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April 15, 2008

2455-2

**Via E-mail**

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 learned that the Mediator, Bill Dendy, is intending to meet with the Technical Committee. This e-mail is to reiterate our objection to any breach of the confidentiality agreement which governs the Technical Committee work. In the absence of unanimous agreement, the Technical Committee may not release any information nor discuss Technical Committee work with any other person, entity or with the Court.

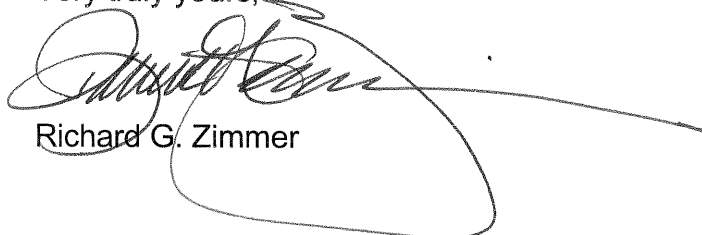
Unanimous agreement has not been obtained to have the Mediator meet with the Technical Committee nor for him to obtain any Technical Committee writings when they are produced by the Technical Committee. Further, his intention to communicate with the Court in any way regarding the Technical Committee, as he indicated he would do in one of his recent e-mails, is improper without unanimous agreement of all parties.

I request that L A County, since it is paying him, advise Mr. Dendy immediately to refrain from contacts with the Technical Committee and from obtaining any report or writing from the Committee. I am including Mr. Dendy on this e-mail in hopes that he will respect the confidentiality of the Committee work and its writings and refrain from the conduct discussed herein. The Technical Committee work does not represent conclusions agreed to by all parties. The work of this committee was to be solely for the confidential use of the parties to assist in reaching a settlement. Since the parties do not agree as to the Technical Committee findings, such findings cannot be used by any party for any purpose without unanimous consent.

To All Counsel  
Re: Antelope Valley Groundwater Litigation  
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Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard G. Zimmer", is written over a large, loopy, circular flourish that extends to the right.

Richard G. Zimmer

RGZ/nm

BL/ANTELOPE VALLEY/SANTA MARIA/ALL COUNSEL-09