

EXHIBIT A

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT 1 HON. JACK KOMAR, JUDGE
4 COORDINATION PROCEEDING) JUDICIAL COUNCIL
5 SPECIAL TITLE (RULE 1550(B)) COORDINATION NO.
6 ANTELOPE VALLEY GROUNDWATER CASES) JCCP4408
7) SANTA CLARA CASE NO.
8) 1-05-CV-049053
9 PALMDALE WATER DISTRICT AND QUARTZ)
10 HILL WATER DISTRICT,)
11 CROSS-COMPLAINANTS,)
12 VS.)
13 LOS ANGELES COUNTY WATERWORKS)
14 DISTRICT NO. 40, ET AL.,)
15 CROSS-DEFENDANTS.)

16 REPORTER'S TRANSCRIPT OF PROCEEDINGS
17 MONDAY, JULY 9, 2012
18

19 APPEARANCES:

20 FOR ANTELOPE VALLEY GROUNDWATER ASSOCIATION: BROWNSTEIN HYATT FARBER SCHRECK
21 BY: MICHAEL FIFE, ESQ.
22 21 EAST CARRILLO STREET
SANTA BARBARA, CALIFORNIA 93101
(805) 882-1453
23 FOR QUARTZ HILL WATER DISTRICT: CHARLTON WEEKS LLP
24 BY: BRADLEY T. WEEKS, ESQ.
25 1031 WEST AVENUE M-14, STE. A
PALMDALE, CALIFORNIA 93551
26 (661) 265-0969

27 (APPEARANCES CONTINUED ON NEXT PAGE.)
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17 THAT WILL MOVE THE BALL FORWARD IN THIS CASE SO THAT WE
18 CAN PUT THE CASE IN A POSTURE WHERE WE KNOW WE HAVE TO
19 TRY THE REST OF IT, OR WE CAN RESOLVE THE ISSUES.

20 AND THE SERIOUS ISSUES THAT REQUIRE A LEGAL
21 DECISION IN ORDER TO GO FORWARD ARE THE ISSUES THAT YOU
22 REALLY SHOULD BE FOCUSING ON.

23 BECAUSE ONCE YOU GET A DETERMINATION OF
24 THOSE, YOU KNOW WHERE YOU HAVE TO GO NEXT.

25 AND IT SEEMS TO ME THAT -- THEN YOU CAN
26 EVALUATE FURTHER SETTLEMENT. ASSUMING THAT YOU HAVEN'T
27 REACHED YOUR SETTLEMENT BY THE 11TH.

28 AND I DON'T MEAN TO SUGGEST THAT YOU SHOULD

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1 DEFER THIS SERIOUS ATTEMPT TO SETTLE THIS CASE BY THE
2 TIME OF THE MEETING WITH JUSTICE ROBIE OR SHORTLY
3 THEREAFTER.

4 I THINK IF YOU CAN AVOID REQUIRING A LEGAL
5 DECISION, YOU'RE FAR BETTER OFF.

6 FAR BETTER OFF.

7 JUST LIKE ANY OTHER CASE. CASES ARE BEST
8 SETTLED.

9 OKAY. SO WHAT DAY IS THE 30TH OF
10 SEPTEMBER?

11 A VOICE: SUNDAY, YOUR HONOR.

12 THE COURT: HOW ABOUT HAVING SOMETHING ON FILE BY
13 THE 28TH OF SEPTEMBER WITH PROPOSALS.

14 AND TO THE EXTENT THAT YOU CAN AGREE AS TO
15 THOSE, *FINE. OTHERWISE -- WELL, I'M GOING TO ORDER YOU
16 TO AGREE. HOW'S THAT?

17 MR. JOYCE: CASE OVER.

18 THE COURT: ALL RIGHT. NOW, ANYTHING FURTHER THAT
19 WE SHOULD DO WITH REGARD TO THAT?

20 AND MR. WEEKS, YOU REMIND ME, AS YOU STAND
21 UP, THE DISCOVERY CONCERNS THAT MR. ZIMMER HAS.

22 I DON'T WANT DISCOVERY TO INTERFERE WITH
23 YOUR SETTLEMENT PROCESS.

24 AND I THINK THAT TO THE EXTENT THAT YOU
25 WANT TO REINITIATE AND SEEK RESPONSES TO YOUR
26 INTERROGATORIES, I THINK YOU SHOULD WAIT UNTIL AFTER THAT
27 MEETING WITH JUSTICE ROBIE.

28 MR. WEEKS: YOUR HONOR, THAT WOULD GIVE US FOUR

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1 MONTHS.

2 THE COURT: I WOULD THINK THAT'S ENOUGH.

3 YOU KNOW WHAT YOU NEED TO HAVE. SO IT
4 SEEMS TO ME THAT THAT'S WHAT WE'RE GOING TO DO.

5 MR. WEEKS: THE TIME FOR THE PRETRIAL AND TRIAL IS
6 NINE O'CLOCK?

7 THE COURT: YES.

8 MR. WEEKS: LOCATION?

9 THE COURT: TO BE DETERMINED. WHEREVER THEY WILL
10 ACCOMMODATE US.

11 ALL RIGHT. THAT CONCLUDES THE CASE
12 MANAGEMENT CONFERENCE.

13 NOW, THERE ARE TWO MOTIONS.

14 THERE'S A MOTION TO AUTHORIZE FURTHER WORK
15 BY THE COURT EXPERT. AND THAT IS A COURT EXPERT.

16 I HAVE A COUPLE OF THOUGHTS ABOUT THAT.

17 AND ONE OF MY THOUGHTS RELATES TO THE
18 EARLIER SETTLEMENT THAT WAS ENTERED INTO THAT THE COURT
19 DID NOT APPROVE WITH SOME VERY SPECIFIC DIRECTIONS AS TO
20 THAT.

21 AND AS I UNDERSTAND IT, NOTHING HAS

Hearing Transcript from 07 09 12.txt
22 HAPPENED WITH REGARD TO TRYING TO MEET THE CONCERNS THE
23 COURT HAD BY WAY OF ENTERING INTO THE SETTLEMENT.

24 IS THAT RIGHT, MR. MC LACHLAN?

25 MR. MC LACHLAN: NO, YOUR HONOR. THAT'S NOT RIGHT
26 ACTUALLY.

27 AS I STATED IN MY DECLARATION, REPLY BRIEF,
28 AFTER THAT HEARING, THAT SAME DAY, I MET WITH MR. *WAHLIN

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1 AND MR. DUNN AND MY CLIENT. I DID HAVE FURTHER
2 DISCUSSIONS.

3 AND THEN I SPENT A CONSIDERABLE AMOUNT OF
4 TIME GOING THROUGH THE PRIOR VERSION AND ADDRESSING YOUR
5 HONOR'S ENUMERATED CONCERNS.

6 AND ESSENTIALLY STRIPPING DOWN THE
7 AGREEMENT SO THAT IT MORE OR LESS TRACKED THE WILLIS
8 AGREEMENT.

9 AND AT THAT POINT, IT WENT INTO THE
10 FREEZER, SO TO SPEAK.

11 THE COURT: I THINK THAT'S WHAT I WAS SAYING.

12 MR. MC LACHLAN: OKAY.

13 THE COURT: I DID READ YOUR DECLARATION.

14 MR. MC LACHLAN: ALL RIGHT. I JUST WANTED TO MAKE
15 SURE THAT WAS CLEAR.

16 WE DID MAKE AN ATTEMPT.

17 THE COURT: SO I'D LIKE TO HAVE SOME INPUT FROM
18 THE PUBLIC WATER PRODUCERS REGARDING THAT SETTLEMENT
19 PROPOSAL AND WHETHER OR NOT THERE IS ANY HOPE THAT IF IT
20 CONFORMED TO THE WILLIS SETTLEMENT, THAT IT WAS SOMETHING
21 THAT THE PARTIES COULD DISCUSS.

22 MR. DUNN: MR. DUNN ON BEHALF OF WATERWORKS
23 DISTRICT NO. 40.

24 I THINK I'VE GIVEN THIS EXPLANATION BEFORE,
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