

EXHIBIT “A”

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

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Coordination Proceeding)Judicial Council
Special Title (Rule 3.550(c)))Coordination
)Proceeding No. 4408
ANTELOPE VALLEY GROUNDWATER CASES)
)Santa Clara Case No.
Included Actions:)1-05-CV-049053
)
Los Angeles County Waterworks)
District No. 40 v. Diamond)
Farming Co.)
Superior Court of California,)
County of Los Angeles, Case No.)
BC 325201;)
)
Los Angeles County Waterworks)
District No. 40 v. Diamond)
Farming Co.)
Superior Court of California,)
County of Kern, Case No.)
S-1500-CV-254348)
)
Wm. Bolthouse Farms, Inc., v.)
City of Lancaster, Diamond Farming)
Co. v. City of Lancaster, Diamond)
Farming Co. v. Palmdale Water)
Dist., Superior Court of)
California, County of Riverside,)
Case Nos. RIC 353 840, RIC 344 436)
RIC 344 668)
_____)
)
AND RELATED ACTIONS.)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JACK KOMAR,
JUDGE OF THE SUPERIOR COURT
SAN CLARA SUPERIOR COURT
San Jose, California

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COURT APPEARANCES :

- Janet Goldsmith
- Jeffrey Dunn
- Brad Weeks
- Bill Brunick
- Chris Sanders
- Scott Kuney
- William Sloan
- Richard Zimmer
- James Dubois
- Robert Kuhs

TELEPHONIC APPEARANCES :

- Jennifer Spaletta
- Edward Renwick
- Noah Golden-Krasner
- Warren Wellen
- James Lewis
- Daniel O'Leary
- Sheldon Blum
- Ralph Kalfayan
- Walter Rusinek
- Thomas Bunn, III
- John Ukkestad
- James Worth
- Jeff Green
- Scott Kuney
- Katrina Gonzales

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TELEPHONIC APPEARANCES:

- Wesley Miliband
- Adam Ariki
- Frank Satalino
- Steven Orr
- Theodore Chester, Jr.
- John Tootle
- Manuel Rivas, Jr.
- Bob Joyce
- Joseph Hughes
- Richard Wood
- Douglas Evertz
- Keith Lemieux, Jr.
- Neal Maguire
- Michael Fife
- Bradley Herrema
- Stefanie Hedlund
- Michael Davis

Official Court Reporter: Aura N. Clendenen, CSR 10080

2 THE COURT: Good morning.

3 This is the Antelope Valley case.

4 Have you called roll?

5 THE CLERK: I will, Your Honor.

6 Jennifer Spaletta.

7 MS. SPALETTA: Here.

8 THE CLERK: Edward Renwick.

9 Edward Renwick.

10 Noah Golden-Krasner.

11 MR. GOLDEN-KRASNER: Here.

12 THE CLERK: Warren Wellen.

13 Warren Wellen.

14 MR. WELLEN: Here.

15 THE CLERK: James Lewis.

16 James Lewis.

17 Daniel O'Leary.

18 MR. O'LEARY: Here.

19 THE COURT: Let me interrupt you for just a
20 moment.

21 If anybody is on a cell phone, make sure that
22 you're not picking up ambient noises, please. It's very
23 difficult to hear you, and there is a lot of background
24 noise.

25 All right. So go ahead, please.

26 THE CLERK: Sheldon Blum.

27 MR. BLUM: Present.

28 THE CLERK: Ralph Kalfayan.

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THE COURT: I am not interested in knowing
what anybody said during the course of the mediation
procedure. That really is an inappropriate reference in
Mr. Blum's statement. I am going to strike it so it's
not part of the record. That is his trial setting
brief.

MR. ORR: Your Honor, this is Steven Orr for
the City of Palmdale.

THE COURT: One moment, please.

MR. ORR: Sorry.

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THE COURT: Not yet.

MR. DUNN: Your Honor, before Mr. Kuhs, may I
just repeat the objection that we have formally filed?

THE COURT: You filed an objection to making
reference to anything said at the mediation.

MR. DUNN: Said or done.

THE COURT: Said or done.

I sustained that, in effect, my ruling on
Mr. Blum's statement, striking it.

All right. Mr. Kuhs.

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MR. DUNN: Again, I raise the objection that's
been previous stated on the record about what was said
or not agreed to in mediation. This has gone way too
far for too long.

THE COURT: Well, I disagree with you,
Mr. Dunn. We're not talking about the mediation. We're
talking about what is purported to be an agreement that
is to be presented to the Court.

MR. DUNN: No, I'm sorry, Your Honor. I
disagree. The record is clear that Mr. Zimmer and
others have made direct reference to what was done in

1 the mediation --

2 THE COURT: Well --

3 MR. DUNN: -- and that's improper.

4 THE COURT: I am disregarding anything that
5 was said and done in the mediation.

6 What I've expressly asked Mr. Zimmer about
7 was: Do they today have an agreement? And his answer
8 is they are working on a draft of a written agreement
9 they'll be presenting to the Court.

10 The mediation privilege -- whatever positions
11 any parties took at mediation is nothing I'm interested
12 in.

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