

EXHIBIT A

1 (APPEARANCES CONTINUED.)

2 FOR DEFENDANT: BEST BEST & KRIEGER LLP
3 BY: JEFFREY V. DUNN, ESQ.
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8 FOR DEFENDANT: KRAUSE KALFAYAN BENINK & SLAVENS LLP
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10 FOR DEFENDANT: DEPARTMENT OF JUSTICE
11 OFFICE OF THE ATTORNEY GENERAL
12 BY: NOAH GOLDEN-KRASNER, DEPUTY
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13 FOR DEFENDANT: LAW OFFICES OF MICHAEL D. MCLACHLAN
14 BY: MICHAEL D. MCLACHLAN, ESQ.
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15 FOR DEFENDANT: KUHS & PARKER
16 BY: ROBERT G. KUHS, ESQ.
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17 FOR DEFENDANT: LAW OFFICE OF WALTER J. WILSON
18 BY: WALTER J. WILSON, ESQ.
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25 FOR DEFENDANT: KRONICK MOSKOVITZ TIEDMANN & GIRARD
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1 (APPEARANCES CONTINUED:)

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8 FOR DEFENDANT: SMILAND CHESTER LLP
9 BY: THEODORE A. CHESTER, JR., ESQ.
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12 FOR DEFENDANT: LEBEAU THELEN, LLP
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18 (COURT CALL:)

19 FOR DEFENDANT: ALSTON & BIRD LLP
20 BY: EDWARD J. CASEY, ESQ.
21 333 SOUTH HOPE STREET, 16TH FLOOR
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23 FOR DEFENDANT: MORRISON & FOERSTER LLP
24 BY: WILLIAM M. SLOAN, ESQ.
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27 FOR DEFENDANT: THE LAW OFFICES OF YOUNG WOOLDRIDGE
28 BY: SCOTT K. KUNEY, ESQ.
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FOR DEFENDANT: MURPHY & EVERTZ LLP
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FOR DEFENDANT: GRESHAM SAVAGE NOLAN & TILDEN
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FOR DEFENDANT: LAW OFFICES OF SHELDON R. BLUM
BY: SHELDON R. BLUM, ESQ.
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M A S T E R I N D E X

NOVEMBER 4, 2014; NOVEMBER 5, 2014

LEGEND:

MS. GOLDSMITH = G
MR. GOLDEN-KRASNER = GK
MR. DUNN = D
MR. KUHS = K

CHRONOLOGICAL/ALPHABETICAL INDEX OF WITNESSES

<u>PLAINTIFF'S</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
DONALD BARTZ	74	95-G 96-GK		
THOMAS HARDER	102	193-D 208-K	211	

EXHIBITS

<u>EXHIBITS</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
1 THROUGH 24		74
25 THROUGH 52 (EXCLUDING 36, 41, 42, 50, 51)		214

1 THE ENTIRE REPORT COMING INTO EVIDENCE. I HAVE NOT
2 OBJECTED HERE TODAY TO THE DEMONSTRATIVE EVIDENCE THAT
3 CAME IN, FOR EXAMPLE, HYDROGRAPHS. BUT WE OBJECTED TO
4 THE TEXT OF THE REPORT COMING INTO EVIDENCE.

5 MR. MILIBAND: AND MY RESPONSE TO THAT, YOUR
6 HONOR, WOULD BE, AS THE COURT IS WELL AWARE, THERE IS
7 WELL SETTLED LAW THAT AN EXPERT CAN RELY UPON HEARSAY
8 EVIDENCE. THIS IS CLEARLY RELIABLE ON THAT EVIDENCE.

9 THE COURT: HE CAN RELY ON IT BUT ONLY THE
10 OPPOSITE PARTY CAN OFFER IT INTO EVIDENCE, AND THEY ARE
11 OBJECTING.

12 MR. MILIBAND: WELL, IN THIS TRIAL PHASE ONE OF
13 THE OPPOSITE PARTIES TO ME NOW WAS ATTEMPTING --

14 THE COURT: NO. YOU ARE THE PROPONENT,
15 MR. MILIBAND IN EVERY RESPECT WITH REGARD TO YOUR
16 COMPLAINT. SO THE OBJECTION IS SUSTAINED. THEY WON'T
17 BE ADMITTED. BUT THE PARAGRAPHS HAVE BEEN READ INTO
18 EVIDENCE, AND SO THEY ARE IN THAT SENSE IN EVIDENCE.

19 ALL RIGHT. ANYTHING ELSE?

20 NOW, THE DEFENDANTS HAVE AN OPPORTUNITY TO
21 PRESENT EVIDENCE.

22 MR. MILIBAND: YOUR HONOR, DOES THAT MEAN ALL OF
23 25 THROUGH 52 ARE IN --

24 THE COURT: EVERYTHING EXCEPT 36, 41, AND 42 AND
25 50 AND 51.

26 MR. MILIBAND: THANK YOU, YOUR HONOR.

27 (EXHIBITS 25 THROUGH 52 ARE ADMITTED INTO
28 EVIDENCE, EXCLUDING EXHIBITS 36, 41, 42, 50, 51.)