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January 30, 2009

VIA DOCKET AND
FIRST CLASS MAIL

Honorable Jack Komar
Santa Clara Superior Court
Department 17
191 North First Street
San Jose, CA 95113

Re: *Antelope Valley Groundwater Cases*
J.C.C.P. No. 4408

Dear Judge Komar:

Please accept this letter in response to Mr. Lemieux's letter of January 28, 2009. I had hoped that the parties could have worked out the details of a case management conference order regarding discovery and structure of counsel before confirming letters were exchanged or communicated with the court. While Mr. Lemieux's letter does accurately summarize the substance of discussions among counsel, it is too early to confirm agreements and I do take exception to certain statements made therein. Specifically, there was no agreement to stay discovery. Further, while uniform discovery may work, the parties have reserved decision until the meet and confer on March 13, 2009. I remain optimistic that the parties will work through these issues in the next few days, and there is every indication that all will cooperate to get a reasonable discovery proposal in place.

We thank the court for its attention to this matter.

Very truly yours,

/s/ *Ralph Kalfayan*

RBK/ap