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October 3, 2008

FILE NO.
27175-02

POSTED VIA COURT WEBSITE

Richard G. Zimmer
Clifford & Brown
1430 Truxtun Avenue, Suite 900
Bakersfield, CA 933011

Re: *Antelope Valley Groundwater Litigation*
Santa Clara County Superior Court Case No. 1-05-CV-049053
Judicial Council Coordination Proceeding 4408
Bolthouse Properties' Amended Witness and Exhibit List

Dear Mr. Zimmer:

In your letter of September 30, 2008, you reiterated the agreement of the parties relating to Mr. Sheahan's deposition. At the time, we agreed to take Mr. Sheahan's deposition off calendar for Wednesday, October 1, 2008. Specifically, we agreed if you choose to call Mr. Sheahan as a rebuttal witness at the Phase 2 trial, you agreed that he could be deposed thoroughly by all parties prior to his trial testimony.

Today, Bolthouse Properties, LLC posted an Amended Witness and Exhibit List. In light of your intention to call Mr. Sheahan as a rebuttal witness, I suggest we calendar a date for the week of October 14, 2008, with the understanding that the Court is dark that week. Please advise of a mutually convenient time and date that you and Mr. Sheahan are available, and we would be more than happy to notice a deposition.

Very truly yours,

/s/

Kimberly A. Huangfu
LEWIS BRISBOIS BISGAARD & SMITH LLP

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