

Exhibit A

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF LOS ANGELES

3 BEFORE THE HONORABLE JACK KOMAR, JUDGE

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6 COORDINATION PROCEEDING)
SPECIAL TITLE (RULE 1550(b)))

7 ANTELOPE VALLEY GROUNDWATER CASES)
8) JUDICIAL COUNCIL
COORDINATION PROCEEDING
9) NO. 4408

10) SANTA CLARA COUNTY
CASE NO. 1-05-CV-049053
11) (E-Posting/E-Service
Purposes Only)

12)
/ LOS ANGELES COUNTY
SUPERIOR COURT
13 CASE NO. BC 325 201

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16 REPORTER'S TRANSCRIPT OF PROCEEDINGS

17 DEPARTMENT NO. 12

18 JANUARY 22, 2015

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23 APPEARANCES:

24 FOR PHELAN PINON HILLS: WESLEY A. MILIBAND, ESQ.

25
26 FOR THE WILLIS PLAINTIFFS: RALPH KALFAYAN, ESQ.
LYNNE M. BRENNAN, ESQ.

27 FOR THE CITY OF LOS ANGELES: JANET K. GOLDSMITH, ESQ.
28

CONTINUED APPEARANCES:

FOR THE STATE OF CALIFORNIA: NOAH GOLDEN-KRASNER, ESQ.

FOR THE COUNTY SANITATION DISTRICTS OF LOS ANGELES: CHRISTOPHER M. SANDERS, ESQ.

FOR THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40: JEFFREY V. DUNN, ESQ.

U.S. BORAX, INC. WILLIAM M. SLOAN, ESQ.

FOR THE PALMDALE WATER DISTRICT: THOMAS S. BUNN, III, ESQ.

FOR RICHARD WOOD: MICHAEL D. MCLACHLAN, APC.

FOR THE BLUM TRUST: SHELDON BLUM, ESQ.

ATTORNEYS PRESENT VIA COURT CALL:

Andrew Brady	W. Keith Lemieux
Robert Brumfield	Andrew Ramos
Heather James	Edward Renwick
William Brunick	Walter Rusinek
Theodore Chester	John Tootle
Robert Coldren	John Ukkestad
Michael Davis	Wendy Wang
Douglas Evertz	Bradley Weeks
Michael Fife	Warren Wellen
Arnold Graham	Walter Wilson
Jeff Green	Richard Wood
Kyle Holmes	James Worth
Joseph Hughes	Richard Zimmer
Scott Kuney	
Robert Kuhs	
Bob Joyce	
R. Lee Leininger	

OFFICIAL COURT REPORTER: DEANNE M. HELGESEN, CSR. 8445

1 SAN JOSE, CALIFORNIA

JANUARY 22, 2015

2 PROCEEDINGS

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4 THE COURT: All right.

5 Good morning and thank you for not complaining about
6 the eleven o'clock start time for this hearing. I appreciate
7 it.

8 We have several matters on calendar. You've all
9 received or had an opportunity to examine the Notice to
10 Counsel setting forth our agenda.

11 I'm going to start with the first item, which is the
12 motion by the Blum Trust. The Court has issued a tentative
13 ruling.

14 Mr. Blum?

15 MR. BLUM: Good morning, Your Honor. Sheldon Blum
16 on behalf of the Blum Trust.

17 What I would like to comment, Your Honor, is that
18 the beauty of making a Motion for Summary Judgement and
19 submitting documentation is in conjunction with oral argument
20 that's to be heard at a hearing, which is for today. And I
21 realize that this Court finds that there may be a defect in
22 the judicial notice document submitted, but I think it's a
23 matter of writing style.

24 I notice that in the judicial notice of statute, it
25 specifically requires the party to provide sufficient notice
26 of the request through the pleadings or, otherwise, to enable
27 such adverse party to prepare to meet the request and furnish
28 the Court with sufficient information to enable it to take

1 same time that the stipulation is being fought. Because the
2 stipulation includes the Wood Class, it is the Wood Class
3 settlement.

4 You're going to see one document. That one document
5 is the Wood Class settlement, and it is the physical
6 solution. It's one document. It's one agreement. When he
7 files that and moves for a preliminary approval, we have the
8 burden to oppose it.

9 And if you look on Paragraph G, it says no objection
10 to the stipulated judgement will be heard. It's -- he files
11 a motion, he includes his settlement in that motion, which is
12 a global settlement, we get 14 days to oppose, and we can't
13 even be heard on the motion. That is not fair. It's just
14 not fair.

15 THE COURT: Well, I don't know that there's no
16 authority for not permitting objections on March the 19th.
17 You can always file an objection any time you want to, any
18 parties can, and where there's a proposed stipulated
19 judgement as between the parties, that's one thing.

20 The physical solution potentially goes beyond just
21 the interest of the parties to the stipulation, and to the
22 extent that any physical solution appears to be a proposal
23 for the Court to consider and adopt independently and to make
24 a finding on all parties, would demand that any party have an
25 opportunity to object and weigh in on that.

26 So just because a group of people, parties to a
27 lawsuit, think that a particular physical solution is the
28 appropriate one does not necessarily mean that the Court is

1 going to be bound to adopt that. There's got to be an
2 independent evaluation or something like that, and parties
3 have to have an opportunity to weigh in. Due process would
4 require that. The Court does have an interest in protecting
5 the class members in both classes.

6 And I can't tell you how appreciative I am that we
7 have two classes and lawyers who would be willing to step
8 forward and represent those classes, I think, very
9 effectively.

10 And so it helps everybody else who is involved in
11 this lawsuit or who lives in the Antelope Valley. That's a
12 good thing.

13 So I'm going to ask Mr. McLachlan, given those
14 comments, do you really think that Paragraph G is
15 appropriate?

16 MR. MCLACHLAN: I do, because --

17 THE COURT: It's 2-G, actually.

18 MR. MCLACHLAN: Yes, 2-G. I do, but I'm not -- I do
19 in terms of the reason I stated judicial economy, because the
20 Willis Class is not being prevented from making its
21 objection.

22 When I present my motion, which is attached to my
23 settlement that Mr. Kalfayan has incorrectly stated what it's
24 going to look like, there's a settlement agreement in my case
25 and then there is the global settlement, which is just,
26 essentially, a writing to that. I'm not asking the Court to
27 approve that in some sort of global sense.

28 What I'm asking the Court to do is what any class