

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/05/14

DEPT. 56

HONORABLE JACK KOMAR

JUDGE

P. SOLIS

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

JEANETTE COYLE, CSR#12665,
PRO TEMPORE

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

Reporter

9:00 am

JCCP4408

Plaintiff Wesley Miliband (x)
Counsel

Coordination Proceeding Special
Title Rule (1550(b))
ANTELOPE VALLEY
GROUNDWATER CASES

Defendant Jeffrey Dunn (x)
Counsel Noah Golden-Krasner (x)
Janet Goldsmith (x)
Robert Kush (x)
Keith Lemieux (x)

NATURE OF PROCEEDINGS:

COURT TRIAL FOR PHELAN PINON HILLS COMMUNITY SERVICES
DISTRICT ON THE 2ND AND 6TH CAUSES OF ACTION;

Trial resumes from November 4, 2014.

Thomas E. Harder is sworn and testifies for
Phelan Pinon Hills Community Services District.

The following exhibits are marked for identification:
Phelan CSD-36 (2010 summary expert report, page IV-13),
Phelan CSD-41 (2010 summary expert report, page D-21),
Phelan CSD-42 (2010 summary expert report, page D-22),
Phelan CSD-51 (opinions of Thomas Harder),
Phelan CSD-52 (opinions of Thomas Harder).

The following exhibits are admitted in evidence:
Phelan CSD-25 (curriculum vitae of James Harder),
Phelan CSD-26 (illustration of service area),
Phelan CSD-27 (illustration of production wells),
Phelan CSD-28 (illustration of groundwater map),
Phelan CSD-29 (illustration of monitoring wells),
Phelan CSD-30 (illustration of gravity drainage),
Phelan CSD-31 (illustration of storage change map),
Phelan CSD-32 (illustration of storage change map),
Phelan CSD-33 (illustration of storage change map),
Phelan CSD-34 (illustration of storage change map),
Phelan CSD-35 (illustration of well 14 levels),
Phelan CSD-38 (illustration of total subsidence),
Phelan CSD-39 (illustration of parcels with active
water connections in 2013),
Phelan CSD-40 (illustration of contour map),

<p align="center">MINUTES ENTERED 11/05/14 COUNTY CLERK</p>
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Coordination Proceeding Special
Title Rule (1550(b))
ANTELOPE VALLEY
GROUNDWATER CASES

Plaintiff
Counsel

Wesley Miliband (x)

Defendant
Counsel

Jeffrey Dunn (x)
Noah Golden-Krasner (x)
Janet Goldsmith (x)
Robert Kush (x)
Keith Lemieux (x)

NATURE OF PROCEEDINGS:

Phelan CSD-44(summary of return flow),
Phelan CSD-45(map of Lancaster),
Phelan CSD-46(aerial photo of Western Lancaster),
Phelan CSD-47(aerial photo of Pinion Hills),
Phelan CSD-48(aerial photo of Pinion Hills),
Phelan CSD-49(photo of typical front yard in Pinon Hills).

Counsel for Phelan Pinion Hills Community Services District rests.

Defendants' motion for judgment pursuant to Section 631.8 of the Code of Civil Procedure is argued and granted as to the 2nd and 6th Causes of Action.

Counsel for Phelan Pinon Hills is directed to file its request for specific issues to be identified in the Proposed Statement of Decision by November 17, 2014.

Counsel for the defendants are directed to prepare and lodge and Proposed Statement of Decision by December 8, 2014.

Counsel for Phelan Pinion Hills may file any opposition to the Proposed Statement of Decision by December 18, 2014.

All exhibits offered by Phelan Pinon Hills are ordered returned to counsel in open court this date.

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