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December 10, 2007

2455-2

Via E-Filing

To All Counsel

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

Dear Counsel:

I recently reviewed a DRAFT of the Problem Statement Report which is being generated as a result of meetings of the Technical Committee. This Report should be marked as Confidential Settlement Communication in accord with the original Confidentiality Agreement entered into in order to allow the Technical Committee to complete this analysis and to generate this document. All parties previously have agreed that this effort and this writing, are not admissible and may be used solely by the parties for purposes of attempting to achieve a settlement in this matter. Various experts disagree with various aspects of the report. Accordingly, the document cannot be used for any other purpose other than simply to help the parties facilitate a settlement of this matter.

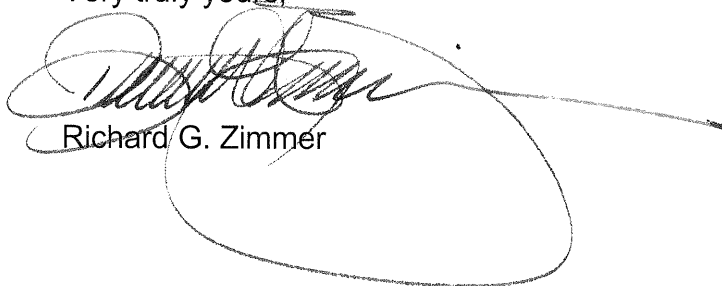
This correspondence is to request that the County assure that its expert, Joseph Scalmanini, assure that the Report is properly labeled as Confidential Settlement Communication pursuant to the stipulation of the parties.

This report cannot be submitted to the Court in the absence of agreement by all the stipulating parties and/or used in any other way other than for purposes of facilitating settlement between the parties, and remains a confidential document. Likewise, the document cannot be provided to any outside agency or person. This correspondence is to request that all counsel and all experts be cognitive of, and comply with the Confidentiality Agreement which forms the basis of generating this document.

To All Counsel
Re: *Antelope Valley Groundwater Litigation*
December 10, 2007
Page 2

Thank you for your continuing courtesy and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard G. Zimmer", is written over a large, loopy, oval-shaped scribble. The signature is fluid and cursive.

Richard G. Zimmer

RGZ/nm

BL/ANTELOPE VALLEY/SANTA MARIA/ALL COUNSEL-04