EXHIBIT 4

Portions of March 22, 2010 CMC Transcript

Phase 3 Trial

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 1 HON. JACK KOMAR, JUDGE

COORDINATION PROCEEDINGS SPECIAL,

ANTELOPE VALLEY GROUNDWATER.

SUPERIOR COURT
JCCP4408

MONDAY, MARCH 22, 2010

APPEARANCES:

FOR PLAINTIFF: RALPH KALFAYAN
MICHAEL MCLACHLAN
ATTORNEYS AT LAW

FOR THE DEFENDANT:
IN PERSON

THOMAS BUNN, BRADLEY WEEKS,
JAMES DUBOIS, WARREN WELLEN,
STEPHANIE HEDLUND
ATTORNEYS AT LAW

BY COURT CALL:

KEITH LEMIEUX, MICHAEL CROW,
STEPHEN SIPTROTH, ROBERT KUHS,
BOB JOYCE, BRADLEY HERREMA,
CHRIS SANDERS, MALISSA MCKEITH,
ANNA MILLER, JOHN UKKESTAD,
KARA GERMANE, JEFF DUNN,
MICHAEL DAVIS, EDWARD RENWICK,
RICHARD ZIMMER, RICHARD WOOD,
MICHAEL FIFE, JANET GOLDSMITH,
SUSAN TRAGER, TAQMMY JONES,
WILLIAM SLOAN, SCOTT KUNEY.
ATTORNEYS AT LAW

CHARLES KUHN, CSR# 7810
OFFICIAL REPORTER

THE COURT: YES, AND TO THE EXTENT THAT THERE ARE SERIOUS WITNESS ISSUES THAT CANNOT BE RESOLVED, WE WILL FIGURE OUT A WAY TO DO IT.

MR. DUNN: THANK YOU, YOUR HONOR.

THE COURT: ALL RIGHT.

MR. MCLACHLAN: YOUR HONOR, I THINK ALSO THAT CLASS COUNSEL WHO ESSENTIALLY IS INVOLVED IN THAT CASE NEEDS TO OFFER A DECLARATION AND NECESSARY DOCUMENTS TO BE ABLE TO TELL THE CLASS HOW SERVICE IS CONDUCTED, WHO HAS BEEN SERVED, AND WHO IS IN THE CLASS SO EVERYBODY KNOWS WHO IS IN THE CLASS AND WHO ISN'T.

THAT IS A STANDARD PROCEDURE AND I THINK THAT NEEDS TO BE DONE AT SOME POINT IN THE NEXT MONTH OR TWO.

THE COURT: ALL RIGHT. WHAT I WOULD LIKE TO DO IS MAKE SURE THAT WE UNDERSTAND TWO THINGS. ONE, WHAT THE ISSUES ARE THAT WE ARE GOING TO TRY; AND SECONDLY, TO SET SOME TIME LINES. WE SET A COUPLE OF TIME LINES FOR EXPERTS AND I THINK THERE WAS SOME CONFUSION AS TO WHAT THOSE WERE.

MY NOTES INDICATE A RATHER BRIEF TIME FOR EXPERT DEPOSITIONS. I THOUGHT IT WAS STATED ON THE RECORD. SOMEBODY INDICATED THAT AS LONG AS I ISSUED A CORRECTIVE ORDER GIVING UNTIL THE END OF AUGUST TO COMPLETE EXPERT DISCOVERY, BUT LET'S TALK ABOUT FIRST OF ALL WHAT THE ISSUES ARE.

I THOUGHT I MADE THIS VERY CLEAR, THE COURT'S CONCERN AT THIS POINT IS WITH WHETHER OR NOT

THAT DON'T CO-EXIST AND ARE NOT THE SAME.

I'M NOT SURE HOW YOU DO DISCOVERY ON THAT. HOW WOULD YOU GET YOUR EXPERT TO ADDRESS IT WITHOUT KNOWING WHAT AREA WITHIN THIS AREA OF ADJUDICATION WE ARE TALKING ABOUT.

THE COURT: WELL, I'M ASSUMING THAT THE ENTIRE BASIN IS A UNIT AND THAT PUMPING IN ONE PORTION WILL AFFECT OTHER PORTIONS OF THE AQUIFER, BUT I DON'T KNOW THAT AND I'M NOT MAKING ANY FINDINGS AT THIS POINT AS TO ANYTHING. ALL I WANT TO DO IS HEAR THE EVIDENCE AS TO THE CURRENT STATUS OF THE BASIN.

SO WHEN I MAKE REFERENCE TO IT ALL OR IN PART, BY THAT I JUST THINK THAT I DON'T KNOW AND I WANT TO HEAR THE EVIDENCE.

MR. SLOAN: YOUR HONOR, THIS IS WILLIAM SLONE. IF I COULD JUST ACTUALLY COMMENT ON WHAT MR. ZIMMER WAS SAYING. MY UNDERSTANDING OF WHAT THE COURT WAS JUST SAYING IS THAT YOU WILL NOT BE MAKING FINDINGS ON NOTICE AND ADVERSITY AT THIS STAGE.

THE COURT: THAT'S CORRECT.

MR. SLOAN: SO, THE WAY I WAS CONCEPTUALLY VIEWING THE COURT'S COMMENTS AND WE CAN CERTAINLY WAIT FOR THE COURT ORDER, IS THAT, IN EFFECT, YOU ARE LOOKING AT SORT OF A GROSS CONDITION OF THE BASIN. THE BASIN THAT HAS BEEN OUTLINED BY THE ADJUDICATION BOUNDARIES AND THAT AT LEASE AT THIS POINT HAVE BEEN VIEWED AS ONE SINGLE BASIN AND THAT IS THE SECOND PHASE OF TRIAL.

BUT NOTHING THAT IS GOING TO HAPPEN WILL BE BASED UPON ANY FINDINGS OF FACT AS TO ENTITLEMENT COMING OUT OF THE THIRD PHASE OF TRIAL. I'M NOT GOING TO HEAR THAT KIND OF EVIDENCE.

MR. SLOAN: THANK YOU, YOUR HONOR. AND JUST TO CLARIFY BECAUSE WHERE I GUESS I GOT CONFUSED IS HEARING MR. ZIMMER'S COMMENTS.

WE WILL NOT AT THIS STAGE OF TRIAL BE ADDRESSING THE ISSUE OF WHETHER PUMPING IN ONE LOCATION IMPACTS THE PUMPING AT ANOTHER LOCATION WITHIN THE ADJUDICATION BOUNDARIES.

THE COURT: THAT IS FINE, MR. SLOAN, I DON'T MEAN TO TELL PEOPLE WHAT EVIDENCE THEY SHOULD PRODUCE. IT MAY BE THAT SOMEBODY WANTS TO PRODUCE EVIDENCE THAT SHOWS THAT THEIR PORTION, THEIR LAND IS IN AN AREA WHERE PUMPING HAS NO AFFECT ON ANYTHING.

I MEAN, I DON'T KNOW. SOMEBODY MAY WANT TO ESTABLISH THERE IS A SERIOUS PROBLEM THERE, BUT THAT IS GOING TO RELATE TO THE OVERALL CONDITION OF THE BASIN.

MR. SLOAN: AGAIN, MR. SLOAN SPEAKING. AND WOULD YOUR HONOR NOT BE MAKING FINDINGS AT THIS STAGE OF THE TRIAL WITH RESPECT TO WHETHER PUMPING IN ONE LOCATION AFFECTS PUMPING IN ANOTHER LOCATION BECAUSE I DO THINK THAT THAT WOULD OBVIOUSLY QUITE DRAMATICALLY CHANGE THE SCOPE OF THIS PHASE OF THE TRIAL IF THERE WERE THAT CONCERN THAT THE COURT WOULD ACTUALLY ISSUE FINDINGS OF FACT AS SUCH TO AN ISSUE AS THAT.