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September 30, 2008

2455-2

Via E-filing Only

Jim Markman, Esq.
Richards, Watson & Gershon
355 South Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101

Re: Antelope Valley Groundwater Litigation

Dear Mr. Markman:

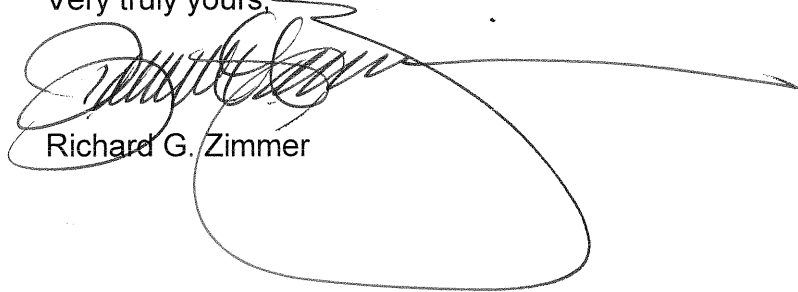
As we discussed previously, and advised the Court, our intention is to call our expert, Tom Sheahan, if necessary, to review the opinions of other experts and to give expert testimony in opposition to opinions of other experts. Depending upon the testimony which actually occurs at trial, this may or may not be necessary. Based on the fact that the trial will not be completed during the first week, you reasonably suggested that we agree to take off the deposition of Mr. Sheahan for Wednesday, but to agree that he can be deposed thoroughly by all parties if we chose to call him as a witness at the Phase 2 Trial. This correspondence is also to advise the parties that Mr. Sheahan has been trying to recover from strep throat.

This correspondence is to confirm our agreement to proceed as set forth above. Accordingly, it is our understanding you will not proceed with his deposition. Other parties have agreed to proceed in this manner as well. I discussed this issue with the various attorneys attending the depositions of June Oberdorfer and John Lambie. It is my understanding all parties agreed to proceed as set forth above, with the exception of Bill Kuhs of Tejon Ranchcorp, who said he would "not agree to anything." However, he did say that he will not take Mr. Sheahan's deposition tomorrow. Also, the attorney for Anaverde advises she is still considering how to proceed. If any party insists that Mr. Sheahan's deposition go forward as scheduled on Wednesday, this correspondence is to request an immediate response accordingly and to confirm that such party will be conducting the deposition.

Jim Markman, Esq.
Richards, Watson & Gershon
Re: Antelope Valley Groundwater Litigation
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Thank you for your prompt courtesy and attention to this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Richard G. Zimmer", is written over a large, faint, oval-shaped watermark or background mark.

Richard G. Zimmer

RGZ/nm

cc: Counsel and Parties

BL/ANTELOPE VALLEY/SANTA CLARA/MARKMAN-01