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Attorneys for Diamond Farming Company,
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

[Sitting as the Kern County Superior Court]

BOLTHOUSE LAND COMPANY, LLC, a
California limited liability company; WM.
BOLTHOUSE FARMS, INC., a Michigan
corporation;

and

GRIMMWAY ENTERPRISES, INC., a Delaware
corporation, DIAMOND FARMING COMPANY,
a California corporation; LAPIS LAND
COMPANY, LLC, a California limited liability
company; RUBY LAND COMPANY, LLC, a
Delaware limited liability company;

Plaintiffs,

vs.

ALL PERSONS CLAIMING A RIGHT TO
EXTRACT OR STORE GROUNDWATER IN
THE CUYAMA VALLEY GROUNDWATER
BASIN (NO. 3-013); ALL PERSONS

Case No.: BCV-21-101927
Complex Action
(Complaint filed: 8/17/2021)

**NOTICE OF ENTRY OF AUGUST 12, 2026
PHASE 3 DISCOVERY AND TRIAL ORDER**

Honorable William F. Highberger

1 UNKNOWN, CLAIMING ANY LEGAL OR
2 EQUITABLE RIGHT, TITLE, ESTATE, LIEN,
3 OR INTEREST IN THE PROPERTY
4 DESCRIBED IN THE COMPLAINT ADVERSE
5 TO PLAINTIFF'S TITLE, OR ANY CLOUD
6 UPON PLAINTIFF'S TITLE THERETO; DOES 1
7 THROUGH 5000 and THE PERSONS NAMED
8 AS DEFENDANTS IDENTIFIED ON EXHIBIT
9 D TO THIS COMPLAINT as may be amended
10 from time to time,

11
12 Defendants.

13
14 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

15 PLEASE TAKE NOTICE that on August 12, 2026 the Court issued a Phase 3 Discovery and
16 Trial Order, a true and correct copy is attached hereto and incorporated herein as Exhibit "A."

17 DATED: August 17, 2026

ZIMMER & MELTON, LLP



18 By:

19 RICHARD G. ZIMMER

20 WILLIAM T. ZIMMER

21 Attorneys for Plaintiffs, Bolthouse Land Company, LLC
22 and Wm. Bolthouse Farms, Inc.
23
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EXHIBIT “A”

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FILED
 Superior Court of California
 County of Los Angeles
08/12/2026
 David W. Slayton, Executive Officer / Clerk of Court
 By: R. Lindsey Deputy

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 Lapis Land Company, LLC, Ruby Land Company, LLC

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

[Sitting as Superior Court of California, County of Kern]

BOLTHOUSE LAND COMPANY, LLC, a
 California limited liability company; WM.
 BOLTHOUSE FARMS, INC., a Michigan
 corporation;

and

GRIMMWAY ENTERPRISES, INC., a Delaware
 corporation, DIAMOND FARMING COMPANY,
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Plaintiffs,

vs.

ALL PERSONS CLAIMING A RIGHT TO
 EXTRACT OR STORE GROUNDWATER IN

Case No.: BCV-21-101927
 Complex Action

PHASE 3 DISCOVERY AND TRIAL ORDER

Assigned for All Purposes to:
 The Honorable William F. Highberger
 Spring Street Courthouse – Department 10

Action Filed: August 17, 2021
 Phase 3 Trial Date: May 3, 2027

THE CUYAMA VALLEY GROUNDWATER
BASIN (NO. 3-013); ALL PERSONS
UNKNOWN, CLAIMING ANY LEGAL OR
EQUITABLE RIGHT, TITLE, ESTATE, LIEN,
OR INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT ADVERSE
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UPON PLAINTIFF'S TITLE THERETO; DOES
THROUGH 5000 and THE PERSONS NAMED
AS DEFENDANTS IDENTIFIED ON EXHIBIT
D TO THIS COMPLAINT as may be amended
from time to time,

Defendants.

I. PHASE 3 ORDER

1. The Phase 3 Trial is scheduled for May 3, 2027 at 9:00 a.m. in Department 10, with a 15-day trial estimate. The parties met and conferred regarding this [Proposed] Phase 3 Discovery and Trial Order.

2. Phase 3 will determine the proportionate quantity of each party's water production rights to the Safe Yield of the Cuyama Groundwater Basin. This includes all claims to a water right whether based upon overlying right, appropriative right, prescriptive right, federal reserved right, or any other basis of right which is or could be claimed, and any defenses thereto.

3. ALL EXPERT OPINIONS MUST BE CONTAINED IN DISCLOSED EXPERT WRITTEN REPORTS.

4. Expert witness disclosure and discovery shall be pursuant to CCP section 843, except as expressly modified by this Phase 3 Discovery and Trial order.

DATE	EVENT
July 22, 2026	Discovery open.
July – August/September	Continued weekly mediation conferences
August 12, 2026 1:30 p.m.	Further Status Conference re: mediation status and pre-trial schedule

DATE	EVENT
September 16	Further Status Conference re: mediation status and pre-trial schedule
October 13, 2026	Disclose all lay witnesses who may testify at trial to support a party's claimed groundwater right or to challenge, rebut, or impeach another party's claimed groundwater right, and provide a brief narrative of each witness's anticipated testimony.
November 2, 2026 to January 29, 2027	Depositions of lay witnesses and persons most knowledgeable supporting parties' Phase 3 claims on agreed dates to avoid calendar conflicts and unavailability of witnesses and or counsel.
January 29, 2027	Disclose expert witnesses who may testify at trial pursuant to Code of Civil Procedure section 843. All disclosed experts shall disclose expert written reports pursuant to Code of Civil Procedure section 843(b), together with all expert reliance documents.
February 19, 2027	Supplemental expert disclosures and supplemental expert reports pursuant to Code of Civil Procedure section 843(d)(3), together with all expert reliance documents.
February 26, 2027	Rebuttal expert reports limited to disclosed experts, due pursuant to Code of Civil Procedure section 843(b), together with all expert reliance documents.
March 5, 2027	Deadline to supplement or correct expert disclosures pursuant to Code of Civil Procedure section 843(f), absent stipulation or Court order.
March 12, 2027 – April 9, 2027	Expert depositions and any remaining lay-witness depositions.
April 9, 2027	Complete expert and non-expert Phase 3 discovery.

DATE	EVENT
April 9, 2027	Last day for pretrial motions to be filed, including motions concerning expert and non-expert discovery to be heard, absent further Court order. Parties challenging any other party's claimed groundwater right on any factual or legal basis, including but not limited to claims that another party is committing waste, shall file notice of the challenge on Case Anywhere, identifying the name of the party being challenged and the factual and legal basis for the challenge.
April 12, 2027	Exchange pretrial briefs, trial exhibits, and witness lists.
April 19, 2027	File oppositions to pretrial motions.
April 23, 2027	File replies in support of pretrial motions and optional reply pretrial briefs.
April 26, 2027	Exchange opening-statement slides and demonstratives, subject to objections before being presented to the Court.
April 28, 2027, 10:00 a.m	Final Status Conference and hearing on pretrial motions.
May 3, 2027	PHASE 3 WATER-RIGHTS TRIAL at 9:00 a.m. Trial estimate: 10–15 court days. (Court dark May 17 to May 21, 2027)

IT IS SO ORDERED.

Dated: 08/12/2026


HONORABLE WILLIAM F. HIGHBERGER

PROOF OF SERVICE (C.C.P. §1013a, 2015.5)

Los Angeles County Superior Court Complex Action Case No. BCV-21-101927

STATE OF CALIFORNIA, COUNTY OF KERN

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 11601 Bolthouse Drive, Suite 100, Bakersfield, CA 93311-8714. On August 2, 2026, I served the foregoing document(s) entitled:

PHASE 3 DISCOVERT AND TRIAL ORDER

to be electronically served via Case Anywhere, LLC, to the email addresses on the Case Anywhere Electronic Service List pursuant to the Court's Order of March 22, 2022 regarding electronic filing and service.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this Declaration was executed on August 2, 2026 at Arroyo Grande, California.

/s/ *Diana Seibert*

DIANA SEIBERT

[31-00015]

PROOF OF SERVICE (C.C.P. §1013a, 2015.5)

Los Angeles County Superior Court Complex Action Case No. BCV-21-101927

STATE OF CALIFORNIA, COUNTY OF KERN

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 11601 Bolthouse Drive, Suite 100, Bakersfield, CA 93311-8714. On August 17, 2026, I served the Foregoing document(s) entitled:

NOTICE OF ENTRY OF AUGUST 12, 2026 PHASE 3 DISCOVERY AND TRIAL ORDER

(X) by electronic service (XX) a true copy thereof addressed as follows:

***** SEE ATTACHED SERVICE LIST

X **VIA CASE ANYWHERE:** Based on the March 22, 2022 Court Order Authorizing Electronic Filing and Service through Case Anywhere, LLC, I caused said document(s) to be transmitted to the email addresses shown on the attached Case Anywhere Electronic Service List.

___ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of business.

___ **BY ELECTRONIC SERVICE:** By electronically serving the document(s) to the electronic mail address set forth above on this date by or before 11:59 p.m., pursuant to California Rules of Court, Rule 2.251, and consistent with Code of Civil Procedure § 1010.6(a)(2), (4) and (5).

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 12, 2026 at Arroyo Grande, California.

/s/ Diana Seibert

DIANA SEIBERT

[31-00015]