

KUHS & PARKER

ATTORNEYS AT LAW

WILLIAM C. KUHS
JAMES R. PARKER, JR.
ROBERT G. KUHS

P. O. BOX 2205
BAKERSFIELD, CALIFORNIA 93303
(661) 322-4004

1200 TRUXTUN AVENUE, SUITE 200
BAKERSFIELD, CALIFORNIA 93301

TELECOPIER NO.
(661) 322-2906

OUR FILE NO.

October 31, 2008

1291.01

VIA POSTING TO COURT WEBSITE

Richard G. Zimmer
Clifford & Brown
1430 Truxtun Avenue, Suite 900
Bakersfield, CA 93301-5230

Malissa McKeith
Lewis Brisbois Bisgaard & Smith LLP
221 North Figueroa Street, Suite 1200
Los Angeles, CA 90012

Re: Antelope Valley Groundwater Cases
Judicial Council Proceeding No. 4408
Santa Clara County Superior Court Case No. 1-05-CV 049053
N. Thomas Sheahan Deposition

Dear Mr. Zimmer and Ms. McKeith:

I recently spoke with Debbie Bowersock of Hahn & Bowersock Court Reporting. Ms. Bowersock advised that her office is currently synchronizing the video transcript and anticipate finishing the synchronization process by Saturday or perhaps Monday, November 3, 2008. Ms. Bowersock also advised that she is reluctant to edit the video without a stipulation of all counsel or order of the court. I do not know when we will actually receive a copy, and I have neither the means nor the time to edit the lengthy transcript while we are in trial. Given the circumstances, we suggest the following procedure:

1. Mr. Zimmer will edit the synchronized videotape to remove all colloquy and objections of counsel.

2. Mr. Zimmer will then forward a copy of the edited synchronized videotape to counsel for Tejon, Anaverde, and any other party requesting a copy.

Richard G. Zimmer
Malissa McKeith
August 22, 2008
Page 2

3. Counsel can then compare the edited videotape against the unedited copy to determine whether it accurately reflects the testimony of Mr. Sheahan.

4. Once counsel agree on an edited videotape the testimony can be played into the record.

5. All objections shall be made and ruled upon concurrent as the videotape is played into the record.

Given the trial scheduled and the estimated time of completion of the synchronized transcript, we do not anticipate that this process will be completed next week. We will therefore need to schedule a time with the court, perhaps in San Jose, when the transcript can be played into the record and objections ruled upon.

Thank you for your attention in this regard.

Very truly yours,



Robert G. Kuhs

RGK/lel

cc: Counsel and Parties