance Notes: *Additional Appearances for Defendant(s) Are Listed Below*

NATURE OF PROCEEDINGS: Non-Jury Trial (Phase I - Jurisdiction Boundaries); Hearing on Ex Parte Application of Walking U Ranch LLC Made Pursuant to California Rules of Court Rule 3.1200 Through 3.1207-Requesting this Hon. Superior Court to continue Phase I trial until After 314 Landowners;

Additional Appearances:

Stefanie Morris
Wendy Y. Yang
Sean Hood
Sarah Christopher Foley
Christopher Sanders

The matter is called for hearing.

Pursuant to Government Code sections 68086, 70044, California Rules of Court, rule 2.956, and the stipulation of appearing parties, Linda Nickerson, CSR# 8746, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order was previously signed and filed on 07/31/2023.

The Court has received and reviewed the above-entitled Ex Parte Application.

The parties argue the application.

The Court finds that a Proof of Service for Publication has not been filed.

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The Court previously allowed Plaintiff to serve notice by publication instead of posting. However, Plaintiff has not completed the publication process of serving the 314 landowners.

The Notice of Ex Parte Application and Ex Parte Application of Walking U Ranch LLC Made Pursuant to California Rules of Court Rule 3.1200 Through 3.1207-Requesting this Hon. Superior Court to continue Phase I trial until After 314 Landowners filed by Walking U Ranch LLC on 08/04/2023 is Granted. The application is granted as to the continuance of trial.

The above Non-Jury Trial (Phase 1 - Jurisdiction Boundaries) is continued to 10/09/2023 at 09:30 AM in Department 9 at Spring Street Courthouse.

All counsel are ordered to appear.

As no stay is in place, Counsel for Plaintiffs may proceed with service of notice by publication, in lieu of posting, unless the Court of Appeal rules to the contrary before trial.

Discovery remains closed. The Court's pretrial rulings, including rulings on motions in limine, are closed.

The parties are to meet and confer and submit a [proposed] order regarding the Court's rulings herein as well as a proposed status conference date by **08/14/2023** for the Court's review and approval.

If [proposed] order is **NOT** submitted by said date then an Order to Show Cause Re: Sanctions hearing will be set.

A Non-Appearance Case Review Re: Submitting [Proposed] Order Re: Discovery is scheduled for 08/21/2023 at 08:30 AM in Department 9 at Spring Street Courthouse.

Counsel for Defendants request an extension of the ten (10) court days trial to eleven (11) or twelve (12) court days.

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ERM: None

Courtroom Assistant: M. Tavakoli

Deputy Sheriff: None

The Judicial Assistant to give notice to Counsel for Plaintiff Mr. Richard Zimmer who is ordered to give further and formal notice to all parties.

Clerk's Certificate of Service By Electronic Service is attached.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 08/08/2023 <small>David W. Slayton, Executive Officer / Clerk of Court</small> By: <u> R. Arraiga </u> Deputy
PLAINTIFF: Ruby Land Company et al		
DEFENDANT: All Persons Claiming a Right to Extract or Store Groundwater in the Cuyar		
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6		CASE NUMBER: BCV-21-101927

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Minute Order entered herein, on 08/07/2023, upon each party or counsel of record in the above entitled action, by electronically serving the document(s) on Case Anywhere at www.caseanywhere.com on 08/08/2023 from my place of business, Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012 in accordance with standard court practices.

David W. Slayton, Executive Officer / Clerk of Court

Dated: 08/08/2023

By: R. Arraiga

Deputy Clerk