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September 24, 2008

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Via E-Filing

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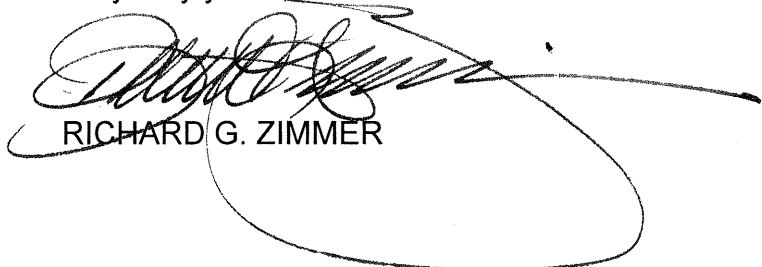
Re: Antelope Valley Groundwater Litigation
Santa Clara County Superior Court Case No. 1-05-CV-049053
Judicial Council Coordination Proceeding No. 4408

Dear Mr. Davis:

This correspondence is in reference to your correspondence dated September 23, 2008. Please be advised that I have not yet had the opportunity to discuss this issue sufficiently with my expert, nor to evaluate the issue in any detail from a factual and/or hydrologic standpoint. Accordingly, I am not presently in a position to respond to your inquiry. It is my understanding the Court intends to discuss this matter the first day of trial. I assume if there is any opposition, some arrangements for a future hearing will need to be made since none of the parties probably will be in a position to meaningfully opine on this new issue.

Let me know if you have any questions or comments. Thank you for your continuing courtesy and cooperation.

Very truly yours,



RICHARD G. ZIMMER

RGZ/nm

cc: All Counsel

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