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November 3, 2008

FILE NO.
27175-02

VIA POSTING TO COURT WEBSITE AND E-MAIL

Richard Zimmer, Esq.
Clifford & Brown
1430 Truxtun Avenue, Suite 900
Bakersfield, CA 93301
Email: zimmer@clifford-brownlaw.com

Re: ***Antelope Valley Groundwater Litigation
Santa Clara County Superior Court Case No. 1-05-CV-049053
Judicial Council Coordination Proceeding 4408***

Dear Mr. Zimmer:

We are willing to meet and confer with you at your earliest convenience. Prior to doing so, please let us know when you will be able to identify the portions of the videotaped deposition, in writing, that you intend to present at trial. To date, we have yet to receive the videotaped depositions that you represented you would provide us today during our telephone conversation of Friday, October 31st.

As you are aware, Code of Civil Procedure section 2025.340, subdivision (m) provides that, “[a] party intending to offer an audio or video recording of a deposition in evidence under Section 2025.620 shall notify the court and all parties in writing of that intent and of the parts of the deposition to be offered. That notice shall be given within sufficient time for objections to be made and ruled on by the judge to whom the case is assigned for trial or hearing, and for any editing of the recording. Objections to all or part of the deposition shall be made in writing . . .”

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After we have had a reasonable opportunity to review the portions you intend to admit into evidence at trial, we will meet and confer in accordance with the Court's instruction provided during the October 31st hearing.

Feel free to contact me if you have any questions.

Very truly yours,

/s/

Jacqueline L. Mittelstadt of

LEWIS BRISBOIS BISGAARD & SMITH LLP

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PROOF OF SERVICE

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I declare that:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On November 3, 2008, I served a letter to Richard Zimmer, Esq. re Meet and Confer by posting the document(s) to the Santa Clara Superior Court website in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, executed on November 3, 2008.

/s/ _____
Maritza Estrada