

James W. M. Charlton
Bradley T. Weeks
Shelly L. Ditzhazy
Lisa A. Doran
Erik Gunderson



1031 West Avenue M-14, Suite A
Palmdale, CA 93551
(661) 265-0969
Fax (661) 265-1650
www.CharltonWeeks.com

Brad@CharltonWeeks.com

Leland P. McElhaney
Brunick, McElhaney & Kennedy
P.O. Box 13130
San Bernardino, CA 92423-3130

December 4, 2013

RE: **Antelope Valley Groundwater Litigation**
Case No. 1-05-CV-049053
*Meet and Confer regarding Antelope Valley East Kern Water Agency Request
for Admissions, Request for Production, Special Interrogatories, Form
Interrogatories*

Dear Mr. McElhaney:

This letter regards your effort to meet and confer regarding the above described discovery. You posted a fifty page meet and confer in the afternoon of November 21, 2013, and three business days later, on November 26, 2013, requested a discovery conference with Judge Komar. I understand that conference will occur on December 11, 2013.

We clearly have differing views regarding the implication of the 2004 Civil Discovery Act amendments, A.B. No. 3081. Prior to this act, questions that contained, prefaces, definitions, and that referred to other matters were permissible. After this act, such questions were no longer permissible. Of course dealing with such differing views is what meeting and conferring is about, and I am ready, willing, and able to thus meet and confer.

Judge Komar requires that we meet and confer, as does Code of Civil Procedure sections 2016.040, 2016.300, 2031.310, and 2033.290. I respectfully suggest that a fifty page letter is not an adequate attempt to meet and confer, either as required by Judge Komar, or by the Code of Civil Procedure.

I also add, in my experience, that lengthy meet and confer letters, particularly ones containing repetitive phrases, are rarely productive.

If your goal, as is mine, is to resolve or at least significantly narrow the issues within our current discovery dispute, I recommend that we meet and confer in person, or on the telephone. I will meet you at the office of your client, or we can schedule a telephone call. I am available for most of this week, and Monday or Tuesday of next week.

Please contact me at your earliest convenience, and I look forward to working cooperatively with you to resolve these matters without the need of judicial assistance.

Sincerely,

A handwritten signature in blue ink that reads 'Bradley T. Weeks'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bradley T. Weeks
Attorney at Law