

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT 10 HON. WILLIAM F. HIGHBERGER, JUDGE
- - -
SANTA BARBARA CHANNELKEEPER, A)
CALIFORNIA NON-PROFIT CORPORATION,)
)
PLAINTIFF,)
)
VS.) CASE NO. 19STCP01176
)
STATE WATER RESOURCES CONTROL BOARD,)
ETC., ET AL.,)
)
DEFENDANTS.)
)
-----)
AND RELATED CROSS-ACTION.)
-----)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, FEBRUARY 9, 2021

IN-PERSON APPEARANCES OF COUNSEL:

FOR CITY OF SAN BUENAVENTURA: BEST BEST & KRIEGER LLP
BY: SHAWN D. HAGERTY, ESQUIRE
CHRISTOPHER M. PISANO, ESQUIRE
300 SOUTH GRAND AVENUE, 25TH FLOOR
LOS ANGELES, CALIFORNIA 90071

FOR WOOD-CLAEYSSSENS FOUNDATION: BROWNSTEIN HYATT FARBER SCHRECK
BY: SCOTT S. SLATER, ESQUIRE
1021 ANACAPA STREET, 2ND FLOOR
SANTA BARBARA, CALIFORNIA 93101

FOR ROBIN BERNHOFT: PACIFIC LEGAL FOUNDATION
BY: ANTHONY L. FRANCOIS, ESQUIRE
930 G STREET
SACRAMENTO, CALIFORNIA 95814

CASITAS MUNICIPAL WATER DISTRICT: RUTAN & TUCKER, LLP
BY: DOUGLAS J. DENNINGTON, ESQUIRE
1857 JAMBOREE ROAD, 9TH FLOOR
IRVINE, CALIFORNIA 92612

REPORTED BY: TIMOTHY J. MCCOY, CSR NO. 4745
OFFICIAL REPORTER PRO TEMPORE

1 REMOTE LA COURTCONNECT APPEARANCES OF COUNSEL:
2
3 STATE WATER RESOURCES OFFICE OF THE ATTORNEY GENERAL
CONTROL BOARD: BY: MARC N. MELNICK,
4 DEPUTY ATTORNEY GENERAL
5 CA. DEPARTMENT OF OFFICE OF THE ATTORNEY GENERAL
PARKS AND RECREATION: BY: SOPHIE A. WENZLAU,
6 DEPUTY ATTORNEY GENERAL
7 CA. DEPARTMENT OF OFFICE OF THE ATTORNEY GENERAL
FISH & WILDLIFE: BY: NOAH GOLDEN-KRASNER,
8 DEPUTY ATTORNEY GENERAL
9 FOR ELAINE V. KRANKL: GOLDENRING & PROSSER, APC
BY: PETER A. GOLDENRING, ESQUIRE
10
11 FOR LOA E. BLISS BY: LOA E. BLISS,
2006 REVOCABLE TRUST: IN PROPRIA PERSONA
12 FOR OAK HAVEN, LLC: LAW OFFICE OF LINDLEY P. FRALEY
BY: LINDLEY P. FRALEY, ESQUIRE
13
14 FOR AERA ENERGY, LLC: MANATT, PHELPS & PHILLIPS LLP
BY: SIGRID R. WAGGENER, ESQUIRE
PETER R. DUCHESNEAU, ESQUIRE
15
16 FOR AGR BREEDING INC.: ALSTON & BIRD LLP
BY: CLYNTON W. NAMUO, ESQUIRE
17 ASQUITH FAMILY LIMITED BLATZ LAW FIRM
PARTNERSHIP, LTD.: BY: PAUL B. BLATZ, ESQUIRE
18
19 TICO MUTUAL WATER CO.: LOWTHORP RICHARDS
BY: CRISTIAN R. ARRIETA, ESQ.
20 FOR MICHAEL LOMBARDO: ELKINS, KALT, WEINTRAUB,
REUBEN, GARTSIDE
21 BY: ERNEST J. GUADIANA, ESQUIRE
22 FOR RANCHO MATILIJA FERGUSON CASE ORR PATERSON LLP
MUTUAL WATER COMPANY: BY: NEAL P. MAGUIRE, ESQUIRE
23
24 FOR TROY BECKER: RYAN BLATZ LAW
BY: RYAN W. BLATZ, ESQUIRE
25 FOR COUNTY OF VENTURA: HANSON BRIDGETT
BY: NATHAN A. METCALF, ESQUIRE
26
27 FOR DENNIS CORTE: BY: DENNIS CORTE,
28 IN PROPRIA PERSONA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

REMOTE LA COURTCONNECT APPEARANCES OF COUNSEL (CONTINUED):

FOR THE THACHER SCHOOL: BY: GREGORY PATTERSON, ESQUIRE

FOR HOUSING AUTHORITY BY: DAVID FARKAS, ESQUIRE

OF THE CITY OF

SAN BUENAVENTURA:

FOR SANTA BARBARA BROWNSTEIN HYATT FARBER SCHRECK

CHANNELKEEPER: BY: BRADLEY J. HERREMA, ESQUIRE

DANIEL COOPER, ESQUIRE

CITY OF BUENAVENTURA: BY: SARAH FOLEY, ESQUIRE

FOR COUNTY OF VENTURA: VENTURA COUNTY COUNSEL'S OFFICE

BY: JASON T. CANGER, ESQUIRE

FOR VENTURA LAND TRUST: MORRISON & FOERSTER

BY: PATRICIA I-JIUN TSAO, ESQ.

FOR EMILY V. BROWN: LAMB & KAWAKAMI

BY: PATRICK L. RENDON, ESQUIRE

FOR DANNY EVERETT:

LAW OFFICES OF DAVID R. GREIFINGER

BY: DAVID R. GREIFINGER, ESQUIRE

FOR GREGG GARRISON:

BY: GREG GARRISON,

IN PROPRIA PERSONA

VENTURA RIVER COUNTY

HERUM CRABTREE SUNTAG

WATER DISTRICT:

BY: JEANNE M. ZOLEZZI, ESQUIRE

ST. JOSEPH'S ASSOCIATES

LANGERLOF LLP

OF OJAI CALIFORNIA, INC.:

BY: THOMAS S. BUNN, III, ESQUIRE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I N D E X

TUESDAY, FEBRUARY 9, 2021

W I T N E S S E S

(NONE)

E X H I B I T S

(NONE)

1 CASE NUMBER: 19STCP01176
2 CASE NAME: SANTA BARBARA CHANNELKEEPER
3 VS. STATE WATER RESOURCES
4 CONTROL BOARD, ET AL.
5 LOS ANGELES, CA TUESDAY, FEBRUARY 9 2021
6 DEPARTMENT 10 HON. WILLIAM F. HIGHBERGER, JUDGE
7 TIME: 1:50 P.M.
8 REPORTER: TIMOTHY J. MCCOY, CSR NO. 4745
9 APPEARANCES: (AS HERETOFORE NOTED)

10 * * *

11
12 (THE PROCEEDINGS COMMENCED IN OPEN COURT, WITH
13 VARIOUS PARTIES APPEARING REMOTELY, AS FOLLOWS:)

14
15 THE COURT: OKAY. 19STCP01176, SANTA BARBARA
16 CHANNELKEEPER VERSUS STATE WATER RESOURCES CONTROL BOARD.

17 I SEE MR. HAGERTY AND MR. PISANO FOR CITY OF
18 VENTURA AND SOME OTHER COUNSEL PRESENT IN COURT.

19 FOR THOSE OF YOU ON LA COURTCONNECT, WHEN YOU DO
20 SPEAK PLEASE GIVE YOUR NAME FOR THE REPORTER'S BENEFIT.

21 LET ME SET UP THE VIDEO HERE. OFF THE RECORD FOR
22 JUST A MOMENT.

23
24 (DISCUSSION HELD OFF THE RECORD)

25
26 THE COURT: OKAY. WE'RE BACK ON THE RECORD. WE'VE GOT
27 THE VIDEO WORKING.

28 MR. MELNICK, YOU'RE COUNSEL FOR THE STATE; RIGHT?

1 OR AT LEAST ONE OF THE THREE STATE AGENCIES?

2 MR. MELNICK: CORRECT, YOUR HONOR. FOR THE STATE WATER
3 RESOURCES CONTROL BOARD.

4 THE COURT: OKAY.

5 AND MR. COOPER, YOU'RE COUNSEL FOR MY UNDERLYING
6 PLAINTIFF, SANTA BARBARA CHANNELKEEPERS. GREETINGS.

7 MR. COOPER: GOOD MORNING, YOUR HONOR. OR GOOD
8 AFTERNOON.

9 THE COURT: OKAY.

10 AND I BELIEVE IT'S MR. HAGERTY AT THE PODIUM?

11 MR. HAGERTY: THAT'S CORRECT, YOUR HONOR. SHAWN HAGERTY
12 FOR THE DEFENDANT CITY OF VENTURA.

13 THE COURT: OKAY. SO MR. HAGERTY, IT'S BEEN TOO LONG
14 SINCE WE WERE LAST TOGETHER, AND I REALIZE NOW THAT BUT
15 FOR THAT I WOULD HAVE BEEN PAYING MORE ATTENTION TO OUR
16 COLLECTIVE CLERICAL NEED TO GET THIS THING TIDIED UP. BUT
17 FROM MY POINT OF VIEW, JUST LIKE YOU NEED TO SCRUB PROPERLY
18 BEFORE SURGERY, I THINK WE NEED TO GET THE PARTY STUFF
19 BETTER ORGANIZED BEFORE WE EVER HOPE TO PROCEED WITH A
20 REQUEST FOR DEFAULT OR OTHERWISE EVEN CONTEMPLATE GETTING
21 THE CASE SET FOR A HEARING ON ONE OR ANOTHER ISSUE.

22 MY MOST RECENT AGENDA TRIES TO RESPOND SPECIFICALLY
23 AS I CAN TO HOW YOU'VE EDUCATED ME ABOUT WHY SOME OF THE
24 THINGS HAVE SHOWN UP THE WAY THEY'VE SHOWN UP.

25 WE CAN GET THIS ALL FIXED I THINK. IT'S ONLY A
26 MATTER OF JUST DEALING WITH THE TEDIUM.

27 WHEN I WAS IN BOARDING SCHOOL AND IN COLLEGE
28 AND LAW SCHOOL I WORKED ON VARIOUS PUBLICATIONS -- STUDENT

1 NEWSPAPERS IN HIGH SCHOOL AND COLLEGE AND COLUMBIA LAW
2 REVIEW -- AND ONE OF THE THINGS DO YOU IS YOU WORK YOUR
3 WAY UP THROUGH THE RANKS AS A PROOFREADER. AND AS A
4 PROOFREADER, ONE IS VERY PRECISE ABOUT THE SPELLING OF
5 NAMES. AND SO I HAVE A PROOFREADER'S MENTALITY. I ALSO
6 HAVE AN ACCOUNTANT'S MENTALITY, BUT IT'S BAD ENOUGH THAT
7 I HAVE A PROOFREADER'S MENTALITY.

8 SO WHEN I SEE WHAT APPEAR TO BE LITTLE
9 DEVIATIONS -- AND THERE'S SOME KIND OF WORK THAT MAY BE
10 SEEN AS A MERE NOTHING, BUT IF THERE'S ONE PLACE WHERE
11 GETTING NAMES EXACTLY RIGHT, IT REALLY MATTERS IN A COURT
12 DOCKET. WE WON'T PROCESS A REQUEST FOR DISMISSAL, FOR
13 INSTANCE, IF THERE'S A MISMATCH OF A NAME, AND WE WON'T
14 ENTER A JUDGMENT, GOD FORBID, IF THERE'S AN ERRONEOUS NAME.

15 SO THIS MAY IN ONE SENSE SEEM TO BE ALL TRIVIAL
16 AND DE MINIMIS, BUT IT'S NOT IF THIS IS THE NECESSARY
17 SCRUBBING FOR SURGERY BEFORE YOU CAN GET ON TO WHAT YOU
18 REALLY WANT TO DO.

19 MR. HAGERTY: AND WE AGREE, YOUR HONOR. WE WILL
20 CORRECT ALL THE ISSUES THAT YOU'VE IDENTIFIED HERE.
21 WE'LL WORK WITH COURT STAFF TO DO THAT.

22 WE DO WANT TO GET TO THE MERITS, BUT WE REALIZE
23 THAT THIS NEEDS TO BE CORRECTED, AND WE'LL DO WHATEVER
24 IT TAKES TO DO THAT.

25 THE COURT: IS MR. BLATZ WITH US TODAY?

26 MR. BLATZ: YES, YOUR HONOR. RYAN BLATZ HERE.

27 THE COURT: SO I WAS ALERTED THAT SOME OF YOUR
28 STIPULATIONS REFER TO PEOPLE ERRONEOUSLY IDENTIFIED

1 AS CROSS-DEFENDANTS.

2 ARE THESE PEOPLE WHO ARE SAID TO BE ERRONEOUSLY
3 IDENTIFIED UNNAMED PARTIES, OR DID SOME OF THEM HAVE
4 THE HAPPENSTANCE OF BEING NAMED IN THE THIRD AMENDED
5 CROSS-COMPLAINT, MR. BLATZ?

6 MR. BLATZ: NO, YOUR HONOR. BASED ON OUR REVIEW OF
7 ALL OF OUR PARTIES, THERE WERE A NUMBER OF STIPULATIONS,
8 THERE WERE 19 THAT WERE DEEMED TO BE NOTICED PARTIES AND NOT
9 NAMED PARTIES. OR AS VENTURA HAD DEFINED THEM: "PROPERTY
10 OWNERS."

11 SO WHEN WE REALIZED THAT, BECAUSE THE STIPULATION
12 IDENTIFIED THEM AS CROSS-DEFENDANTS, WE ADDED RIGHT
13 IMMEDIATELY UNDERNEATH THE CAPTION AND THEN A SENTENCE IN
14 THE ORDER THAT SAID THE PARTY IS ERRONEOUSLY NAMED AS A,
15 AND I HAVE IT RIGHT HERE SO I CAN READ IT TO YOU EXACTLY,
16 IT SAYS "PROPERTY OWNER IS A NOTICED PARTY INCORRECTLY
17 IDENTIFIED AS A CROSS-DEFENDANT, AND PROPERTY OWNER
18 ACKNOWLEDGES RECEIPT OF NOTICE PURSUANT TO CCP 836."

19 SO THAT HAS BEEN WRITTEN ON THE 19 STIPULATIONS
20 WHERE PARTIES WERE NOTICED AND IT SAYS CROSS-DEFENDANTS,
21 AND THAT SAME SENTENCE IS INCLUDED AT THE BOTTOM OF THE
22 ORDER AS NO. 10.

23 THE COURT: I THINK I CAN PROBABLY LIVE WITH THAT,
24 MR. HAGERTY, UNLESS YOU HAVE A PROBLEM WITH IT. BECAUSE
25 IT ALERTS COURT STAFF NOT TO EXPECT TO FIND THESE NAMES
26 ON OUR DOCKET.

27 MR. HAGERTY: WE WERE COMFORTABLE WITH THE FILING
28 WITHOUT CHANGE. BUT, YOU KNOW, GIVEN THE ISSUES THAT

1 THE COURT HAD IDENTIFIED, WE JUST WANTED TO MAKE SURE WE
2 BROUGHT THAT TO YOUR ATTENTION SO IT DIDN'T HAPPEN TO COME
3 UP AFTER THE FACT.

4 THE COURT: NOW, WE'VE GOT ONE DOCUMENT THAT WAS
5 TWO-SIDED. WE STILL REJECT TWO-SIDED DOCUMENTS. SO WHOEVER
6 THOUGHT THEY WERE GOING TO GET A TWO-SIDED DOCUMENT FILED
7 AS ONE OF THE STIPULATIONS, THAT'S BAD CLERICAL WORK.

8 AND AGAIN, THE PROOFREADER IN ME LOOKS AT A FIRM
9 OF BEST BEST & KRIEGER'S STANDING AND WONDERS WHY I GET
10 THESE THINGS.

11 BUT YOU CERTAINLY KNOW WHAT I'M SAYING, DON'T YOU,
12 MR. HAGERTY?

13 MR. HAGERTY: YES, YOUR HONOR.

14 THE COURT: OTHERS, LIKE THE ROODS, WHO APPARENTLY HAD
15 FILED AN ANSWER BUT NOW ARE FILING A STIPULATION, OKAY,
16 IF THEY WANT TO CALL THEMSELVES CROSS-DEFENDANTS AT THIS
17 POINT BECAUSE THEY VOLUNTARILY CAME TO THE FIGHT, I CAN
18 LIVE WITH THAT. BUT IT WOULD HELP IF THERE'S A LITTLE MORE
19 CLARITY AS TO WHAT HAPPENED, BECAUSE I DON'T FIND THEM WHERE
20 I EXPECT TO FIND THEM.

21 AND MAYBE OUR DOCKET IS SORTABLE AT OUR END IN A
22 WAY THAT THE JUDGE DOESN'T UNDERSTAND, BUT AT LEAST WHEN I
23 TRY TO GO IN AND SORT IT, I WIND UP HAVING TO PAW THROUGH
24 THIS MANY-PAGE SUMMONS, WHICH IS ACTUALLY EASIER TO READ
25 THAN THE THIRD AMENDED CROSS-COMPLAINT BECAUSE THE WORDS
26 ARE JAMMED TOGETHER TIGHTER, BUT IT STILL HAS THIS ODD
27 A TO Z SEQUENCE BY SURNAME FOLLOWED BY A REALLY BIZARRE
28 SECOND A TO Z SEQUENCE BY FIRST NAME, FOLLOWED BY A

1 THIRD A TO Z SEQUENCE BY FIRST NAME, WHICH MAKES LOOKING
2 FOR SOMETHING LIKE MANFRED KRANKL HUGELY COMPLICATED,
3 PARTICULARLY WHEN IT TURNS OUT THAT JULIA KRANKL GOT NAMED,
4 NOT MANFORD, BUT NOW MANFORD WANTS TO SHOW UP ALONG
5 WITH ELAINE AND THE PAPERWORK DOESN'T EXPLAIN ANY OF
6 THE BACKSTORY.

7 AND IF YOU CAN UNDERSTAND HOW MUCH TIME I'VE
8 SPENT ON THIS, MR. HAGERTY, YOU MAY UNDERSTAND WHY I'M
9 BEING A LITTLE BIT CRANKY NOW.

10 MR. HAGERTY: YES, YOUR HONOR. AND WE WILL WORK TO
11 CORRECT THAT GOING FORWARD, BOTH THE TECHNICAL PART THAT
12 YOU'VE IDENTIFIED, AND THEN IF WE CAN, IN THE STIPULATION
13 WHEN IT'S AN UNUSUAL SITUATION LIKE THAT, WE CAN EXPLAIN
14 MORE SO WHEN YOU READ IT YOU'LL UNDERSTAND IT.

15 THE COURT: AND I DID FINALLY FIND THE ONE GUFSTAFSON
16 WHO GOT NAMED IN THE ORIGINAL CROSS-COMPLAINT, OR AT
17 LEAST THE FIRST OR SECOND, BUT SHE WAS THERE BEFORE THE
18 THIRD, SO SHE'S NOT ONE OF THE OTHER TWO GUFSTAFSONS.

19 IS IT JUST A HAPPENSTANCE THAT THERE ARE TWO
20 DIFFERENT PARCELS OWNED BY GUFSTAFSONS AND IT STIPULATES
21 TO ONE?

22 MR. HAGERTY: THERE'S A LOT OF OVERLAP AND CONFUSION
23 OF PARTIES, YOUR HONOR. EVEN WHEN IT'S PERFECT YOU'RE
24 STILL GOING TO SEE THAT OVERLAP AND CONFUSION, AND WE'LL
25 JUST NEED TO WORK THROUGH IT WITH THE COURT.

26 THE COURT: OKAY. DOES ANYBODY ON THE PHONE OR OTHER
27 PEOPLE IN COURT HAVE FURTHER CONCERNS OR QUESTIONS ABOUT
28 WHAT THE COURT PROPOSES TO DO TO TRY TO GET OUR PARTY

1 ENTRIES SOMEWHAT REGULARIZED AND CORRECT?

2 MR. GOLDENRING: YOUR HONOR, PETER GOLDENRING FOR THE
3 KRANKLS.

4 THE COURT: GO AHEAD, SIR.

5 MR. GOLDENRING: THE ISSUE WE HAVE -- I'M SORRY,
6 YOUR HONOR.

7 THE COURT: PLEASE PROCEED, MR. GOLDENRING.

8 MR. GOLDENRING: THANK YOU. I APOLOGIZE.

9 I RECEIVED YOUR NOTE AROUND THE TRUST VERSUS
10 THE INDIVIDUALS, AND I CERTAINLY WILL CLEAR THAT UP WITH
11 AN AMENDED ANSWER. BUT THE ISSUE IS THAT MY CLIENTS, AND
12 I THINK A NUMBER OF OTHER PEOPLE, ARE CONFUSED AROUND
13 THE NAMES VERSUS THE ATN NUMBERS, AND THEY'RE NOT ALWAYS
14 CONSISTENT AND TIED TOGETHER.

15 AND WHAT MIGHT BE HELPFUL IS IF THE CITY WOULD
16 MAKE AVAILABLE, NOT JUST FOR THE COURT BUT TO EVERYONE,
17 WHAT THE ATN NUMBERS ARE THAT THEY'RE FOCUSING ON, AND
18 THEN THAT WOULD ALLOW AT LEAST FROM MY SIDE AROUND WHICH
19 KRANKL AND I CAN TIE BACK INTO WHAT PROPERTY, BECAUSE WE
20 HAD A LOT OF DIFFICULTY DOING THAT AND I BELIEVE THAT THE
21 CITY ATTORNEYS OBTAINED FROM THE COUNTY THAT DATA BASE.

22 SO THAT MAY BE A WAY OF HELPING FOCUS ON WHAT
23 PROPERTIES ARE ACTUALLY WITHIN THE SCOPE OF THIS LITIGATION
24 AS OPPOSED TO THE NAMES.

25 THANK YOU.

26 THE COURT: MR. HAGERTY, IS THERE A --

27 UNIDENTIFIED SPEAKER: YOUR HONOR?

28 THE COURT: ONE SECOND. I'LL GET TO THE NEXT PERSON IN

1 A MOMENT.

2 MR. HAGERTY, IS THERE A PUBLICLY-MAINTAINED WEBSITE
3 EITHER BY THE CITY OR SOME OTHER PARTY AFFILIATED WITH THIS
4 CASE AT THE MOMENT?

5 MR. HAGERTY: YES. WE HAVE MAINTAINED AN ADJUDICATION
6 WEBSITE THAT'S PUBLICLY AVAILABLE THAT WE CAN WORK WITH --
7 WELL, I'D LIKE TO WORK WITH MR. GOLDENRING ON HIS SPECIFIC
8 ISSUE, BECAUSE WE DO HAVE THAT APN INFORMATION AND I CAN
9 WORK WITH HIM ON THAT DIRECTLY.

10 WE CAN CONSIDER WHAT WE CAN POST ON THAT
11 ADJUDICATION WEBSITE. WE JUST NEED TO BE CAREFUL SOMETIMES
12 ABOUT PRIVACY ISSUES WITH SOME OF THIS INFORMATION, AND
13 SO WE WILL NEED TO WORK THROUGH THAT. BUT WE WOULD BE
14 HAPPY, IF WE'RE ABLE TO, TO POST THAT KIND OF INFORMATION
15 ON THAT WEBSITE.

16 IT'S CERTAINLY SOMETHING THAT'S IN OTHER DOCUMENTS
17 WE'RE WORKING ON THAT AREN'T BEFORE THE COURT YET. THAT
18 INFORMATION IS ALL THERE. SO WE DO HAVE ALL THE APNS.

19 THE COURT: SO A COUPLE OF QUESTIONS RELATED TO THAT.

20 UNLESS OTHERS TELL ME THERE'S A PROBLEM, I
21 DON'T SEE A PRIVACY PROBLEM WITH DISCLOSING WHAT THE
22 CITY OF VENTURA BELIEVES TO BE THE APNS THAT RELATE TO
23 THE CROSS-COMPLAINT AGAINST RIPARIAN OWNERS. IN OTHER
24 WORDS, THIS WOULD BE A RECORDATION OF APNS THAT HAPPEN TO
25 FOLLOW CERTAIN WATER COURSES. AND THEN PRESUMABLY THERE
26 COULD BE A DIFFERENT SET OF APNS THAT FOLLOWED THE SEVERAL
27 DELINEATED GROUNDWATER BASINS THAT APPEAR TO BE IN ISSUE.

28 I REALIZE THE CITY IS OF THE VIEW THAT THEY

1 FUNCTION AS A SINGLE BASIN, BUT ON SOME MAPPING THEY'RE
2 AT LEAST SHOWN AS HALF A DOZEN SEPARATE BASINS, TO MY
3 RECOLLECTION, AND THOSE COULD BE BROKEN OUT BY THE
4 IDENTIFIED SUBBASIN AS SHOWED IN EXHIBIT A TO YOUR
5 THIRD AMENDED CROSS-COMPLAINT, SO THAT THE CONCERN OF
6 MR. GOLDENRING AND OTHERS AS TO WHICH APNS ACTUALLY ARE
7 CAUGHT UP IN THIS IN REM ACTION AND THE DIRECT CLAIMS
8 AGAINST THE RIPARIAN OWNERS CAN BE MADE EVIDENT.

9 DO YOU AGREE THAT, AT LEAST TO YOUR PERCEPTION,
10 MR. HAGERTY, THAT MUCH CAN BE DONE WITHOUT PRIVACY CONCERNS?

11 MR. HAGERTY: I BELIEVE SO, YOUR HONOR. I MEAN, I DO
12 THINK IT WOULD BE HELPFUL IF PEOPLE WHO HAVE INDIVIDUAL
13 QUESTIONS TO CONTACT US SO THAT WE CAN WORK WITH THEM TO
14 GET THEM THE INFORMATION. BUT WE WILL WORK TO MORE BROADLY
15 DISSEMINATE THAT THROUGH THE ADJUDICATION WEBSITE.

16 THE COURT: THE NEXT SUGGESTION, AND I WILL MAKE IT AS
17 A SOFT SUGGESTION BECAUSE IT MAY BE A BAD IDEA, IS: WOULD
18 THERE BE ANY VIRTUE IN MAKING AVAILABLE ON THAT WEBSITE WHAT
19 THE CITY AS CROSS-COMPLAINANT BELIEVES TO BE THE NAMES OF
20 ALL THE NAMED CROSS-DEFENDANTS IN THIS PUBLIC PROCEEDING?

21 MR. HAGERTY: WELL, YEAH, I GUESS WE -- I MEAN, THE
22 NAMES IN THE CAPTION, RIGHT, THEY'RE PUBLIC ALREADY. SO
23 IF WE COULD MAKE THEM AVAILABLE AND SEARCHABLE THROUGH
24 THAT, IS SOMETHING WE COULD CERTAINLY EXPLORE.

25 THE COURT: BECAUSE HOPEFULLY AS YOU WORK WITH COURT
26 STAFF TO, QUOTE, CLEAN UP THE LIST OF CROSS-DEFENDANTS,
27 THAT LIST MAY BE A BIT OF A MOVING TARGET. SOME PEOPLE MAY
28 DIE, YOU COULD SHOW THEM AS DISMISSED WITHOUT NECESSARILY

1 ZEROING OUT THE LINE, BUT ESSENTIALLY WITH A SECOND ENTRY
2 "DISMISSED," SAY IT'S A DECEASED LANDOWNER OR SOMEONE YOU
3 KNOW TRANSFERRED OUT TITLE --

4 MR. HAGERTY: YES.

5 THE COURT: -- AND YOU HAVE DISMISSED THEM, THAT THAT
6 NAME MIGHT BE THERE, BUT IF SOMEBODY GOES AND SEARCHES
7 THEY WILL SEE IF THAT IS THEIR BELOVED DECEASED PARENT
8 OR THEIR OWN NAME AND THEY HAVEN'T DECEASED, YOU KNOW,
9 WHERE THEY STAND FROM THE POINT OF VIEW OF THE CITY.

10 THAT'S DIFFERENT FROM WHETHER THAT WOULD GO ON
11 AND TALK ABOUT TRUST, A TRUST INFORMATION, AND/OR WHETHER
12 THEY'VE ANSWERED OR WHETHER THEY'VE SIGNED A STIPULATION.

13 BUT AT SOME POINT WHETHER THEY'VE SIGNED A
14 STIPULATION OR SUPPORT THE PHYSICAL SOLUTION WILL BECOME
15 INTERESTING, AT LEAST INSOFAR AS YOU CAN ALSO INDICATE
16 ON THAT SAME DOCUMENT WHETHER YOU BELIEVE THEY HAVE HAD A
17 WORKING WELL IN THE RELEVANT PERIOD OF TIME. BECAUSE TO
18 MY UNDERSTANDING, FOR SOME PURPOSES IF YOU JUST HAPPENED
19 TO OWN LAND IN A RELEVANT WATER BASIN, YOU GET ALL YOUR
20 WATER FROM THE CITY WATER MAIN, YOU DON'T HAVE A WELL,
21 YOUR CONSENT TO THE PHYSICAL SOLUTION IS IRRELEVANT. AT
22 LEAST THAT'S MY READING OF THE STATUTE.

23 MR. HAGERTY: WELL, I THINK AS WE'VE TRIED TO INDICATE,
24 WE WOULD LIKE TO BRIEF YOU MORE ON THOSE ISSUES. BUT I
25 UNDERSTAND WHAT THE COURT IS SAYING.

26 THE COURT: YOU'VE GOT TO DO A WHOLE BUNCH OF NUMBER
27 COUNTING, THOUGH, AT SOME POINT.

28 MR. HAGERTY: IF CERTAIN THINGS HAPPEN AND IF WE PROCEED

1 UNDER A CERTAIN STATUTE.

2 BUT TO GET TO THE COURT'S ORIGINAL QUESTION, I
3 MEAN, THERE ARE ALREADY A NUMBER OF PARTIES WHO ARE DECEASED
4 OR HAVE LEFT, AND SO AS WE TRIED TO INDICATE TO THE COURT
5 IN OUR RESPONSES YESTERDAY THAT WE WILL BE FILING ROE
6 AMENDMENTS AND WE WILL BE WORKING TO DISMISS.

7 SO WE COULD REFLECT THAT IN THE TYPE OF DATABASE
8 THAT YOU'RE TALKING ABOUT SO THAT PEOPLE COULD SEE, YEAH,
9 THEY WERE A PARTY BUT THEY'VE NOW BEEN DISMISSED OR THE
10 ROE PART OF IT HAS BEEN ADDED.

11 THE COURT: CANDIDLY, WE WANT THIS LEVEL OF DATA TO
12 TRY TO MAKE OUR RECORDS COHERENT AND ACCURATE. IN FACT,
13 YOU GET TO PLAY AUDITOR OF OUR RECORDS -- OUR RECORDS ARE
14 PUBLIC, YOU CAN CHECK THEM FROM THE COMFORT OF YOUR OFFICE
15 OR YOUR BEDROOM VIA THE INTERNET -- AND ALTHOUGH IT'S
16 TIME-CONSUMING IT WILL BEHOOVE YOU AND YOUR CLIENT TO MAKE
17 SURE OUR RECORDS ARE ACCURATE, PARTICULARLY WHEN YOU'RE
18 BEING TOLD AT THE MOMENT THEY'RE NOT ACCURATE. THE JUDGE
19 IS TELLING YOU THAT, SO SOME CLEANUP HAS TO HAPPEN.

20 AND IF YOU JUST WAIT AND EXPECT THAT THE TAXPAYERS
21 OF LOS ANGELES COUNTY ARE GOING TO MAKE IT ALL HAPPEN
22 THROUGH COURT STAFF, YOU MAY BE WAITING FOR GODOT.

23 SO WE NEED SOME CONSTRUCTIVE INPUT FROM YOUR
24 OFFICE SO THAT WE CAN MOVE THIS IMPORTANT CASE FORWARD
25 SO THAT WE CAN TURN TO THE MERITS QUICKLY ENOUGH.

26 MR. HAGERTY: YES, YOUR HONOR. I MEAN, THAT'S WHAT
27 WE'LL FOCUS ON COMPLETELY, AND WE'VE ALREADY -- WE SPOKE
28 WITH MR. RICK THRALL YESTERDAY.

1 THE COURT: AND HE'S IN THE ROOM.

2 MR. HAGERTY: YES. AND I PROVIDED HIM WITH TWO THUMB
3 DRIVES WITH SOME ADDITIONAL INFORMATION.

4 WE WILL WORK AS MUCH AS WE CAN TO CLEAN THESE
5 ISSUES UP AND GET THIS READY FOR A MERITS HEARING.

6 THE COURT: SO, REQUESTS FOR DEFAULT. I'M NOT SURPRISED
7 THAT YOU MIGHT NEED TO MAKE A THOUSAND OR MORE. YOU'VE
8 NAMED ABOUT 2100 RIPARIAN LANDOWNERS, SOME OF WHOM HAPPEN
9 TO BE OVERLYING THE WATER BASIN, BUT THEY'RE ALL RIPARIAN.
10 OFF THE RECORD FOR A SECOND.

11

12 (DISCUSSION HELD OFF THE RECORD)

13

14 THE COURT: BACK ON THE RECORD.

15 AND PARTICULARLY IF ONE OF THOSE RIPARIAN WATER
16 OWNERS DOESN'T HAVE A WELL, DOESN'T STICK A HOSE IN THE
17 STREAM OR THE STREAM IS A DRY STREAM 98 PERCENT OF THE TIME
18 AND THEY HAVE A ONE-INCH METER WITH THE CITY WATER MAIN,
19 THEY MAY WELL WISH NOT TO HIRE A LAWYER OR PAY \$430 FOR
20 THE HONOR OF COMING TO COURT.

21 BUT AGAIN, THAT'S GOING TO BE, HYPOTHETICALLY, A
22 THOUSAND DIFFERENT REQUESTS FOR DISMISSAL.

23 UNDERSTANDABLY, BECAUSE OF THE PRIOR COURT ORDERS
24 TO GET THESE THINGS SERVED AND GET YOUR PROOFS OF SERVICE
25 FILED, AS A MATTER OF HISTORY A LOT OF THE PROOFS OF SERVICE
26 OF PERSONAL SERVICE MAY ALREADY BE SUBMITTED TO THE CLERK.
27 BUT WHEN THEY'RE HIDDEN IN THIS HAYSTACK, PLEASE DON'T ASK
28 US TO GO AND INDEPENDENTLY GO TRACK BACK AND FIND THAT

1 NEEDLE IN OUR HAYSTACK, WE REALLY NEED YOU TO HAND THE
2 CONFORMED COPY OF THAT PROOF OF SERVICE SPECIFIC TO THE
3 REQUEST FOR DEFAULT.

4 HYPOTHETICALLY, WILLIAM F. HIGHBERGER -- I DON'T
5 OWN LAND IN THE WATER COURSE, I JUST USED MY NAME JUST BY
6 WAY OF EXAMPLE -- BUT IF YOU HAVE A REQUEST FOR DEFAULT OF
7 CROSS-DEFENDANT WILLIAM F. HIGHBERGER, PLEASE, EVEN IF THAT
8 PROOF OF SERVICE GOT FILED WEEKS OR MONTHS EARLIER, ATTACH
9 A CONFORMED COPY -- NOT JUST A COPY, BUT A CONFORMED COPY --
10 SO STAFF KNOWS IT'S PART OF THE COURT'S RECORDS, OR IF THEY
11 HAVE TO INDEPENDENTLY CHECK IT, THEY'LL KNOW HOW THEY CAN
12 QUICKLY GO FIND IT. BECAUSE THIS IS A HAYSTACK, THROUGH
13 NO FAULT OF YOUR OWN. BUT EVERY TIME STAFF HAS TO GO DO
14 THE NEEDLE-IN-THE-HAYSTACK ROUTINE, IT BECOMES VERY
15 TIME-CONSUMING.

16 UNDERSTAND?

17 MR. HAGERTY: I DO, YOUR HONOR.

18 CAN WE ADDRESS THE QUESTION OF WHETHER THERE ARE
19 WAYS FOR US TO STREAMLINE THAT PROCESS?

20 THE COURT: GIVE IT A TRY. I'M OPEN TO ANY EFFICIENCIES
21 WE CAN GET TO. UNFORTUNATELY THERE'S DUE PROCESS, SO IT'S
22 HARD SOMETIMES TO --

23 MR. HAGERTY: NO. AND OF COURSE. BUT WE'RE JUST
24 TALKING ABOUT, YOU KNOW, IN OTHER CASES OF THIS SIZE THERE
25 HAVE BEEN KIND OF WHAT WE'VE CALLED BUNDLING, AND THEY'RE
26 EACH INDEPENDENT SO THAT THE COURT CAN -- BUT INSTEAD OF
27 HAVING TO FILE A SEPARATE ONE FOR EACH PERSON, WE WOULD
28 PROVIDE ALL THE INFORMATION WITH ONE COVER SHEET, AND

1 WE COULD DO IT WITH SPREADSHEETS AND HAVE IT BE EASILY
2 ACCESSIBLE.

3 I GUESS WE WOULD JUST LIKE THE OPPORTUNITY TO
4 WORK WITH COURT STAFF TO FIGURE OUT THE BEST WAY, BECAUSE
5 IT WILL BE A LOT OF WORK, AND WE WANT TO MAKE IT AS
6 EFFICIENT AS POSSIBLE TO NOT BURDEN THE COURT AND --

7 THE COURT: THE GOOD NEWS IS IT'S NOT DONE BY ME.
8 I HAVE TO SIGN THE STIPS, SO YOU'VE GOT TO MAKE ME HAPPY
9 ABOUT THESE STIPS.

10 MR. HAGERTY: YES.

11 THE COURT: BUT I DON'T HANDLE REQUESTS FOR DEFAULT.
12 I CAN SET THEM ASIDE ON OCCASION FOR GOOD CAUSE SHOWN, BUT
13 I DON'T ENTER THEM.

14 SO, IF IT WORKS BETWEEN YOU AND MR. THRALL AND HIS
15 COLLEAGUE NANCY ARRINGTON, WHO IS ALSO IN THE BACK OF THE
16 COURTROOM, IT WILL BE AGREEABLE TO ME.

17 AND IF YOU HAVEN'T YET SERVED SOMEBODY BUT YOU
18 HAVE GOOD PROOF WHAT YOU'RE GOING TO SUBMIT FOR THE FIRST
19 TIME WITH YOUR REQUEST, THAT'S A BLESSING IN ITS OWN RIGHT
20 BECAUSE THEN YOUR UNFILED BUT FILEABLE PROOF OF SERVICE OF
21 PERSONAL SERVICE HYPOTHETICALLY OF THE SUMMONS AND COMPLAINT
22 MORE THAN 30 DAYS AGO ON THAT PROPERTY OWNER CAN BE
23 SUBMITTED WITH A REQUEST FOR DEFAULT AND THEN THERE'S VERY
24 LITTLE OF THE NEEDLE-IN-THE-HAYSTACK PROBLEM BECAUSE THEY'RE
25 ALL THERE TOGETHER, IT'S NOT YET FILED BUT SOON ENOUGH IT
26 WILL BE FILED. SO THEN THE PROOF THAT SUPPORTS THE DEFAULT
27 HYPOTHETICALLY WILL BE THERE. BUT IT'S THE PROOF THAT
28 WAS FILED WEEKS OR MONTHS AGO WHICH IS THE NEEDLE IN THE

1 HAYSTACK, WHICH IS WHY WE THEN NEED A CONFORMED COPY.

2 AND IF IT'S SUBSTITUTED SERVICE, WHICH WILL
3 PROBABLY BE THE CASE FOR MANY OF IF NOT MOST OF THESE,
4 YOU'RE GOING TO HAVE DILIGENCE DECLARATIONS, YOU'RE GOING
5 TO HAVE THE SUBSTITUTED DROP OFF AT A HOME OR RESIDENCE
6 IN THE POSSESSION OF SOMEBODY ELSE, AND YOU'RE GOING TO
7 HAVE A SEPARATE PROOF OF U.S. MAIL, SO THERE COULD BE THREE,
8 FOUR, FIVE, DIFFERENT, SEPARATE PIECES OF PAPER COLLECTIVELY
9 PROVING UP THE SUFFICIENT SERVICE OF THE SUMMONS AND
10 COMPLAINT ON A MERE SINGLE HOMEOWNER.

11 AND INDEED, IF IT'S A HUSBAND AND WIFE, AS IS
12 COMMON, YOU'RE GOING TO HAVE TWO SETS OF THESE. SO THAT'S
13 A LOT OF PAPER WHEN YOU TALK ABOUT, YOU KNOW, TWO DIFFERENT
14 SUBSERVICES ON HUSBAND AND WIFE OF A GIVEN PARCEL.

15 MR. HAGERTY: AND THAT'S WHY WE WANT TO WORK ON
16 STREAMLINING. AND FOR THE MOST PART, IT'S BEEN PERSONAL
17 SERVICE OR ACKNOWLEDGED SERVICE BY MAIL.

18 SO I THINK WE CAN MAKE THAT EFFICIENT, BUT WE
19 WOULD LIKE JUST THE OPPORTUNITY TO WORK WITH THE COURT
20 ADMINISTRATION TO COME UP WITH A WAY THAT MAKES IT AS EASY
21 AS POSSIBLE FOR THE COURT BUT ALSO ALLOWS US TO PROCESS
22 THESE AS QUICKLY AS WE CAN.

23 THE COURT: OKAY.

24 OTHER THAN MR. HAGERTY, IS THERE ANYBODY IN
25 THE WAY OF INTERESTED VOLUNTEERING-APPEARING PARTIES
26 OR NAMED CROSS-DEFENDANTS WHO HAS ANYTHING YOU WANT TO
27 TAKE UP ON THE QUESTION OF NAMING AND/OR CLEANING UP
28 OUR RECORDS BEFORE I TURN TO THINGS MORE SUBSTANTIVE?

1 MR. BLATZ: YES, YOUR HONOR. RYAN BLATZ.

2 THE COURT: GO AHEAD.

3 MR. BLATZ: I WANTED YOU TO KNOW, WE FILED A -- YOU
4 KNOW, WE HAD QUITE A NUMBER OF STIPULATIONS AND I HAD A
5 LOT OF LOCAL PEOPLE FROM OJAI COMING IN, AS WELL AS A NUMBER
6 OF ANSWERS. I MEAN, I DON'T KNOW WHETHER THE COURT HAS
7 GONE THROUGH THEM YET, IT SOUNDS LIKE YOU HAVEN'T SEEN THE
8 STIPULATIONS YET, BUT I WANTED YOU TO KNOW THAT WE WENT
9 THROUGH ALL OF THEM AND MATCHED UP, WORKING WITH VENTURA
10 AND WITH ALL THE RECORDS WE HAD ACCESS TO, TRYING TO FIGURE
11 OUT WHO THE NAMED PARTY WAS AND THEN CORRECTLY IDENTIFYING
12 THEM UNDER THE ACTUAL OWNERSHIP OF THE PROPERTY AND THE
13 APNS THAT ARE ASSOCIATED WITH THEIR OWNERSHIP.

14 WE DID INCLUDE SOMETIMES MULTIPLE PEOPLE, LIKE A
15 HUSBAND AND WIFE OR MAYBE CO-TRUSTEES, ON ONE STIPULATION
16 OR ONE ANSWER BECAUSE WE HAD UNDERSTOOD THAT WAS THE WAY
17 TO DO IT.

18 HOWEVER, I'M READING SOME OF THE NOTES THAT YOU
19 HAD POSTED ON FILE & SERVEXPRESS, AND I'M NOT A HUNDRED
20 PERCENT CONVINCED THAT IT'S THE MOST EFFICIENT WAY, BUT
21 I WANTED TO MAKE SURE YOU ARE AWARE AS YOU START SEEING
22 THESE STIPULATIONS AND THESE OTHER DOCUMENTS WHAT EXACTLY
23 WE WERE DOING AND WHY. AND IF THERE'S ANY PROBLEMS WITH
24 THEM, OBVIOUSLY WE'RE HAPPY TO MAKE ANY CORRECTIONS AS
25 NEEDED TO MAKE THE COURT'S JOB EASIER.

26 BUT IN EACH CAPTION IT SHOULD SAY THE PARTY, WHAT
27 THEY WERE LISTED AS IN VENTURA'S COMPLAINT, AND THEN IF THE
28 PROPERTY IS OWNED IN A DIFFERENT MANNER, LIKE IF THEY WERE

1 NAMED AS INDIVIDUALS BUT THE PROPERTY'S OWNED AS TRUSTEES,
2 THEN THEY'RE INDICATED AS "ERRONEOUSLY SUED AS" BUT WITH
3 THE CORRECT NAME FROM THE DEED AS BEING THE LISTED PARTY.

4 THE COURT: WELL, THOSE SITUATIONS PROBABLY SHOULD
5 HAVE A RENAMING BEFORE THE STIPULATION IS ACCEPTED. SO
6 THAT IF THEY WERE NAMED AS WILLIAM HIGHBERGER AND SARAH
7 HIGHBERGER BUT ACTUALLY TITLE IS HELD BY WILLIAM HIGHBERGER
8 AND SARAH HIGHBERGER AS CO-TRUSTEES OF THE HIGHBERGER LIVING
9 TRUST DATED APRIL 1, 1999, PROBABLY WE NEED TO AMEND THE
10 CROSS-COMPLAINT SO THAT THE STIPULATION COMES IN ASSOCIATED
11 WITH THE PEOPLE WHO ACTUALLY HAVE CAPACITY TO BIND THAT
12 PARCEL.

13 I UNDERSTAND WHY FROM MR. BLATZ'S POINT OF VIEW
14 THIS IS MORE TROUBLE THAN HE SEES WORTHWHILE IN HELPING
15 CLIENTS AND BASICALLY JUST TRYING TO GO ALONG WITH THE CITY,
16 BUT I THINK, FOR RECORD NICETIES, IF PEOPLE TRYING TO ENTER
17 INTO THE STIPULATION ARE DOING IT AS WILLIAM HIGHBERGER AND
18 SARAH HIGHBERGER AS CO-TRUSTEES OF THE HIGHBERGER LIVING
19 TRUST DATED SUCH AND SUCH A DATE, THAT'S THE PARTY THAT
20 OUGHT TO SHOW ON THE RECORDS. BUT THE NAMING OF RIPARIAN
21 LANDOWNERS WAS WILLIAM HIGHBERGER AND SARAH HIGHBERGER,
22 IT'S A MISMATCH.

23 NOW, IF THERE'S A WALK-ON, THERE'S NO STATUS
24 QUO ANTE. SO WE SHOULD JUST GET THEM PRESENTING THEMSELVES
25 FOR THE FIRST TIME WITH THE CORRECT NAME AND CONVENTION
26 AND THERE IS THEN NO CONCERN.

27 BUT IF THEY WERE NAMED AS RIPARIAN LANDOWNERS BUT
28 IT DOESN'T QUITE CAPTURE THE WAY THE TITLE DOES, THEN THERE

1 OUGHT TO BE ONE OF THE LACIV 105 FORMS, OR ACTUALLY IF IT'S
2 TWO OF THEM, THEN PRESUMABLY TWO LACIV 105 FORMS, TO CORRECT
3 THE WILLIAM HIGHBERGER REFERENCE AND THE SARAH HIGHBERGER
4 REFERENCE, AND THOSE SHOULD JUST BE ONE PARTY AT A TIME, AS
5 I UNDERSTAND THE USE OF THE LACIV 105 FORM, OR ELSE PUT IT
6 ON PLEADING PAPER AS I PROPOSED FOR THE GRIDLEY ROAD WATER
7 COMPANY WHERE YOU'RE TRYING TO MUTATE ONE NAMED FICTITIOUS
8 ENTITY BEING FOUR OR MORE INDIVIDUALS WHO FUNCTION AS KIND
9 OF A GENERAL PARTNERSHIP WITHOUT LARGER FORMALITIES.

10 MR. HAGERTY: YOUR HONOR, WE INDICATED WE WOULD WORK
11 WITH MR. BLATZ, AND WE'RE HAPPY TO CLEAN ALL OF THAT UP
12 IF IT NEEDS CLEANING UP.

13 WE APPRECIATE HIS TIME. HE HAS DONE A LOT OF WORK
14 TO ALL THE STIPULATIONS AND GET THEM SIGNED. WE'LL TRY TO
15 MAKE IT AS PAINLESS AS POSSIBLE FOR EVERYONE. BUT WE'RE
16 HAPPY TO WORK WITH MR. BLATZ TO MAKE ANY CHANGES THAT ARE
17 NEEDED TO FILE ANY ADDITIONAL FORMS ON THE NAMES. AND WE
18 WILL DO THAT.

19 THE COURT: I'LL MOVE ON IN A SECOND, BUT I DO RECOLLECT
20 THAT I HAD CUT SOMEBODY OFF ON THE PHONE WHEN I WAS TALKING
21 TO MR. GOLDENRING.

22 WAS THERE SOMEBODY ELSE WHO FELT THEY HAD A POINT
23 THEY WANTED TO MAKE AND FOUND THEMSELVES CUT OFF BY THE
24 JUDGE?

25 MR. GREIFINGER: YOUR HONOR, THIS IS DAVID GREIFINGER
26 APPEARING FOR DANNY EVERETT AND (UNINTELLIGIBLE).

27 I THINK THE COURT ADDRESSED IT. MY CLIENTS WERE
28 SERVED WITH A CROSS-COMPLAINT. I DON'T FIND THEIR NAMES

1 ANYWHERE IN THE PLEADINGS. AND I THINK THIS IS WHAT THE
2 COURT HAS BEEN TALKING ABOUT FOR THE LAST HALF-HOUR OR SO.

3 THE COURT: WELL, INDEED. THE WAY THE COMPREHENSIVE
4 GROUNDWATER STATUTE WORKS UNDER CCP 830, ET SEQ., IF YOU
5 MERELY OWN A FEE SIMPLE OVER THE GROUNDWATER BASIN AT ISSUE,
6 IN ORDER FOR IN REM JURISDICTION TO ATTACH, THESE UNNAMED
7 PARTIES STILL GET SERVED WITH A CROSS-COMPLAINT, AS WELL
8 AS HOPEFULLY WITH A COURT-APPROVED EDUCATIONAL EXPLANATION
9 AS WELL AS A COURT-APPROVED SAMPLE ANSWER, AND THEY ARE
10 INVITED TO EITHER SIT ON THEIR HANDS AND TRUST THAT THEIR
11 CITY WATERWORKS WILL PROTECT THE SUFFICIENCY OF THEIR
12 WATER SUPPLIES IF THEY DEPEND ONLY ON A PIPED MUNICIPAL
13 OR COMMERCIAL WATERWORKS FOR THEIR WATER OR IF THEY HAVE
14 A WELL OR HAVE THOUGHTS OF HAVING A WELL OR STICK A HOSE
15 IN THE RIVER ON OCCASION AND HAVE DESIRE TO CONTINUE TO
16 STICK A HOSE ON THE RIVER, THEN -- WELL, THEN ACTUALLY
17 THEY WOULD BE RIPARIAN. FORGET ABOUT THE RIVER PART.

18 IF THEY HAVE A WELL OR HAVE THOUGHTS OF DRILLING
19 A WELL AND THEY WANT TO COME AND PROTECT THEIR RIGHTS,
20 THEN FOR DUE PROCESS REASONS THEY'RE GIVEN THE RIGHT TO
21 COME TO COURT AND JOIN THE FIGHT.

22 BUT THAT'S --

23 MR. GREIFINGER: THAT'S WHY WE'RE HERE. THANK YOU.

24 THE COURT: OKAY.

25 MR. HAGERTY: AND YOUR HONOR, I'M SORRY, I DIDN'T CATCH
26 THE COUNSEL'S NAME, BUT IF --

27 THE COURT: GRESSINGER OR GREIFINGER.

28 MR. HAGERTY: OKAY. IF HE COULD PLEASE REACH OUT TO

1 OUR OFFICE, WE'LL WORK THROUGH ANY ISSUES. AND, YOU KNOW,
2 IF THERE'S A PROBLEM WITH A NAME, WE'LL WORK IT OUT.

3 SO IF HE WOULDN'T MIND JUST REACHING OUT TO ME,
4 I WOULD APPRECIATE THAT.

5 MR. GREIFINGER: WILL DO.

6 THE COURT: AND MR. GREIFINGER, IN SIMPLE ECONOMIC
7 REALITY, THE CHOICE PRESENTED TO THESE PEOPLE WHO ARE FEE
8 SIMPLE OWNERS IN THE GROUNDWATER BASIN BUT NOT NAMED, IS
9 THEY CAN COME TO COURT, BUT UNFORTUNATELY THE LEGISLATURE
10 IN ITS INFINITE WISDOM REQUIRES A \$430 FEE FROM EACH PARTY
11 WHO WISHES TO FILE AN ANSWER, SO THAT'S THE TAX ON COMING
12 TO COURT, OR IF THEY FIND THE CITY'S PROPOSAL AGREEABLE TO
13 THEM, THE COURT IS OFFERING A DISCOUNT WHERE EVEN A COUPLE
14 OR CO-TRUSTEES CAN JOIN INTO A STIPULATION FOR A MERE \$20.
15 BUT AT THAT POINT THEY'RE BASICALLY JUST BLESSING WHATEVER
16 THE CITY WANTS TO DO, WHICH MAY OR MAY NOT BE IN THE
17 SELF-INTEREST OF SUCH PERSONS. BUT FROM A PROCESS POINT
18 OF VIEW, THAT'S ANOTHER WAY TO HAVE LIMITED PARTICIPATION
19 IN THE CASE.

20 OR ALTERNATIVELY, IF THEY DECIDE THEY DON'T HAVE
21 A WELL AND HAVE NO THOUGHTS OF WANTING A WELL AND WILL
22 DEPEND UPON THEIR LOCAL WATER AUTHORITIES TO FIGHT HARD
23 ENOUGH TO PROTECT THE MUNICIPAL RESOURCES, THEN THEY CAN
24 JUST IGNORE THE LAWSUIT AND GET ON WITH THEIR LIVES.

25 MR. GREIFINGER: THANKS FOR THE EXPLANATION, YOUR HONOR.

26 MY CLIENTS HAVE A WELL AND WE'VE PAID THE TAX.

27 THE COURT: OKAY. WELL, IF THEY'VE GOT A WELL, THEY
28 PROBABLY WANT TO BE IN THE FIGHT.

1 OKAY. ANYBODY ELSE HAVE ANYTHING YOU WANT TO TAKE
2 UP WITH THE COURT BEFORE I MOVE ON TO WHAT MR. HAGERTY WOULD
3 LOVE TO TALK ABOUT TODAY?

4 MS. WENZLAU: YOUR HONOR, THIS IS DEPUTY ATTORNEY
5 GENERAL SOPHIE WENZLAU ON BEHALF OF THE CALIFORNIA
6 DEPARTMENT OF PARKS AND RECREATION.

7 THE COURT: GREETINGS.

8 MS. WENZLAU: GREETINGS.

9 ON THE TOPIC OF NAMING, YOUR HONOR, I WOULD LIKE
10 TO CLARIFY FOR THE COURT THAT PARKS IS A RIPARIAN LANDOWNER
11 ALTHOUGH IT WAS NOT NAMED AS SUCH IN THE THIRD AMENDED
12 CROSS-COMPLAINT. IN FACT IT WAS NOT NAMED IN THE THIRD
13 AMENDED CROSS-COMPLAINT AT ALL. AND PARKS IS CURRENTLY
14 APPEARING AS A VOLUNTARY PARTY. WE FILED A FORM ANSWER
15 ON JANUARY 25TH.

16 WE BELIEVE THIS NAMING ERROR WAS A SIMPLE MISTAKE,
17 AND TO THE EXTENT IT IS MATERIAL, I WANTED TO BRING IT
18 TO THE COURT'S ATTENTION.

19 THE COURT: IF I WERE YOU, I THINK I'D WANT YOUR
20 ADVERSARY TO NAME YOU AS A ROE DEFENDANT AND THEN TO ANSWER
21 AS A NAMED PARTY, TO MAKE IT CLEAR THAT YOU'RE FIGHTING
22 ABOUT ALL THE CAUSES OF ACTION INVOLVING RIPARIAN RIGHTS.
23 BECAUSE YOU'RE NOT JUST INTERESTED IN THE SIXTH CAUSE OF
24 ACTION, YOU'RE INTERESTED IN ALL OF I BELIEVE IT'S NINE
25 CAUSES OF ACTION, MS. WENZLAU?

26 MS. WENZLAU: YES, THAT'S CORRECT.

27 THE COURT: DOES THAT MAKE SENSE TO YOU, MR. HAGERTY?

28 MR. HAGERTY: YES. WE HAVE BEEN IN TOUCH, AND WE'RE

1 HAPPY TO WORK WITH COUNSEL TO MAKE ANY CORRECTIONS THAT ARE
2 NEEDED.

3 THE COURT: BUT NOW, IF THAT RIPARIAN OWNER WHO PROBABLY
4 OWNS SOMETHING MORE THAN A POSTAGE-STAMP SIZE PARCEL WAS
5 OMITTED, YOU'LL WANT TO GO BACK AND SCRATCH YOUR HEAD AND
6 TALK TO YOUR RESEARCHERS AND FIGURE OUT HOW IT WAS THAT
7 THAT RIPARIAN PARCEL GOT MISSED.

8 MR. HAGERTY: YES. YES. AND YOU'LL SEE SOME OF THE
9 ROE AMENDMENTS THAT WE'LL BE DOING AND WE'LL BE ADDING
10 ADDITIONAL PARTIES THAT WE FOUND. SO IT'S A LARGE ENDEAVOR,
11 AND WE'RE CONTINUING TO WORK THROUGH IT.

12 BUT WITH THIS SPECIFIC REQUEST, WE'VE ALREADY HAD
13 CONVERSATIONS, NOT NECESSARILY ABOUT THIS SPECIFIC ISSUE
14 WITH COUNSEL, BUT WE CAN CLEAR THIS UP WITH COUNSEL FOR
15 THE PARKS.

16 THE COURT: OKAY. AND I WAS INTRIGUED TO SEE THAT
17 COUNSEL THOUGHT THAT THE FORM ANSWER WAS SUFFICIENT FOR
18 THE ATTORNEY GENERAL'S OFFICE. WHICH IS QUITE PERMISSIBLE,
19 OF COURSE.

20 OKAY. INITIAL DISCLOSURES. WHY SHOULDN'T THEY
21 BE OCCURRING IN THE ORDINARY COURSE RIGHT NOW, MR. HAGERTY?

22 MR. HAGERTY: WE HAVE NO OBJECTION TO THE COURT
23 REQUIRING THOSE.

24 THE COURT: ARE THEY OTHERWISE STAYED THROUGH SOME
25 ORDER I ERRONEOUSLY MADE?

26 MR. HAGERTY: WELL, ACTUALLY, I DON'T BELIEVE THAT'S --
27 I DON'T BELIEVE THAT'S TRUE, YOUR HONOR. I THINK THAT
28 THE STAY THAT WAS ENTERED, IT HAD A BIT OF A CAVEAT, BUT

1 IT TALKED ABOUT THERE BEING INITIAL DISCLOSURES. AND
2 MANY PARTIES WHO AT LEAST WERE MORE ACTIVE AT THAT TIME
3 HAVE MADE INITIAL DISCLOSURES.

4 SO OUR REQUEST TO NOT REQUIRE THOSE WAS MERELY
5 TRYING TO NOT PUT A BURDEN ON PARTIES WHO MAY NOT HAVE
6 A LARGE STAKE IN THE MATTER.

7 BUT WE HAVE NO PROBLEM WITH IT BEING REQUIRED.
8 IT OBVIOUSLY WILL BE VERY HELPFUL INFORMATION. IT'S
9 INFORMATION THAT ULTIMATELY IS GOING TO HAVE TO COME
10 OUT THROUGH THE PROCESS ONE WAY OR ANOTHER.

11 SO THAT'S OUR POSITION ON THAT. WE DON'T THINK
12 IT'S REQUIRED FOR NECESSARILY THE REASON -- SOME OF THE
13 REASONS THAT WERE IDENTIFIED IN THE TENTATIVE, AND WE
14 WILL BRIEF THAT SEPARATELY WHEN WE HAVE A CHANCE TO.

15 BUT IN TERMS OF THAT DISCLOSURE, WE'RE FINE WITH
16 PEOPLE MAKING THOSE. WE THINK IT'S APPROPRIATE TO PROVIDE
17 GOOD INFORMATION. OUR REQUEST TO DELAY IT WAS MERELY TO
18 NOT OVERBURDEN PARTIES.

19 THE COURT: SO IS THERE SOMEBODY WHO WANTS TO BE
20 HEARD TO PROTEST THAT THE INITIAL DISCLOSURES OTHERWISE
21 CONTEMPLATED BY CALIFORNIA CODE OF CIVIL PROCEDURE
22 SECTION 842 SHOULDN'T HAPPEN WITH EXPEDITION?

23 OKAY. HEARING NO OBJECTION --

24 MR. GOLDEN-KRASNER: YOUR HONOR?

25 THE COURT: OH, GO AHEAD. WHO'S SPEAKING?

26 MR. GOLDEN-KRASNER: NOAH GOLDEN-KRASNER.

27 I DON'T EXPECT TO REQUIRE AN INITIAL DISCLOSURE,
28 I JUST WANTED TO ALERT THE COURT THAT THE STATUTES

1 STATE THAT EACH PARTY HAS SIX MONTHS FROM THE DATE THAT
2 THEY ANSWER TO PROVIDE THOSE INITIAL DISCLOSURES.

3 THE COURT: YOU'RE WITH THE STATE, AREN'T YOU,
4 MR. GOLDEN-KRASNER?

5 MR. GOLDEN-KRASNER: YES. THE DEPARTMENT OF FISH
6 AND WILDLIFE, YOUR HONOR.

7 THE COURT: OKAY. BUT ONCE THEY APPEAR, WITHIN SIX
8 MONTHS WE'RE SUPPOSED TO GET THE INITIAL DISCLOSURE.

9 MR. GOLDEN-KRASNER: CORRECT, YOUR HONOR.

10 MR. HAGERTY: IT SAYS "EXCEPT AS OTHERWISE ORDERED BY
11 THE COURT" IN THE STATUTE.

12 SO, THERE ARE MANY PARTIES WHO HAVE APPEARED AND
13 MANY WHO HAVE NOT MADE AN INITIAL DISCLOSURE AND IT'S BEEN
14 MORE THAN SIX MONTHS.

15 WHAT OUR REQUEST IN OUR RESPONSE WAS, IT MAY BE
16 BENEFICIAL FOR EVERYONE WHO'S APPEARED FOR YOU JUST TO SET
17 A FIXED DATE INSTEAD OF HAVING TO GO BACK AND TRYING TO
18 CALCULATE SIX MONTHS FROM WHENEVER.

19 THE COURT: HOW ABOUT JUNE 1 FOR EVERYONE WHO HAS
20 APPEARED UP TILL NOW OR APPEARS BY MARCH 1?

21 MR. HAGERTY: THAT WORKS FOR US, YOUR HONOR.

22 THE COURT: ANY OBJECTION?

23 MS. WENZLAU: YOUR HONOR, THIS IS SOPHIE WENZLAU AGAIN
24 ON BEHALF OF PARKS.

25 THE COURT: GO AHEAD.

26 MS. WENZLAU: MY CLIENT FILED AN ANSWER ON JANUARY 25TH
27 AND BELIEVES THAT THE FULL SIX MONTHS TO PREPARE THE INITIAL
28 DISCLOSURES WOULD BE HUGELY BENEFICIAL.

1 THE COURT: PARKS DOESN'T KNOW HOW MUCH WATER IT TAKES?

2 MS. WENZLAU: WE'RE WORKING WITH OUR HYDROLOGIST TO
3 PREPARE THE INITIAL DISCLOSURES, WHICH REQUIRE QUITE AN
4 EXTENSIVE AMOUNT OF INFORMATION. I HAVE NOT PERSONALLY
5 PREPARED DISCLOSURES BEFORE, BUT MY VARIOUS COLLEAGUES
6 HAVE ADVISED ME THAT THE FULL SIX MONTHS IS GENERALLY
7 NEEDED.

8 THE COURT: AND THE DAY THAT YOU ANSWERED WAS WHAT
9 DAY IN JANUARY?

10 MS. WENZLAU: JANUARY 25TH.

11 THE COURT: SO IF I SET JUNE 1, IT'S GOING TO SHAVE THEM
12 BY ABOUT 20 DAYS OR SO; RIGHT?

13 MS. WENZLAU: CORRECT.

14 THE COURT: I'M GOING TO STILL LEAVE IT AT JUNE 1 UNLESS
15 SOMEBODY ELSE HAS A MORE PERSUASIVE OBJECTION. BUT IF THE
16 PARKS NEEDS MORE TIME, YOU CAN MAKE AN EX-PARTE APPLICATION
17 WITH GOOD CAUSE SHOWN.

18 ANYBODY ELSE WANT TO BE HEARD TO OBJECT?

19 MR. FARKAS: YOUR HONOR, THIS IS DAVID FARKAS APPEARING
20 FOR THE HOUSING AUTHORITY FOR THE CITY OF SAN BUENAVENTURA
21 AND RELATED ENTITIES.

22 WE WERE NAMED AS OVERLYING LANDOWNERS AND WE
23 FILED OUR FORM ANSWERS ON JANUARY 29TH. AND SIX MONTHS
24 FROM THAT DATE WOULD BE ACTUALLY JULY 29TH. SO WE THINK
25 THAT SHORTENING THAT TIME TO JUNE 1, YOU KNOW, IT'S ACTUALLY
26 NARROWING THE TIME BY ALMOST TWO MONTHS.

27 WE RELIED ON THAT DEADLINE AND ARE WORKING WITH
28 OUR EXPERT, BUT, YOU KNOW, THE DISCLOSURES, AS PRIOR COUNSEL

1 NOTED, DO REQUIRE SOME INVESTIGATION ABOUT WATER RIGHTS
2 AND OTHER MATTERS THAT MAY TAKE SOME TIME, AND SO WE
3 WOULD REQUEST THAT WE BE GIVEN THE FULL AMOUNT OF TIME
4 PER THE STATUTE.

5 THE COURT: DOES YOUR CLIENT HAVE ANY WELLS?

6 MR. FARKAS: THAT'S PART OF OUR ONGOING INVESTIGATION,
7 YOUR HONOR. AND, YOU KNOW, SOME OF THE PROPERTIES ARE, YOU
8 KNOW, AS OLD AS FROM THE 1950S. SO IT'S, YOU KNOW, A MATTER
9 OF WORKING THROUGH, YOU KNOW, THE VARIOUS DOCUMENTS, MANY
10 OF WHICH ARE QUITE OLD.

11 AND WE HAVE SIX DIFFERENT ENTITIES THAT HAVE
12 SERVED -- OR HAVE FILED AND SERVED FORM ANSWERS. SO FOR
13 EACH OF THOSE ENTITIES, THAT PROCESS WILL TAKE SOME TIME.

14 THE COURT: SO THE BASIC QUESTION UNDER 842 YOU'VE GOT
15 TO FIGURE OUT IS IF YOU HAVE ONE OR MORE WELLS. AGREED?

16 MR. FARKAS: THAT'S CORRECT. THAT'S PART OF THE
17 PROCESS, YOUR HONOR. I BELIEVE THERE ARE OTHER DISCLOSURE
18 OBLIGATIONS, AND I'M TRYING TO SEE IF --

19 THE COURT: WELL, I HAVE THEM IN FRONT OF ME. IF YOU
20 HAVE NO WELLS, THERE'S NOTHING MORE TO SAY.

21 IF YOU HAVE A WELL, YOU'RE GOING TO TELL ME ABOUT
22 THE NATURE OF YOUR WATER RIGHT. BUT IF YOU HAVE NO WELLS,
23 AT LEAST NO WELLS YOU CARE TO USE, THE ANSWER IS NONE,
24 THANK YOU, GOOD-BYE.

25 MR. FARKAS: OKAY. THAT'S RIGHT, YOUR HONOR.

26 THE COURT: HOW HARD IS IT FOR THE HOUSING AUTHORITY
27 TO FIGURE OUT HOW MANY WELLS THEY'VE GOT?

28 MR. FARKAS: WELL, YOU KNOW, UNFORTUNATELY WORKING

1 WITH OUR CLIENT AND THEIR EXPERT, IT HAS NOT TO THIS POINT
2 BEEN A PROCESS THAT HAS BEEN AS EFFICIENT AS WE'D LIKE.
3 AND AGAIN, YOU KNOW, RECOGNIZING THAT THE STATUTE PROVIDED
4 US UP TO SIX MONTHS FROM THE TIME WE FILED OUR FORM ANSWER,
5 WE RELIED ON THAT.

6 AND AGAIN, YOU KNOW, WHILE WE DON'T -- WHILE WE'RE
7 NOT CERTAIN THAT WE WON'T BE ABLE TO MEET A JUNE 1 DEADLINE,
8 WE JUST BELIEVE THAT THAT ADDITIONAL TIME WILL ENSURE
9 THAT WE HAVE ENOUGH TIME TO PROVIDE ACCURATE AND FULL
10 INFORMATION.

11 THE COURT: SO FAR THIS IS UNPERSUASIVE. I AM GOING
12 TO SET JUNE 1 AS A DEADLINE FOR ANYBODY WHO'S APPEARED
13 BY MARCH 1, BUT I WILL CERTAINLY ENTERTAIN REQUESTS FOR
14 FURTHER EXTENSIONS FOR GOOD CAUSE SHOWN SPECIFIC TO A
15 PARTY SUCH AS STATE PARKS OR VENTURA CITY HOUSING AUTHORITY.

16 THAT SHOULD BE IN THE NOTICE THAT YOU'RE GOING TO
17 GIVE, MR. HAGERTY.

18 MR. HAGERTY: YES, YOUR HONOR.

19 MR. MELNICK: YOUR HONOR?

20 THE COURT: WHO'S SPEAKING?

21 MR. MELNICK: THIS IS MARC MELNICK FROM THE ATTORNEY
22 GENERAL'S OFFICE.

23 THE COURT: YES, SIR.

24 MR. MELNICK: I DON'T HAVE AN OBJECTION TO YOUR HONOR
25 SETTING THIS DATE. I JUST HAVE A COUPLE OF COMMENTS.

26 ONE IS THAT, AS YOU JUST SAID TO MR. HAGERTY, WE
27 SHOULD MAKE SURE THAT THIS NEW DATE GETS CIRCULATED TO
28 ALL THE PARTIES THAT MIGHT MAKE INITIAL DISCLOSURES. AND

1 SINCE YOU'RE SAYING ANSWERS BY MARCH 1ST, I'M CONCERNED
2 THAT SOMEONE IS NOT YET ON FILE & SERVEXPRESS BY THE TIME
3 THIS NOTICE OF ORDER GOES OUT, AND SO I GUESS MAYBE IT'S
4 A QUESTION FOR MR. HAGERTY AS TO HOW HE'S GOING TO NOTIFY
5 EVERYONE ABOUT THIS.

6 THE COURT: WELL, IF I WERE HIM, I'D WANT HIM TO GIVE
7 NOTICE TO WALK-ONS WHO SHOW UP BETWEEN NOW AND MARCH 1.
8 I WOULD HOPE HE WOULD TAKE ADVANTAGE OF THE JURISDICTIONS
9 OF OJAI, CITY OF VENTURA AND VICINITY AND SOLICIT THE LOCAL
10 PRINT AND OTHER MEDIA TO BE SOLICITOUS OF THIS ISSUE OF
11 PUBLIC CONCERN AND DO THEIR BEST TO SEEK COMMUNICATION OF
12 IT.

13 I HAVE NO SOCIAL MEDIA PHONE SINCE THEY TELL ALL
14 JUDGES TO STAY OFF OF SOCIAL MEDIA, BUT I ASSUME SOCIAL
15 MEDIA TO BE A HIGHLY EFFECTIVE TOOL AND THAT THERE ARE
16 WAYS TO STIR THE POT THERE. BUT I'LL LEAVE THAT TO THOSE
17 WHO KNOW SOCIAL MEDIA BETTER THAN MYSELF.

18 MR. HAGERTY: WE HAVE VARIOUS WAYS, YOUR HONOR, THAT
19 WE HAVE TRIED TO KEEP THE PUBLIC INFORMATION OUT THERE.
20 THE ADJUDICATION WEBSITE WAS ONE. THE CITY ALSO HAS ITS
21 OWN SEPARATE WEBSITE. AND THERE IS A SOCIAL MEDIA PROCESS
22 THERE AS WELL.

23 WE'RE HAPPY TO MAKE SURE -- AND WE DO POST THE
24 ORDERS, THE NOTICES ON THOSE, THE WEBSITES, AND MAKE THEM
25 AS PUBLIC AS WE CAN. SO WE WILL TAKE THOSE STEPS AND MAKE
26 SURE THAT PEOPLE KNOW ABOUT THIS ISSUE.

27 THE COURT: OKAY. NEXT, MR. GOLDEN-KRASNER, YOU'VE GOT
28 FISH & GAME.

1 MR. GOLDEN-KRASNER: YES. FISHING AND WILDLIFE.

2 THE COURT: CAN WE SPEED UP THE ANALYSIS PROCESS BY
3 YOUR CLIENT, ALONG WITH MR. MELNICK'S CLIENT, SO THAT WE
4 HAVE KEY INFORMATION SOONER RATHER THAN LATER?

5 MR. GOLDEN-KRASNER: WELL, YOUR HONOR, OUR PROCESS IS
6 GOING TO MOSTLY COME TO A CLOSE AT THE END OF THIS MONTH.
7 WE'RE GOING TO HAVE A PUBLIC NOTICE AND COMMENT PERIOD AFTER
8 THIS MONTH. BUT THE WORK WILL ESSENTIALLY BE DONE BY THE
9 END OF THIS MONTH.

10 SO IT'S MORE THAT MR. MELNICK'S CLIENT NEEDS TO
11 TAKE OUR INFORMATION AND APPLY IT TO THE BASIN. SO I'LL
12 LET HIM SPEAK FOR HIS CLIENT.

13 THE COURT: BEFORE I LOSE YOU, MR. GOLDEN-KRASNER,
14 DOES THE ANTICIPATED REPORT BY THE END OF THIS MONTH GET TO
15 REACH FOR, OR DOES IT STOP SOMEWHERE CLOSER TO THE OCEAN?

16 MR. GOLDEN-KRASNER: NO, IT WILL BE -- IT WILL BE FOR
17 THAT REACH, YOUR HONOR.

18 THE COURT: GOOD.

19 MR. GOLDEN-KRASNER: YEAH. SO. . .

20 THE COURT: OKAY. BY THE SAME TOKEN, IF I UNDERSTAND
21 RIGHT, THIS IMPLIES THAT YOUR AGENCY IS NOT DOING ANYTHING
22 TO ANALYZE THE CONNECTEDNESS OF SURFACE WATER WITH
23 GROUNDWATER, IF I HEAR YOU CORRECTLY, MR. GOLDEN-KRASNER?

24 MR. GOLDEN-KRASNER: THAT'S CORRECT, YOUR HONOR.
25 THAT'S WHAT THE STATE WATER BOARD IS ACCOMPLISHING.

26 THE COURT: OKAY. SO MR. MELNICK, IF I HEAR RIGHT, AT
27 LEAST FISH AND WILDLIFE IS GOING TO GIVE US THE BADLY-NEEDED
28 DATA BY THE END OF FEBRUARY, WHICH IS GOOD NEWS TO HEAR.

1 WHEN CAN WE GET THE STATE'S IDEA OF THE
2 CONNECTEDNESS OF ONE OR ALL OF THESE BASINS TO THE
3 SURFACE WATER?

4 MR. MELNICK: SO YOUR HONOR, THE CURRENT PLAN IS
5 TO RELEASE A DRAFT OF THIS MODEL AND ALL THE RELATED
6 DOCUMENTATION TOWARDS THE END OF THE SUMMER AND TOWARD
7 THE EARLY FALL. THAT WILL BE FOR PUBLIC COMMENT, FOR
8 EVERYONE TO LOOK AT IT AND TELL US WHAT THEY THINK.

9 WE'RE SORT OF TALKING ABOUT ADJUSTING THAT
10 A LITTLE BIT, AND PART OF THAT IS COMPLICATED BY THE FACT
11 THAT THIS IS WORK NOT BEING DONE BY THE AGENCY ITSELF BUT
12 BEING DONE BY SOME CONTRACTORS. WE HAVE A 1.7 MILLION
13 DOLLAR CONTRACT WITH DEADLINES THAT ARE SET BY THE
14 CONTRACTOR; RIGHT? SO ADJUSTING WHEN THINGS ARE GOING
15 TO HAPPEN ISN'T AS EASY AS FLIPPING A SWITCH.

16 BUT WE HAVE A STAFF RECOMMENDATION RIGHT NOW
17 TO RELEASE THE MODEL BY ITSELF WITHOUT THE ASSOCIATED
18 DOCUMENTATION IN ABOUT A MONTH, AND SO THAT'S INFORMATION
19 THAT THE CITY OF VENTURA, CASITAS, AND OTHER SOPHISTICATED
20 PARTIES CAN TAKE AND, YOU KNOW, ANALYZE AND GIVE US FEEDBACK
21 ON.

22 AND IN ADDITION, THE BOARD IS CONSIDERING DOING
23 SOME PUBLIC WEBINARS TO EXPLAIN THE WORK THAT THEY'VE BEEN
24 DOING OVER THE NEXT SEVERAL MONTHS SO THAT WE CAN EDUCATE
25 THE COMMUNITY ABOUT, YOU KNOW, WHAT WE'VE FOUND AND WHY WE
26 THINK THAT'S SO.

27 SO, I APPRECIATE YOUR FRUSTRATION ABOUT THIS NOT
28 BEING OUT THERE, BUT I THINK IT'S COMING RELATIVELY SOON.

1 THE COURT: IS THERE ANY WAY TO GET DRAMATIC
2 FORESHADOWING AS TO WHETHER OR NOT ALL OF THE BASINS SHOWN
3 IN EXHIBIT A TO THE THIRD AMENDED CROSS-COMPLAINT WILL BE
4 SHOWN TO HAVE A MATERIAL RELATIONSHIP TO THE SUFFICIENCY
5 OF SURFACE FLOWS AND REACH FOR, OR WHETHER PER CHANCE
6 THE UPPER OJAI BASIN MIGHT BE PERCEIVED AS NOT HAVING
7 ANY MATERIAL CONNECTEDNESS TO THE SUFFICIENCY OF FLOW
8 AND REACH FOR, MR. MELNICK?

9 MR. MELNICK: I DON'T KNOW ENOUGH ABOUT THE
10 INFORMATION TO THAT LEVEL OF DETAIL, YOUR HONOR.

11 WHAT I CAN SAY IS THAT ALL OF THE GROUNDWATER
12 BASINS ARE CONNECTED TO THE VENTURA RIVER IN SOME WAY.
13 THE QUESTION IS HOW MUCH. AND THAT'S, YOU KNOW, THE
14 DETAILS OF THE ANALYSIS.

15 THE COURT: THANK YOU.

16 MR. COOPER, YOUR CLIENT SUED A LIMITED NUMBER OF
17 DEFENDANTS AND PRIMARILY WAS ADDRESSING RIPARIAN ISSUES.

18 DO YOU AS ONE WHO HAS BEEN INTERESTED IN THE
19 ULTIMATE QUESTION OF THE SUFFICIENCIES OF FLOW AND REACH FOR
20 HAVE ANY KNOWLEDGE OR AN AWARENESS OF WHERE KNOWLEDGE MAY
21 BE OBTAINED AS OF NOW AS TO THE CONNECTEDNESS OF OR ALL OF
22 THESE GROUNDWATER BASINS TO THE RELEVANT SURFACE FLOWS AND
23 REACH FOR?

24 MR. COOPER: (UNINTELLIGIBLE DUE TO CONNECTIVITY).

25 THE COURT: BEAR WITH ME. WHAT ARE YOU USING FOR A
26 MICROPHONE, MR. COOPER? IT'S HARD TO HEAR YOU.

27 MR. COOPER: I AM USING MY COMPUTER MIC.

28 THE COURT: OKAY. WELL, I GUESS BE SLOW AND ENUNCIATE.

1 MAYBE REPEAT THE BASIC POINTS YOU JUST MADE.

2 MR. COOPER: I APOLOGIZE, YOUR HONOR.

3 THERE HAS BEEN A SERIES OF STUDIES EVALUATING THE
4 INTERFACE BETWEEN GROUNDWATER AND SURFACE WATER REACH FOR.
5 ONE WAS DONE BY THE SERVICES (UNINTELLIGIBLE) NOAA AND THE
6 NATIONAL MARINE FISHERY SERVICE WHEN THE CITY OF VENTURA
7 APPLIED FOR A SECTION 4 WORK PERMIT. ANOTHER WAS DONE
8 BY THE STATE IN RESPONSE TO THE MEMO OF ANALYSIS.

9 IN ADDITION, CHANNELKEEPER HAS REVIEWED
10 (UNINTELLIGIBLE) DATA AND SURFACE WATER FLOW DATA TO
11 EVALUATE THE CORRELATION BETWEEN THE (UNINTELLIGIBLE)
12 SURFACE WATER FLOWS.

13 NONE OF THESE STUDIES ARE DEFINITIVE AS TO
14 THE RELATIONSHIP, AND NONE OF THEM LOOKED AT UPSTREAM
15 GROUNDWATER AND SURFACE WATER CONNECTIVITY.

16 THE COURT: NONE OF THEM LOOKED AT WHAT. YOUR
17 LAST POINT, MR. COOPER?

18 MR. COOPER: UPSTREAM SURFACE AND GROUNDWATER
19 CONNECTIVITY.

20 THE COURT: THAT'S LIKE THE FOSTER PARK REGION?

21 MR. COOPER: FOSTER PARK IS INCLUDED.

22 ALL OF THESE STUDIES ARE IN THE POSSESSION OF
23 THE CITY OF VENTURA. WE ARE HAPPY TO DO AN ADDITIONAL
24 DISCLOSURE AND PROVIDE COPIES TO ALL PARTIES.

25 MR. SLATER: YOUR HONOR?

26 THE COURT: WHO IS SPEAKING NOW?

27 MR. SLATER: THIS IS SCOTT SLATER, S-L-A-T-E-R,
28 ON BEHALF OF THE WOOD-CLAEYSSSENS FOUNDATION.

1 IF I MIGHT BE HEARD ON THIS?

2 THE COURT: PLEASE.

3 MR. SLATER: FOR THE BENEFIT OF THE COURT, WE APPRECIATE
4 THAT WATER CASES, AND ESPECIALLY OF THIS MAGNITUDE, ARE
5 UNUSUAL, BUT THERE IS QUITE A BIT OF HISTORY IN HOW THESE
6 CASES LINE UP.

7 I'VE BEEN DOING THIS 36 YEARS, ALL IN THE SAME
8 SPACE, AND THERE ARE PRINCIPALLY TWO PATHWAYS THAT THIS
9 ISSUE CAN BE ADDRESSED.

10 YOUR HONOR, IF YOU'LL LOOK INTO THE REPORTED
11 APPELLATE DECISIONS, THE ONE PATHWAY IS YOU PROCEED
12 WITH THE RES, ALL OF THE COMPONENTS, YOU'LL GET ALL
13 OF THE PARTIES WHAT THEY'RE DOING, WHAT THEIR RELATIVE
14 CONTRIBUTIONS, TAKES, PUTS, AND IMPLICATIONS OF EACH
15 PARTY'S USE ON A GRANULAR BASIS. AND THAT PROCESS IS
16 ONE THAT IS SLOW MOVING, SEQUENTIALLY, AND CAN TAKE FIVE
17 YEARS TO GET TO THE ULTIMATE PLACE AND THEN A LONG TIME
18 AFTER THAT TO WORK IT OUT.

19 WHAT IS BEING PROPOSED IN THIS INSTANCE, AND
20 THE DISCUSSION THAT WE'RE HAVING IS, THE CONTOURS AND THE
21 CHARACTER OF THE RES AND THE INTERCONNECTEDNESS. I THINK
22 WHAT THE MOVING PARTIES WHO ARE SUPPORTIVE OF THE PHYSICAL
23 SOLUTION ARE PROPOSING TO PRESENT TO YOU WILL BE THE PRIMA
24 FACIE CASE ABOUT THE CONNECTEDNESS OF THE GROUNDWATER BASIN
25 WITH THE RIVER, IN WHICH PARTS, AND I THINK AS MR. MELNICK
26 SAID FROM THE STATE, THERE IS EVIDENCE AND EXPERT OPINION
27 THAT IS PUBLICLY AVAILABLE AND TO THE DEGREE OF WHICH WILL
28 BE AN ISSUE FOR YOUR HONOR TO DETERMINE BASED UPON THE

1 TESTIMONY THAT YOU RECEIVE. THERE WILL BE TESTIMONY FROM
2 EXPERTS ON BOTH SIDES ON THAT QUESTION. AND WE HAVEN'T
3 HAD THE TRUE OPPORTUNITY TO DISCUSS WITH YOU, TO SPEND THE
4 TIME WITH YOU, TO TALK ABOUT THE COURT'S DUTY TO EVALUATE
5 A PHYSICAL SOLUTION AND HOW TO APPROACH IT.

6 THE PHYSICAL SOLUTION DOCTRINE IS A CONCEPT WHERE
7 IT IS APPLIED AS A REMEDY IN THE FIRST INSTANCE. IT TAKES
8 A LOOK AT THE RES AND LOOKS AT THE VARIOUS BENEFICIAL USES
9 AND RIGHTS OF THE PARTIES, AND HEARS ON THE MERITS OF THE
10 PHYSICAL SOLUTION WHETHER THIS SOLUTION, WHICH IS PART
11 ENGINEERING, PART FINANCING, PART CONSTRAINTS ON WHAT THE
12 PARTIES DO, BOTH IN A PROHIBITORY INJUNCTION AND A MANDATORY
13 INJUNCTION, ESTABLISHES A PATTERN OF CONDUCT WHICH IS
14 SUBJECT TO ADMINISTRATION AND YOUR CONTINUING JURISDICTION,
15 EFFECTIVELY IN PERPETUITY, ONCE SET UP THEY DON'T GO AWAY,
16 AND A FAIR CHARACTERIZATION IS "ADAPTIVE MANAGEMENT."

17 THE COURT: JACK KOMAR IS STILL DOING THE ANTELOPE
18 VALLEY CASE FROM RETIREMENT.

19 MR. SLATER: I'VE BEEN A LAWYER FOR WATERMASTER AND
20 CHINO BASIN FOR 21 YEARS, YOUR HONOR. WE APPEAR ONCE A
21 QUARTER AND SOLVE THESE ISSUES ONE AT A TIME AS THEY COME
22 UP.

23 THE BEGINNING OF THIS PROCESS IS NOT THE END.
24 IT'S ADAPTIVE MANAGEMENT, IT'S GOING TO CONTINUE. THE
25 QUESTION IS IS HOW DO WE GET STARTED.

26 SO THE MOVING PARTIES ARE OBLIGED TO, IF THERE
27 IS A PHYSICAL SOLUTION, TO PRESENT IT TO YOUR HONOR, WHICH
28 YOU HAVE A DUTY UNDER THE CONSTITUTION TO LOOK AT IT AND

1 EVALUATE IT. ALL PARTIES, INCLUDING THE STATE, AND ALL
2 OF THEIR DIVISIONS, ARE SUBJECT TO ARTICLE 10 SECTION 2
3 AND THE ORIGINAL JURISDICTION OF THIS COURT OVER THIS
4 SUBJECT MATTER AS PLED. SO, YOU'RE GOING TO HEAR A LOT
5 OF THAT.

6 AS A PREDICATE TO YOU ENTERING A PHYSICAL SOLUTION,
7 YOU'RE GOING TO HAVE TO BE SATISFIED WITH THE SHOWING ON
8 THE HYDROGEOLOGY QUESTION, AND THEN THERE WILL BE INPUT
9 ON THAT POINT. AND THEN FROM THAT POINT YOU'LL BE ASKED
10 WHETHER OR NOT YOU CAN CONCLUDE THIS PHYSICAL SOLUTION CAN
11 BE ENTERED -- AND HERE'S THE KEY PART -- WHICH ALLOWS YOU
12 TO DEFER SOME OF THE BLOCKING AND TACKLING THAT WOULD
13 OTHERWISE OCCUR IN A TRADITIONAL STEP-BY-STEP SEQUENTIAL
14 WAY OF ROLLING IT OUT, AND THAT IS: CAN THIS PHYSICAL
15 SOLUTION BE IMPLEMENTED WITHOUT, A, CAUSING MATERIAL
16 INJURY TO ANY OTHER WATER RIGHT HOLDER, ONE; AND TWO,
17 SUBSTANTIAL EXPENSE. AND THOSE TWO STANDARDS ARE THE
18 GUIDEPOSTS FOR THE PROHIBITORY AND MANDATORY ELEMENT.

19 SO EVERYBODY HAS A WATER RIGHT, IT ATTACHES TO
20 A COMMON SUPPLY, BUT HOW THEY ARE ORGANIZED AND HOW THEY
21 EXERCISE THOSE RIGHTS IS NOT INVIOATE. IT IS SUBJECT
22 TO THIS NOTION OF ACCOMMODATION AND WORKING TOGETHER
23 ON A PLAN SUBJECT TO YOUR CONTINUING JURISDICTION.

24 AND WHAT THE CITY AND THE MOVING PARTIES WANT THE
25 OPPORTUNITY TO PRESENT IS, A, THE PHYSICAL SOLUTION, AND B,
26 THE TECHNICAL PREDICATES WHICH ARE THE HYDROLOGIC QUESTIONS
27 ON VOLUME, SEASONALITY, PRODUCTION, INTERCONNECTEDNESS,
28 AND THEN WHAT MEASURES ARE GOING INTO PLAY IMMEDIATELY,

1 TODAY, AS SOON AS POSSIBLE, TO IMPROVE THE CONDITION OF
2 THE FISHERY.

3 AND THE LAST POINT I WOULD MAKE IS INFORMATION.
4 THERE ARE SCIENCE ADVANCES, AND THROUGH YOUR CONTINUING
5 JURISDICTION THIS DEBATE IS NEVER GOING TO BE OVER,
6 YOU'RE ALWAYS GOING TO HAVE THE OPPORTUNITY TO LISTEN
7 TO NEW RECOMMENDATIONS THAT COME FROM THE STATE OR THE
8 CITY OR THE PARTIES, INCLUSIVE OF HYDROGEOLOGY.

9 THE COURT: SO MY NARROW QUESTION WAS TRYING TO FIGURE
10 OUT WHEN WE WOULD FIND WISDOM ON THE CONNECTEDNESS ISSUE,
11 AND I APPRECIATE YOUR GENERAL EDUCATION.

12 MR. HAGERTY, APART FROM THE GENERAL STATEMENTS
13 MADE BY MR. COOPER AND MR. SLATER AS TO THE EXISTENCE OF
14 SOME INFORMATION ON THIS TOPIC WHICH MR. COOPER DESCRIBED
15 AS INCONCLUSIVE AND MR. SLATER BY IMPLICATION SUGGESTED
16 WILL SUPPORT THE PROPOSED PHYSICAL SOLUTION, WHICH
17 PRESUMABLY THEREFORE IN ITS OWN WAY IS PREMISED ON TOTALITY
18 OF INTERCONNECTEDNESS OF EACH AND EVERY ONE OF THESE
19 GROUNDWATER BASINS WITH THE SURFACE FLOW, DO YOU HAVE
20 ANY SPECIFIC THING APART FROM THE NOT-YET OBTAINED WATER
21 RESOURCES CONTROL BOARD STUDY --

22 MR. HAGERTY: YES.

23 THE COURT: -- WHICH SHOWS THE INTERCONNECTEDNESS OF
24 EACH AND ALL OF THESE BASINS --

25 MR. HAGERTY: YES. YES. SORRY TO INTERRUPT. I
26 APOLOGIZE FOR THAT. BUT THIS IS WHAT WE WANT TO GET TO,
27 AND SO TO THE EXTENT I JUMPED UP ON YOUR LAST COMMENT,
28 THAT'S BECAUSE WE WANT TO PRESENT THIS INFORMATION.

1 AS MR. SLATER SAYS, WE HAVE EXPERT OPINIONS
2 THAT WILL SUPPORT THE DEMONSTRATION OF INTERCONNECTEDNESS
3 AND WILL SUPPORT IN OUR VIEW, AND IT WILL BE ARGUED
4 AND PRESENTED AND FOUGHT OVER, THE PHYSICAL SOLUTION.

5 WE WANT TO GET THERE, BUT --

6 THE COURT: SORRY. WHAT'S THE PHYSICAL SOLUTION,
7 WHICH I HAVE NOT SEEN BUT YOU'RE OTHERWISE CIRCULATING?
8 WOULD THEY GET THE BENEFIT OF ACCESS TO THESE EXPERT
9 REPORTS OR THEY'RE NOT PART OF WHAT'S COMMUNICATED SO
10 FAR?

11 MR. HAGERTY: RIGHT. SO FAR THAT'S NOT BEEN
12 COMMUNICATED. IT'S BEEN AN AREA OF CONCERN AND QUESTION
13 FROM A LOT OF PARTIES, AND THERE'S BEEN SOME REPRESENTATION
14 THAT, YOU KNOW, WE SHOULD PROVIDE THAT INFORMATION.

15 WHAT WE'VE DONE SO FAR, WITHOUT GETTING INTO
16 WHAT IT SAYS, BUT WE HAVE PUT FORTH THE PHYSICAL SOLUTION,
17 AS THE COURT KNOWS, BACK IN SEPTEMBER, WE'VE ENGAGED
18 IN A PUBLIC MEET-AND-CONFER PROCESS WHERE OUR EXPERTS
19 PROVIDED THE SORT OF SUMMARIES OF THEIR CONCLUSIONS ABOUT
20 THE PROCESS AND THE PHYSICAL SOLUTION, INCLUDING ISSUES OF
21 INTERCONNECTEDNESS, WE'VE MET WITH INDIVIDUAL PARTIES WHO
22 HAVE CONCERNS. YOU KNOW, WHETHER WE'VE CONVINCED ANYONE
23 OR NOT IS AN OPEN QUESTION THEY'RE GOING TO HAVE TO DECIDE.

24 BUT YES, WE HAVE THAT INFORMATION. WE WOULD LIKE
25 TO, THROUGH THE DISCOVERY PROCESS, IN AN ORDERLY FASHION,
26 RELEASE OUR EXPERT'S REPORT. BUT AT THIS POINT IN TIME,
27 GIVEN ALL THE COMPLEXITIES AND THE VARIOUS WAYS A LITIGATION
28 LIKE THIS COULD GO, WE HAVE NOT DONE THAT. AND SO --

1 THE COURT: IF IT HELPS YOUR CASE AND WOULD QUIET DOWN
2 THE OWNERS IN UPPER OJAI, WHY DON'T YOU PUT IT OUT THERE
3 IMMEDIATELY?

4 MR. HAGERTY: BECAUSE THIS IS A PIECE OF LITIGATION
5 THAT COULD GO A NUMBER OF DIFFERENT DIRECTIONS, YOUR HONOR.

6 WE HAVE TRIED TO CONVEY THE INFORMATION. AND SO,
7 FOR EXAMPLE, WITH REGARD TO UPPER OJAI, WE'VE MET WITH
8 PARTIES IN THAT AREA, WE EXPLAINED THE BASIS OF OUR OPINION.
9 I DON'T KNOW THAT WE CONVINCED THEM, BUT WE HAVE AN OPINION
10 AS TO THE CONNECTEDNESS, AND WE WILL PROVE THAT TO THE
11 COURT. THAT'S WHAT WE'RE HERE TO DO.

12 AND IF I MIGHT, WHAT OUR RECOMMENDATION IS, YOUR
13 HONOR, IN TERMS OF, ONE, WE LOVE THE IDEA OF A MONTHLY
14 STATUS CONFERENCE. WE THINK WE'RE AT THE POINT NOW THAT
15 WE NEED THAT. WE CAN MAKE A LOT OF HEADWAY PRETTY QUICKLY
16 IF WE HAD THAT. SO THANK YOU VERY MUCH FOR OFFERING THAT,
17 AND WE WOULD LOVE TO SET THAT SPECIFIC DATE.

18 WE ALSO WOULD VERY MUCH LIKE THE OPPORTUNITY TO
19 DO ADDITIONAL BRIEFING. WHAT WE WOULD LIKE TO PROPOSE IS
20 ESSENTIALLY A TWO-PHASED BRIEFING THAT I THINK COVERS THE
21 ISSUES THAT YOU HAVE IDENTIFIED AND WOULD BE RESPONSIVE
22 TO THE CONCERNS EXPRESSED BY THE PARTIES.

23 OUR PROPOSAL IS TO DO AN INITIAL BRIEFING IN
24 ADVANCE OF THE MARCH STATUS CONFERENCE, IF WE SET ONE,
25 HOPEFULLY IT WILL BE SET, THAT WOULD JUST ESSENTIALLY
26 PROVIDE THE LAW ON PHYSICAL SOLUTIONS TO THE COURT. WE
27 WOULD CIRCULATE THAT TO ALL THE PARTIES IN ADVANCE SO
28 PARTIES CAN SUBMIT ADDITIONAL DOCUMENTATION TO THE COURT,

1 WITH THE IDEA OF JUST TRYING TO FRAME THE ISSUE BETTER
2 THAN WE FRAMED IT THUS FAR. BECAUSE CLEARLY WE HAVEN'T
3 FRAMED IT WELL ENOUGH FOR THE PARTIES OR FOR THE COURT,
4 AND SO WE WANT THE OPPORTUNITY AT ONE POINT IN TIME TO
5 DO THAT AND EXPLAIN WHAT IT IS THAT WE'RE TRYING DO AND
6 THE LAW THAT WE THINK SUPPORTS THAT.

7 THEREAFTER, AT THE MARCH STATUS CONFERENCE, WHAT
8 WE WOULD LIKE TO DO IS, IF IT'S TIMELY GIVEN THE OTHER
9 ISSUES THAT WE NEED TO CORRECT, AND WE WILL DO THAT AND
10 WORK AS HARD AS POSSIBLE TO DO THAT, WE WOULD LIKE TO ASK
11 TO SET A NOTICED MOTION TO SET A BRIEFING SCHEDULE AND A
12 TRIAL DATE AND DEAL WITH ALL THE TECHNICAL ISSUES THAT HAVE
13 BEEN RAISED, YOU KNOW, 833(C), 849, 850(A) AND (B), ALL
14 OF THOSE THINGS, AND THEN THE COURT CAN MAKE A RULING
15 WITH FULL NOTICE, FULL PARTICIPATION OF THE PARTIES.

16 AND THEN, DEPENDING UPON WHAT THAT RULING IS,
17 THE MATTER WOULD TAKE, YOU KNOW, DIFFERENT COURSES OF
18 ACTION. IF YOU RULE A CERTAIN WAY WITH REGARD TO 833(C),
19 THEN WE WOULD HAVE TO HAVE CERTAIN FINDINGS THAT WOULD BE
20 PRESENTED. OTHERWISE, WE'D PRESENT THAT AT A DIFFERENT
21 TIME.

22 SO WE RESPECT ALL THE COMMENTS IN TERMS OF
23 THE ISSUES THAT HAVE BEEN RAISED AND PEOPLE OBVIOUSLY
24 APPROPRIATELY WANTING TO PROTECT THEIR INTERESTS, AND
25 WE THINK WE CAN ROLL THIS OUT IN THAT KIND OF STAGED
26 WAY WHICH WOULD ALLOW A FULL OPPORTUNITY TO COMMENT AND
27 DEAL WITH ALL THE ISSUES BUT STILL MOVE THE CASE FORWARD.

28 SO THAT WOULD BE OUR PROPOSAL TO YOUR HONOR.

1 THE COURT: CASITAS WATER DISTRICT? MR. DENNINGTON?

2 MR. DENNINGTON: YES.

3 THE COURT: WHAT DO YOU WANT TO SAY? YOU AREN'T YET
4 ONBOARD WITH THIS EXERCISE, BUT THEY'RE TRYING TO ROMANCE
5 YOU.

6 MR. DENNINGTON: THEY'RE NOT DOING A GREAT JOB, YOUR
7 HONOR.

8 THE COURT: ACTUALLY, WOULD YOU COME DOWN TO ONE OF
9 THESE MICROPHONES?

10 MR. DENNINGTON: SURE. SURE.

11 THE COURT: BECAUSE THOSE PARTICIPATING FROM AFAR
12 WON'T HEAR YOU. BUT IF YOU COME CLOSER TO ME AND THE
13 COURT REPORTER, I THINK YOU CAN SAFELY BE AT COUNSEL
14 TABLE TOWARDS THIS END.

15 MR. DENNINGTON: OKAY.

16 TH COURT: ALL RIGHT. GO AHEAD, MR. DENNINGTON.

17 MR. DENNINGTON: WE AREN'T ONBOARD WITH THE STATE'S
18 PROPOSAL OR THE CITY'S AT THIS POINT. WHAT WE THINK
19 SHOULD HAPPEN IS MAYBE BUMP THIS UNTIL APRIL.

20 I DON'T HAVE ANY OBJECTION TO WHAT MR. HAGERTY
21 HAS PROPOSED ON -- WHAT HE JUST PROPOSED, BUT I THINK
22 INSTEAD OF A MARCH STATUS CONFERENCE, SINCE WE'RE NOW
23 MID-FEBRUARY --

24 THE COURT: WELL, ACTUALLY I'M GOING TO WANT SOME
25 MARCH STATUS CONFERENCE, IF NOTHING ELSE TO SEE HOW WE'RE
26 DOING ON CLEANUP. AND FRANKLY, THE EDUCATION I NEED TO
27 GET AS ONE WHO'S HAD MANY YEARS OF EXPERIENCE AS A LAWYER
28 AND A JUDGE BUT ZERO EXPERIENCE AS A WATER JUDGE, IT'S AN

1 EDUCATIONAL PROCESS, SO YOU LEARN SOMETHING EVERY TIME AND
2 YOU PROBABLY HAVE TO UNLEARN SOME THINGS BECAUSE YOU MAKE
3 MISTAKES ALONG THE WAY.

4 BUT AS AN ASIDE, THERE ARE VERY FEW THINGS YOU
5 CAN DO TO RECREATE RIGHT NOW IN PUBLIC DURING THE PANDEMIC,
6 BUT THE LONG BEACH AQUARIUM HAS OPENED ITS OUTDOOR EXHIBITS,
7 AND AS ONE OF THE FEW DESTINATION ATTRACTIONS IN LOS ANGELES
8 COUNTY, MY WIFE AND DAUGHTER AND I HAD THE CHANCE TO GO TO
9 THE LONG BEACH AQUARIUM ON SATURDAY TO SEE THEIR OUTDOOR
10 EXHIBITS, WHICH HAPPEN TO INCLUDE THEIR AQUARIUM'S
11 DISPLAYING WHAT THEY UNDERSTOOD TO BE THE ECOLOGY OF THE
12 LIFE OF STEELHEAD TROUT.

13 MR. DENNINGTON: THAT'S INTERESTING.

14 THE COURT: SO I'M AS INFORMED AS ONE WOULD BE BY
15 SPENDING TIME AT THE LONG BEACH AQUARIUM AT THE STEELHEAD
16 TROUT EXHIBIT.

17 MR. GOLDENRING: YOUR HONOR?

18 THE COURT: SPEAK.

19 MR. GOLDENRING: THANK YOU, YOUR HONOR. PETER
20 GOLDENRING HERE.

21 I JUST HAVE ONE COMMENT ON THE CONVERSATION I'VE
22 BEEN LISTENING TO, AND THAT IS, I THINK THE COURT ASKED
23 THE SIXTY-FOUR THOUSAND DOLLAR QUESTION, BUT YOU DIDN'T
24 GET AN ANSWER.

25 THERE'S A LOT OF PEOPLE, INCLUDING MY CLIENTS,
26 WHO KEEP ASKING THE QUESTION: WHY IS OUR WELL THAT'S A
27 QUARTER OF A MILE AWAY OR HALF A MILE AWAY OR HOWEVER
28 FAR AWAY IT IS, THAT DRAWS FROM WATER UNDERGROUND, HOW IS

1 THERE SOME CREDIBLE CONNECTION TO THE FLOW IN THE RIVER?

2 BECAUSE IF THE CITY BELIEVES THAT TO BE TRUE, AND
3 IT HAS SOME CREDIBLE EXPERT OPINION, ANALYSIS THAT SUPPORTS
4 THAT, IF THEY PUT IT ON THE TABLE, THEN THEY MAY FIND THAT
5 A LOT OF THIS WALKING GOES AWAY. BUT THE LONGER THEY HIDE
6 IT, THE LONGER THE LAWYERS SAY, "WELL, WE'RE EXPLAINING
7 TO YOU, TRUST US," SO THE LESS CREDIBILITY HAPPENS.

8 AND SO IT SEEMS TO ME THAT IF THEY WANT TO KEEP
9 TALKING ABOUT A PHYSICAL SOLUTION, THE COURT MIGHT CONSIDER
10 ORDERING THEM TO PUT THOSE REPORTS ON THE TABLE AS A
11 PREDICATE TO TRAVELING THIS ROAD BEFORE WE GO DOWN SPENDING
12 A TON OF MONEY IN FORMAL DISCOVERY.

13 THANK YOU.

14 MS. BLISS: MAY I SPEAK, YOUR HONOR?

15 THE COURT: PLEASE. GO AHEAD, MS. BLISS.

16 MS. BLISS: I COULDN'T AGREE MORE. I THINK WE ARE
17 LACKING, SORELY LACKING IN ANY FACTS WHATSOEVER THAT WOULD
18 SUPPORT IN THEORY THE STATEMENT ADVANCED BY THE CITY. IT'S
19 ALL CONJECTURE, IT'S ALL HYPOTHETICAL.

20 AND AS TO REPORTS, ONE THING I CAN SAY, I'M JUST
21 THROWING THIS OUT, YOU REALLY NEED TO HAVE BOOTS ON THE
22 GROUND, NOT AERIAL PHOTOGRAPHS OF SOMETHING THAT MAY SHOW
23 A RIVER THAT'S NOT (UNINTELLIGIBLE). THIS IS NOT HELPFUL.

24 YOU NEED TO HAVE SOMEONE COME IN HERE WHO KNOWS
25 THE BASIN. AND I KNOW PEOPLE THAT KNOW THE BASIN. IT COULD
26 BE DONE. AND THAT WOULD SETTLE IT ONCE AND FOR ALL AND
27 WOULD LET THE FACTS SPEAK FOR THEMSELVES, INSTEAD OF HAVING
28 TO GO BACK AND FORTH, SKIRMISH THIS, SKIRMISH THAT.

1 I HAVE TO FILE A DISCOVERY MOTION TO FIND OUT WHAT
2 THE FACTS ARE? THAT ISN'T RIGHT.

3 AND SO FAR THERE ARE ABSOLUTELY NO MEASUREMENTS
4 OF ANY FLOW OF ANY WATER, AND IT'S MERE CONJECTURE AS
5 TO WHETHER THERE IS GROUNDWATER FLOWING INTO LION CREEK.

6 SO, YOU KNOW, WE'RE ALL GUESSING.

7 AND I THINK THE CITY AS THE MOVING PARTY, THEY
8 NEED TO COME FORWARD AND IF THEY'VE GOT FACTS, SHOW THEM.
9 WHY ARE YOU HIDING THEM, HIDING THE FACTS? YOU KNOW, IT'S
10 NOT RIGHT. IT'S GOING TO BE AN EXPENSE, YOU KNOW, FOR
11 INDIVIDUAL PARTIES, YOU KNOW, IF THEY DO WANT TO DISPUTE
12 THIS.

13 SO LET'S GET IT OUT THERE. AND IF SOMETHING NEEDS
14 TO BE DONE INDEPENDENTLY, LET'S DO THAT. IT MIGHT EVEN
15 SAVE MONEY IN THE LONG RUN TO FIND SOME NEUTRAL PARTY. A
16 GEOLOGIST.

17 THE COURT: THANK YOU, MS. BLISS.

18 MS. BLISS: THANK YOU.

19 THE COURT: MR. HAGERTY, I'M GOING TO BRING UP EXHIBIT A
20 TO THE THIRD AMENDED COMPLAINT IN A SECOND, WHICH REFERS
21 TO SEVERAL DIFFERENT GROUNDWATER BASINS ASSOCIATED WITH THE
22 VENTURA RIVER, ONE OF WHICH IS DESIGNATED AS THE UPPER OJAI
23 BASIN.

24 MR. HAGERTY, IT'S FAIRLY OBVIOUS FROM THE REPORTS
25 I'VE RECEIVED FROM CERTAIN LANDOWNERS, WHO INDICATE THEIR
26 FEE SIMPLES ARE ON THE UPPER OJAI BASIN, THAT THEY ARE NOT
27 PERSUADED OF ANY CONNECTEDNESS OF THEIR GROUNDWATER TO THE
28 FLOWS IN THE RIVER, PARTICULARLY IN REACH FOR. THE OTHER

1 THREE IDENTIFIED BASINS ARE CALLED LOWER VENTURA, UPPER
2 VENTURA AND OJAI VALLEY.

3 HAVE YOU HEARD ANY SIMILAR SQUAWKS FROM
4 LANDOWNERS IN ANY OF THOSE THREE BASINS AS TO THE ISSUE
5 OF CONNECTEDNESS?

6 MR. HAGERTY: YES, YOUR HONOR. MANY PEOPLE BELIEVE
7 THAT THEY'RE NOT CONNECTED. AND WHEN WE HAVE THE
8 APPROPRIATE TIME AND IN THE APPROPRIATE PROCESS, WE WILL
9 PROVE OUR CASE AND THEY CAN PRESENT EVIDENCE AGAINST THAT.

10 BUT YES, YOUR HONOR, THERE ARE FOLKS IN THE OJAI
11 BASIN WHO BELIEVE THAT AT LEAST PARTS OF THAT BASIN ARE
12 SEPARATE. THERE ARE FOLKS IN THE VENTURA BASIN WHO BELIEVE
13 THAT THEY DON'T HAVE A MATERIAL IMPACT TO THE RIVER --

14 THE COURT: UPPER AND/OR LOWER?

15 MR. HAGERTY: AND LOWER, YOUR HONOR, TOO.

16 I MEAN, AND SO, AGAIN, I WOULD HOPE THAT WE COULD
17 DO THIS IN AN ORDERLY FASHION, AND WE DO WANT TO EDUCATE
18 THE COURT AND THE PARTIES ON ALL THESE ISSUES, BUT IT IS
19 VERY TECHNICAL, AND I DON'T THINK WE'RE GOING TO SOLVE ANY
20 OF THESE QUESTIONS TODAY. WE'D LIKE THE OPPORTUNITY IN A
21 STEP-WISE FASHION TO PRESENT THIS INFORMATION.

22 YOU KNOW, WE HAD A PROPOSAL THAT WOULD HAVE GOTTEN
23 TO THESE QUESTIONS IN OUR VIEW IN NOVEMBER OF THIS YEAR, AND
24 WE RECEIVED A LOT OF OBJECTIONS TO THAT. AND WE UNDERSTAND
25 THAT THAT DOESN'T NECESSARILY CORRELATE TO, YOU KNOW -- THEY
26 STILL WANT THE INFORMATION.

27 BUT WE WOULD LIKE TO GET THIS MOVING. THAT'S WHY
28 WE'RE HERE. AND SO WE WOULD LIKE TO GET THIS INFORMATION

1 OUT, BUT WE NEED TO DO IT IN AN ORDERLY FASHION. OTHERS
2 WHO HAVE DISPUTED INFORMATION NEED TO PROVIDE THAT TO US
3 SO WE CAN ASSESS IT AND WE CAN PRESENT IT TO THE COURT.

4 THE COURT: MR. SLATER AND MR. HAGERTY, DOES THE CURRENT
5 DRAFT PHYSICAL SOLUTION HAVE ANY CONTEMPLATION OF ADDING
6 CONNECTEDNESS TO THE CITY OF VENTURA'S CONTINGENT RIGHTS
7 TO I BELIEVE 10,000 ACRE FEET OF STATE WATER PROJECT WATER
8 EACH YEAR?

9 MR. HAGERTY: YOUR HONOR, SO THE WAY THAT WOULD COME
10 IN, IF AT ALL, IS -- AND I'M TRYING TO BE CAREFUL BECAUSE
11 YOU DON'T HAVE THE PHYSICAL SOLUTION, I DON'T WANT TO HAVE
12 PARTIES OBJECT THAT I'M SAYING THINGS ABOUT IT, BUT --

13 THE COURT: WELL, TO MY UNDERSTANDING, THOUSAND OAKS
14 IS CONNECTED TO THE STATE WATER PROJECT. SO THE QUESTION
15 IS JUST BRINGING THE WATER FROM THOUSAND OAKS.

16 MR. HAGERTY: WELL, WE HAVE A PROJECT, THE CITY OF
17 VENTURA HAS A PROJECT THAT IS ALSO INVOLVING CASITAS
18 WHERE WE'RE ATTEMPTING TO CONNECT TO THE STATE WATER
19 PROJECT, TO EXERCISE RIGHTS THAT WE DO HAVE UNDER THE
20 PROJECT. THAT PROJECT IS CURRENTLY IN CEQA LITIGATION.
21 IT'S BEING CHALLENGED. WE HOPE TO OVERCOME THAT CHALLENGE
22 AND MOVE THAT FORWARD.

23 AND FROM A CITY'S PERSPECTIVE, THE MORE WE
24 DIVERSIFY OUR WATER SUPPLY THE BETTER -- FOR ALL OF THE
25 DIFFERENT WATER SUPPLIES. IT WILL PROVIDE BENEFIT TO THE
26 VENTURA RIVER BECAUSE AT CERTAIN POINTS IN TIME IT COULD
27 ALLEVIATE OUR NEED TO TAKE WATER FROM THE RIVER.

28 RIGHT NOW THERE ARE CERTAIN AREAS OF THE CITY

1 THAT CAN ONLY BE SERVED BY THE VENTURA RIVER, AND WE'RE
2 WORKING TO CORRECT THOSE THINGS.

3 AND SO IN THAT SENSE, YOUR HONOR, IT WILL BE
4 INTEGRATED FROM A WATER MANAGEMENT POINT OF VIEW INTO
5 THE PHYSICAL SOLUTION. BUT THAT PROJECT ISN'T SORT OF
6 PART OF THE SUITE OF PROJECTS THAT WE'RE RECOMMENDING TO
7 ADDRESS THE ISSUES IN THE -- THE STEELHEAD ISSUES IN THE
8 WATERSHED.

9 MR. SLATER: YOUR HONOR, IF I MIGHT?

10 CONTEXT. WE'RE GOING TO BE TALKING A LOT
11 CONSISTENTLY AND SOMETIMES BASKETS OF QUESTIONS YOU'RE
12 ASKING. WE CAN PUT IT IN A BASKET AND THEN THINK ABOUT
13 IT IN THAT CONTEXT.

14 WHAT WE HAVE ON THE VENTURA RIVER IS NATURAL
15 OR NATIVE FLOW. AND SO THERE IS GOING TO BE A PHYSICAL
16 SOLUTION THAT'S PRESENTED TO YOU, AND TO THE PARTIES,
17 WHICH HAVE MANDATORY MEASURES, MEASURES THAT ARE COMMITTED
18 TO, AND PROHIBITORY, THINGS THAT PEOPLE CANNOT DO, THINGS
19 THAT PEOPLE MUST DO COLLECTIVELY. THERE WILL BE ECONOMICS
20 ASSOCIATED WITH IT.

21 YOUR QUESTION PERTINENT TO THE STATE WATER PROJECT
22 IS IN A BASKET OF WHAT WE CALL AUGMENTATION, OR FOREIGN
23 WATER; RIGHT? OR DEVELOPED WATER. THESE ARE THINGS THAT
24 MAN CAN DO ON TOP OF BASELINE TO AUGMENT FLOW, AND HOW
25 OFTEN ARE THEY AVAILABLE, UNDER WHAT CONDITIONS ARE THEY
26 AVAILABLE, AND WILL THEY REMEDY THE HARM THAT IS DESIGNATED,
27 IS IT A MEANINGFUL AUGMENTATION. WE DON'T WANT TO PUT
28 WATER IN THE RIVER AND HAVE IT FLUSHED TO THE OCEAN.

1 SO WHAT MR. HAGERTY IS RESPONDING TO, IT'S VERY
2 CLEAR THE VENTURA RIVER IS NOT THE ONLY WATER SUPPLY TO THE
3 CITY OF VENTURA. IT HAS OTHER GROUNDWATER AS FAR AWAY AS
4 SANTA PAULA, THE SANTA PAULA BASIN. IT HAS OTHER SUPPLIES.
5 AND THE QUESTION IS IS HOW -- HOW IS THAT SUPPLY PRESENTLY
6 DISTRIBUTED, FOR WHAT PURPOSES, AND IS THERE SURPLUS OR
7 IS THERE WAYS TO ADD TO FLOW, IS HOW YOU'D THINK ABOUT IT.

8 STATE WATER PROJECT CONNECTION OR BUYING OTHER
9 WATER FROM OXNARD OR THOUSAND OAKS, WHETHER IT'S STATE
10 PROJECT WATER OR NOT, FITS INTO THAT BASKET.

11 THE COURT: SO I WOULD LIKE TO SET A MONTHLY STATUS
12 CONFERENCE, INCLUDING ONE IN MARCH. DOES MONDAY, MARCH
13 15 MAKE SENSE? THAT WOULD BE THE THIRD MONDAY IN MARCH.

14 WOULD YOU LIKE EVERY THIRD MONDAY? SOMEBODY
15 TALKED ABOUT DOING IT EARLY IN THE MONTH FOR WHATEVER
16 REASON.

17 MR. HAGERTY: YOUR HONOR, I PROPOSED THAT. AND WE'D
18 LIKE THE EARLIER IN THE MONTH.

19 THE COURT: DOES THAT TIE TO CITY COUNCIL MEETINGS OR
20 SOMETHING?

21 MR. HAGERTY: NO, IT'S JUST TO KEEP THIS PROCESS MOVING.
22 I DON'T KNOW, IT SEEMED TO WORK. AND WE'LL GET TO THE
23 QUESTION OF LODGING THE PHYSICAL SOLUTION, BUT A LOT OF
24 THINGS ARE GOING TO HAPPEN AT THE END OF FEBRUARY THAT
25 WOULD BE BENEFICIAL TO TALK ABOUT IN EARLY MARCH. PLUS
26 THAT WILL GIVE US TIME TO CORRECT THE DEFICIENCIES THAT
27 YOU'VE IDENTIFIED AND CONTINUE ON THE SERVICE PROCESS
28 THAT IS MOVING ALONG.

1 THE COURT: DO YOU PREFER A DAY OF THE WEEK?

2 MR. MELNICK: YOUR HONOR, THIS IS MARC MELNICK.

3 CAN I BE HEARD ON THIS?

4 THE COURT: SURE.

5 MR. MELNICK: BECAUSE MR. HAGERTY IS JUST PUSH, PUSH,
6 PUSHING.

7 THERE'S A NUMBER OF THINGS THAT ARE GOING TO HAPPEN
8 THE LAST WEEK OF FEBRUARY. PEOPLE ARE GOING TO HAVE TO
9 DIGEST THAT AND THEN PEOPLE ARE GOING TO HAVE TO FILE CASE
10 MANAGEMENT STATEMENTS. SO THE FIRST WEEK OF MARCH SEEMS
11 LIKE NOT VERY EFFECTIVE IN FACT.

12 AND SO I THINK YOUR HONOR'S SUGGESTION OF THE 15TH
13 IS -- SEEMS REASONABLE. AND WE CAN START THERE AND DO IT
14 EVERY MONTH, THAT'S FINE.

15 YOU KNOW, THE FIRST THING THAT NEEDS TO HAPPEN
16 HERE BEFORE MR. HAGERTY BRINGS A MOTION TO SET A SCHEDULE,
17 IS HE NEEDS TO GET ALL HIS PARTIES ONBOARD. AND AS YOUR
18 HONOR NOTED, THERE'S SOME WORK TO DO THERE.

19 MR. HAGERTY: YOUR HONOR, MARCH 15 IS FINE WITH US IF
20 THAT WORKS FOR THE OTHER PARTIES.

21 THE COURT: I'D PROPOSE TO SET IT FOR THE THIRD MONDAY
22 OF EACH MONTH AT 1:30 P.M. WITH A STUTTER STEP IN THE MONTH
23 OF MAY, TO AVOID A CONFLICT TO DO IT ON MAY 10TH INSTEAD OF
24 THE 17TH, BUT OTHERWISE TO PLAN THAT IT WOULD BE THE THIRD
25 MONDAY OF EACH MONTH AT 1:30 P.M.

26 ANYBODY WANT TO OBJECT?

27 MR. FRANCOIS: YOUR HONOR, COULD YOU CLARIFY THE MAY
28 DATE, PLEASE?

1 THE COURT: A WEEK EARLIER. SO THAT'S MAY 10 INSTEAD
2 OF THE 17TH.

3 MR. FRANCOIS: THANK YOU.

4 THE COURT: THAT WOULD BE 1:30 P.M. AND I WOULD WANT
5 THE CITY OF VENTURA TO LODGE ITS REPORT WITH ANY COOPERATING
6 CO-PARTICIPANTS FIVE COURT DAYS IN ADVANCE, AND OTHER
7 PARTIES ALLOWED TO SUBMIT UNILATERAL REPORTS FIVE COURT
8 DAYS IN ADVANCE, WITH THE CITY OF VENTURA TO GIVE NOTICE.

9 MR. HAGERTY: YES, YOUR HONOR.

10 MAY WE ADDRESS THE QUESTION OF, ARE WE FREE TO
11 PROVIDE THE TYPE OF BRIEFING THAT I IDENTIFIED OF --

12 THE COURT: I'LL GET THERE

13 MR. HAGERTY: OKAY. THANK YOU, YOUR HONOR.

14 THE COURT: WHEN IF EVER DO YOU DEIGN TO LET ME SEE THE
15 DRAFT PHYSICAL SOLUTION?

16 MR. HAGERTY: WE PROPOSED FEBRUARY 26TH TO LODGE IT
17 WITH THE COURT, IF PEOPLE DON'T OBJECT.

18 THE COURT: ANYBODY OBJECT TO THE COURT SEEING WHATEVER
19 PASSES AS THE CURRENTLY-OPERATING PHYSICAL SOLUTION ON
20 FEBRUARY 26TH?

21 MR. MELNICK: YES, YOUR HONOR. MARC MELNICK.

22 THE COURT: ELABORATE ON THE OBJECTION, MR. MELNICK.

23 MR. MELNICK: CERTAINLY.

24 SO REMEMBER, YOUR HONOR, THAT WE'RE HAVING
25 SETTLEMENT DISCUSSIONS, AND ESSENTIALLY WHAT MR. HAGERTY
26 HAS AS A PHYSICAL SOLUTION IS AN OPENING OFFER.

27 HE'S ALREADY TOLD US HE'S GOING TO MAKE A SECOND
28 OFFER. AND NOBODY'S SEEN THAT. NOBODY'S EVEN HEARD WHAT

1 CHANGES HE'S GOING TO BE MAKING.

2 AND, YOU KNOW, THIS IS ALL SETTLEMENT
3 CONVERSATIONS. AND AS YOU KNOW, YOUR HONOR, WE TRY TO
4 KEEP THOSE SEPARATE FROM THE TRIER OF FACT, FOR OBVIOUS
5 REASONS.

6 I THINK THE TIME FOR YOU TO SEE A PHYSICAL
7 SOLUTION, YOUR HONOR, IS A FEW MONTHS FROM NOW WHEN
8 MR. HAGERTY BRINGS HIS NOTICED MOTION ASKING FOR A
9 SCHEDULE FOR ADJUDICATION OF THAT.

10 THE COURT: SO MR. MELNICK, I'D BE HAPPY TO DELAY
11 GETTING THE PHYSICAL SOLUTION IF I CAN GET YOU TO SPEED
12 UP YOUR CLIENT'S WORK. I'LL TRADE YOU.

13 YOUR CLIENT'S TAKING TOO DAMN LONG --

14 MR. MELNICK: I'M WORKING ON IT.

15 THE COURT: YOUR CLIENT'S TAKING TOO DARN LONG TO GET
16 THIS DONE. BUT I WILL MAYBE WAIT ON THE PHYSICAL SOLUTION
17 IF YOU'LL DO SOMETHING TO KICK YOUR CLIENT TO GET THEIR
18 IMPORTANT PUBLIC WORK DONE SOONER.

19 MR. MELNICK: WELL, I'M HAPPY TO TRY. I'VE BEEN
20 WORKING ON THAT, YOUR HONOR, BEFORE THE LAST TWO WEEKS,
21 AND I'LL CONTINUE TO WORK ON THAT, YOUR HONOR AND, YOU
22 KNOW, HOPEFULLY I'LL HAVE SOME SUCCESS. BUT I'M NOT THE
23 DECISION-MAKER; RIGHT?

24 SO I'M HOPEFUL THAT BY THE TIME WE HAVE OUR NEXT
25 CMC WE WILL HAVE RELEASED THE VERSION OF THE MODEL THAT
26 PEOPLE CAN LOOK AT.

27 THE COURT: WELL, I'M WILLING TO WAIT TO ADJUST THE
28 QUESTION ON MARCH 15TH IN THE HOPES THAT I'VE GIVEN

1 MR. MELNICK A LEVER POINT WITH HIS CLIENT.

2 IS ANYBODY GOING TO PROTEST, OTHER THAN MYSELF,
3 IF I DON'T GET THE PHYSICAL SOLUTION ON MARCH 15?

4 MR. HAGERTY: WE WOULDN'T PROTEST, YOUR HONOR.

5 THE COURT: UNDERSTAND WHEN I TALK ABOUT DEIGNING,
6 GIVING ME THINGS, YOU CAN TELL IN MY HEAD --

7 MR. HAGERTY: YEAH.

8 THE COURT: -- IT'S ALMOST AS MUCH AS MY IRRITATION
9 ABOUT ALL THE CLERICAL ERRORS WITH THE NAMING ISSUES.

10 MR. HAGERTY: YES, YOUR HONOR.

11 THE COURT: OKAY. FIELD TRIP TO VENTURA RIVER AND
12 TRIBUTARIES. I'M GAME FOR THAT AT ANY TIME.

13 IS THERE A LOGICAL REASON TO WAIT UNTIL THE
14 PHYSICAL SOLUTION'S IN HAND OR OTHERWISE, OR?

15 MR. HAGERTY: WE THINK THAT IT'S APPROPRIATE TO
16 DO IT NOW OR AS QUICKLY AS -- I MEAN OBVIOUSLY WE HAVE
17 SOME IDEAS ABOUT WHAT THE DAY MIGHT LOOK LIKE, YOUR HONOR.
18 WE WILL SHARE THOSE WITH THE OTHER PARTIES AND GET INPUT,
19 AND WE COULD ADDRESS IT AT THE MARCH 15TH STATUS CONFERENCE.

20 THE COURT: I'VE DONE AT LEAST ONE SITE VISIT IN THE
21 COURSE OF A JURY TRIAL TO WHAT WAS THE OLYMPIC HOUSING FOR
22 THE L.A. 1936, '34, '32 OLYMPICS THAT BECAME APARTMENTS
23 AND CONDOS.

24 WHEN YOU TAKE A JURY FOR A SITE VIEW, YOU NEED
25 TO BRING ALONG A COURT REPORTER. THERE ARE ALL SORTS OF
26 THESE FORMALITIES. THIS WOULD NOT BE FOR A JURY, THIS WOULD
27 NOT NECESSARILY BE PART OF THE TRIAL, BUT IF I'M DOING IT
28 WITHOUT THE RECORDATION OF DRAGGING ALONG A COURT REPORTER,

1 I WOULD PRESUMABLY NEED TO HAVE EVERYONE NOTICED THAT IT'S
2 GOING TO PROCEED WITHOUT THAT FORMALITY AND GET AN AGREEMENT
3 THAT THAT'S ACCEPTABLE, OR OTHERWISE ARRANGE THAT EACH TIME
4 I GET OUT OF A CAR AND OBSERVE SOMETHING, THERE'S SOME KIND
5 OF NARRATIVE BEING PROVIDED TO A COURT REPORTER WITH OTHER
6 INTERESTED PERSONS IN ATTENDANCE, ABLE TO SAY: OH, SEE OVER
7 THERE? THERE'S A BIG WATERFALL, OR THERE'S TAR BUBBLING
8 UP FROM THE GROUND, OR WHATEVER MIGHT BE VISIBLE.

9 MR. SLATER: YOUR HONOR, WE WOULD BENEFIT, ALL PARTIES
10 WOULD BENEFIT FROM GROUND RULES BEING OFFERED AND STIPULATED
11 TO BEFORE IT OCCURS. AND THAT WOULD BE CUSTOMARY.

12 THE COURT: WHY DON'T YOU MAKE A PROPOSAL, MR. HAGERTY,
13 WITH THOSE WHO JOIN YOUR EFFORT AS TO WHAT YOU WOULD
14 PROPOSE TO BE FIELD TRIP SPOTS TO SEE AND THE POINT OF
15 THE OBSERVATIONS, WHETHER IT'S GOING TO THE LOCATION OF A
16 WELL OR VISIBLE EVIDENCE OF A DAM OR NOT TERRIBLY VISIBLE
17 EVIDENCE OF A SUBSURFACE DAM AND OTHER SENSITIVE ECOLOGICAL
18 AREAS OR WHATEVER IT IS THAT YOU OR MR. COOPER AND OTHERS
19 WOULD WANT ME TO SEE, AND PERHAPS WITHOUT MY AWARENESS OF
20 IT CIRCULATED IN SOME FASHION.

21 AND THERE IS A WAY TO CIRCULATE THINGS ON FILE
22 & SERVE WHERE YOU LEAVE ME OFF THE SERVICE LIST AND YOU
23 LEAVE COURT STAFF OFF THE SERVICE LIST. AND FOR THESE
24 PURPOSES, IF YOU WANT TO CIRCULATE A DRAFT FIELD TRIP
25 WITHOUT ME SEEING IT, THERE IS A WAY TO USE FILE & SERVE
26 SO THAT YOU TAKE ADVANTAGE OF REACHING VIRTUALLY EVERYBODY
27 BUT INTENTIONALLY NIL OUT THE JUDGE AND COURT STAFF. AND
28 YOU CAN DO THAT WITH MY CONSENT.

1 OTHERWISE, GENERALLY IF IT'S EVER GOING TO BE
2 FILED AND/OR LODGED WITH THE COURT I DO WANT IT SERVED ON
3 FILE & SERVEXPRESS BECAUSE, FOR REASONS YOU PROBABLY HAVE
4 FIGURED OUT ALREADY, WE NEED A BACKSTOP TO THE PROBLEMS
5 OF DEALING WITH OUR COLLECTIVE COURT RECORDS ON OUR OWN
6 DATA BASE, AND FILE & SERVE FORTUNATELY PROVIDES THAT
7 ALTERNATIVE.

8 MR. HAGERTY: WE'RE WORKING ON A PROPOSAL ALREADY AND
9 WE WILL CIRCULATE IT TO ALL PARTIES AND GET INPUT, AND THEN,
10 YOU KNOW, WE CAN INCLUDE THAT WITH ANY DISPUTED ITEMS AS
11 PART OF OUR STATUS CONFERENCE REPORT.

12 THE COURT: I'M GOING TO TURN TO YOUR FAVORITE TOPIC
13 IN JUST A MINUTE, BUT --

14 MR. MELNICK: YOUR HONOR, CAN I SAY SOMETHING ABOUT
15 THE SITE VISIT? MARC MELNICK AGAIN.

16 THE COURT: SURE. GO AHEAD, MR. MELNICK.

17 MR. MELNICK: I'M HAPPY TO WORK WITH MR. HAGERTY
18 ABOUT HOW THIS WOULD WORK, AND MR. COOPER AND WHOEVER
19 ELSE. I JUST HAVE TO SAY THAT I THINK OUR OFFICE WOULD
20 HAVE A CONCERN ABOUT DOING THIS ANY TIME SOON, GIVEN THE
21 CURRENT STATE OF THE PANDEMIC, BECAUSE IT'S A LOT OF PEOPLE
22 TOGETHER IN ONE PLACE, ALL WANTING TO TALK TO YOU. AND
23 SO I THINK WE NEED TO BE A LITTLE CAREFUL ABOUT THAT.

24 THE COURT: THAT'S A FAIR COMMENT. I'LL BE DOUBLY
25 VACCINATED AS OF THE END OF THIS WEEKEND, BUT THE FACT
26 THAT I'M VACCINATED DOESN'T STOP THE SOCIAL DISEASE PROBLEM.

27 MR. HAGERTY: WE'LL WORK WITH MR. MELNICK AND OTHERS
28 ON COVID ISSUES, YOUR HONOR. I MEAN, IF IT CAN BE DONE AND

1 IT IS STRUCTURED IN A WAY THAT PEOPLE FEEL COMFORTABLE, WE
2 WILL DO THAT. IF IT NEEDS TO WAIT BECAUSE OF THE PANDEMIC,
3 WE WILL HAVE TO DO THAT. BUT I THINK IT'S SOMETHING WE CAN
4 TRY TO TACKLE.

5 THE COURT: AT LEAST WE CAN START TRYING TO FIGURE OUT
6 THE DANCE CARD EVEN IF IT'S PREMATURE TO DO THE DANCE.

7 MR. HAGERTY: YES, YOUR HONOR.

8 MR. MELNICK: SURE.

9 THE COURT: THANK YOU, MR. MELNICK. THAT'S A TOTALLY
10 VALID POINT. BECAUSE THERE ARE CONTINUING PUBLIC HEALTH
11 CONCERNS THAT IMPACT EVERY ASPECT OF SOCIETY AT THE MOMENT.

12 SO, I'M GOING TO GET TO YOUR FAVORITE TOPIC IN A
13 SECOND, MR. HAGERTY, BUT AS A PRELUDE, YOU'LL NOTICE I WAS
14 GUESSTIMATING THAT MAYBE YOU'LL HAVE ALL THESE THOUSAND
15 PLUS DEFAULTS IN HAND BY EARLY JUNE AND MAYBE ON A GOOD
16 DAY COURT STAFF WILL HAVE PROCESSED THEM BY JULY 1.

17 ALSO I'M ASSUMING THAT YOU'RE GOING TO HAVE
18 SOME REQUESTS FOR PUBLICATION. AS I INDICATED IN ONE
19 OF THESE TENTATIVES THAT YOU GOT, IF YOU SHOW ME THAT
20 THE TAX PAYMENTS ARE IN ARREARS, I WILL BE MUCH MORE
21 OPEN TO THE IDEA OF PUBLICATION, BECAUSE THAT THEN
22 SUGGESTS DISINTEREST IN THE LAND.

23 NOW, WHY THIS PIECE OF LAND IN VENTURA IS NOT
24 WORTH PAYING TAXES, GOD ONLY KNOWS, BUT IF THAT'S THE
25 BEHAVIOR OF SOMEBODY, THEN WE CAN ASSUME THAT YOU'RE NOT
26 GOING TO HAVE MUCH LUCK SERVING THEM.

27 IF THE TAXES ARE CURRENT, THOUGH, OR NO MORE THAN,
28 SAY, SIX MONTHS IN ARREARS, I'M GOING TO BE SCRATCHING MY

1 HEAD WONDERING WHY YOU CAN'T FIND THESE PEOPLE IF THEY KNOW
2 HOW TO GET THEIR MONEY TO THE TAX COLLECTOR AT LEAST IN
3 THE LAST NINE MONTHS.

4 MR. HAGERTY: YES, YOUR HONOR. AND WE SAW THAT.
5 WE'RE VERY COGNIZANT OF THAT ISSUE.

6 AS WE'VE INFORMED THE COURT BEFORE, BECAUSE OF
7 THE PANDEMIC WE HAVE NOT BEEN PERSONALLY SERVING, WE'VE
8 BEEN USING OTHER MEANS. WE HAVE NOW STARTED AGAIN PERSONAL
9 SERVICE FOR THE REMAINING CROSS-DEFENDANTS WE'VE IDENTIFIED.
10 THAT STARTED TODAY AND WILL BE ONGOING.

11 WE'RE TRYING TO GET EVERYTHING DONE AS QUICKLY
12 AS POSSIBLE. OUR GOAL IS THE END OF THE MONTH. MAYBE
13 THAT'S A LITTLE AMBITIOUS, BUT WE'LL DO WHAT WE CAN

14 AND THE POSTING PROCESS IS ALSO GOING -- WE'VE
15 STARTED IT, BUT IT'S NOT PHYSICALLY DONE YET. I THINK THAT
16 THAT --

17 THE COURT: WELL, THAT WON'T HELP YOU ON THIS.

18 MR. HAGERTY: NO, I KNOW, YOUR HONOR.

19 THE COURT: I LOVE POSTING, BUT THE CODE DOESN'T
20 ALLOW ME TO AUTHORIZE POSTING AS SUBSTITUTED SERVICE.

21 MR. HAGERTY: YES, YOUR HONOR. I JUST WANTED TO STRESS
22 THAT WE ARE BACK TO PERSONAL SERVICE. AND ACTIVELY. SO
23 WE WILL HAVE A MUCH BETTER SENSE AT THE END OF THE MONTH
24 HOW MANY STRAGGLERS WE HAVE AND HOW PUBLICATION WILL HAVE
25 TO WORK.

26 BUT WE HEAR YOU LOUD AND CLEAR. WE'RE NOT GOING TO
27 ASK THE COURT TO PUBLISH UNLESS WE PROVIDE THE INFORMATION
28 THAT YOU'VE ASKED FOR, AND MORE.

1 THE COURT: AND I WILL MODIFY MY TENTATIVE IN THIS
2 REGARD AS TO DEFAULTS. IF YOU WANT TO GO AHEAD AND START
3 PRIMING THE PUMP AND SEEING HOW IT GOES, PARTICULARLY AFTER
4 YOU'VE CONSULTED WITH MR. THRALL AND MS. NANCY ARRINGTON,
5 YOU CAN LOOK AT OUR RECORDS AND SEE A PARTY BY THE WAY
6 WE THINK THEY'RE NAMED AS A CROSS-DEFENDANT, AND IF YOU
7 THINK YOU'VE NOW GOT THEM TEED UP FOR A PROPER REQUEST FOR
8 DEFAULT, I'M GOING TO ASK FOR IT IN NAME AND EXACTLY HOW
9 IT SHOWS IN OUR RECORDS, YOU DON'T NEED TO WAIT UNTIL THE
10 END OF MAY OR JUNE TO BRING ANOTHER REQUEST FOR DEFAULT.

11 AND MAYBE YOU WANT TO BRING IN THE CLEANEST 50
12 OR 100 OR 200 REQUESTS FOR DEFAULT THAT YOU HAVE, YOU KNOW,
13 WHEN YOU GOT YOUR PERSONAL SERVICE, YOUR PROOF OF SERVICE
14 IS ALREADY FILED, OR YOU'VE GOT YOUR NEW PROOF OF SERVICE
15 IN HAND AND YOU'LL GET IT TO US AT THE SAME TIME.

16 I'M NOT AGAINST THAT IF YOU CAN FIGURE OUT
17 SOME WAY TO MAKE IT A BULK PROCESS WITH MR. THRALL AND
18 MS. ARRINGTON, AS IT'S THEIR PROBLEM MORE DIRECTLY THAN
19 MINE. SO IF YOU WANT TO GET ON WITH IT EVEN, YOU KNOW,
20 THIS WEEK OR NEXT AS TO THE NAMED PARTIES WHERE YOU KNOW
21 IT'S A TIDY EXERCISE AND YOU'LL HOPEFULLY HAVE A GOOD WIN
22 RATE, HAVE AT IT.

23 BECAUSE PARTICULARLY IF YOU CAN GET GOING AND YOUR
24 REQUESTS FOR DEFAULT SEEM TO WORK IN THE ORDINARY COURSE,
25 AND THERE'S SOMEBODY BACK AT BEST BEST & KRIEGER WHO
26 DESERVES AN ATTABOY, PERHAPS MR. SKAHAN, FOR GETTING ALL
27 THE PAPERWORK RIGHT, BUT ONCE YOU KNOW YOU'RE DOING IT
28 RIGHT, THEN, YOU KNOW, IT WILL BE A VIRTUOUS CYCLE.

1 MR. HAGERTY: YES. THANK YOU, YOUR HONOR. THAT WOULD
2 BE WONDERFUL. AND WE WOULD LOVE TO DO THAT AND WORK OUT
3 ANY KINKS THROUGH THAT PROCESS AND THEN GET IT ROLLING SO
4 WE CAN PROCESS IT WITH EXPEDITION.

5 SO THANK YOU FOR THAT. WE APPRECIATE THAT.

6 THE COURT: BECAUSE BEFORE WE LIFT THE STAY I DO THINK,
7 FOR REASONS MADE BY SOME OF THE OBJECTORS, IT OUGHT TO BE
8 BY NOTICED MOTION.

9 I DON'T MIND USING THE MARCH 15TH THING AS ANOTHER
10 GO ROUND OF EDUCATIONAL STUFF AND NOT YET YOUR MOTION. I
11 THINK IT'S PREMATURE TO BRING YOUR MOTION, PARTICULARLY WHEN
12 THE PARTY STATUS HAS AS MANY NONDEFAULTED, NAMED, SERVED
13 PEOPLE OUT THERE AS WE HAVE AT THE MOMENT.

14 I DON'T FRANKLY CARE ABOUT THE LAST HUNDRED
15 AND TEN OF THE NOT-YET NOTICED PEOPLE OUT OF 10,000.
16 STATISTICALLY YOU'VE DONE PRETTY WELL. IF YOU'VE GOT
17 9,900 PLUS OUT OF 10,000, YOU'RE DOING PRETTY WELL
18 FROM A DUE PROCESS POINT OF VIEW. BUT AS TO THE 2100
19 NAMED PEOPLE, YOU MAY WELL HAVE A RIGHT TO BE DEFAULTING
20 A THOUSAND OR MORE OF THEM, BUT UNTIL THEY'RE DEFAULTED
21 IN FACT, I CAN'T TREAT THEM AS BEING WITHOUT A RIGHT TO
22 BE HEARD IN THIS PROCEEDING.

23 AND SO IN THAT SENSE, ALMOST CONTRARY TO WHAT I
24 SAID, IF YOU CAN GET SOME MORE -- NOT SOME MORE, BUT FIRST
25 AND SEVERAL AND THEN DOZENS AND SCORES OF DEFAULTS IN PLACE,
26 THAT WILL BE ENCOURAGING TO ME THAT THE PEOPLE WHO REALLY
27 CARE ABOUT THE CASE HAVE SHOWN UP AND WE CAN MOVE ON THIS,
28 BECAUSE WE BASICALLY HAVE A QUARUM OF THE PEOPLE WHO ARE

1 INTERESTED IN THE CASE, AND SO A MOTION TO LIFT THE STAY
2 AND GET ON WITH THINGS IS NOT PREMATURE.

3 MR. HAGERTY: YES, YOUR HONOR.

4 AGAIN, I THINK IT WOULD BE APPROPRIATE TO MAKE
5 EVERY EFFORT WE CAN BETWEEN NOW AND THE NEXT STATUS
6 CONFERENCE AND ADDRESS THAT AT THAT POINT IN TIME.

7 THE COURT: AND TRY TO GIVE ME A WIN-LOSS RECORD
8 IN THE NEXT REPORT. AND BE VERY PRECISE. YOU KNOW,
9 DON'T JUST SAY APPROXIMATELY 2100, BUT TELL ME HOW MANY
10 CROSS-DEFENDANTS YOU'VE GOT, HOW MANY WERE SERVED, HOW
11 MANY HAVE APPEARED, HOW MANY HAVEN'T YET BEEN SERVED
12 OR WHATEVER, AND GIVE ME KIND OF A SUMMARY BOX SCORE.

13 AT SOME POINT THE STAFF AND I ARE GOING TO ASK
14 YOU FOR THE WHOLE EXCEL SPREADSHEET WITH PARTICULARS THAT
15 CAPTURES THE ENTIRETY OF EVERYBODY ON THE CROSS-COMPLAINT
16 BEFORE YOU GET TO THE WALK-ONS. BUT THEN IN YOUR REPORT
17 TRY TO GIVE ME A KIND OF BOX SCORE OF HOW IT'S GOING. AND
18 THEN, YES, WE DO NEED TO KEEP TRACK OF THE ACCOUNT OF THE
19 WALK-ONS WHO SHOWED UP.

20 MR. HAGERTY: YES, YOUR HONOR.

21 AND WITH REGARD TO THE NOTICED MOTION, I THINK
22 WE'VE INDICATED WE'RE COMFORTABLE WITH THAT APPROACH. WE'LL
23 TALK ABOUT TIMING IN THE FUTURE. OBVIOUSLY WE WOULD LIKE
24 IT SOONER THAN LATER, BUT WE REALIZE THERE ARE COMPLEXITIES
25 THERE.

26 BUT WE AGREE THAT IT WOULD BE APPROPRIATE TO FULLY
27 BRIEF THOSE ISSUES IN THE NOTICED MOTION, EVERYONE CAN CHIME
28 IN, AND THE COURT CAN MAKE RULINGS THAT WILL THEN SET THE

1 TONE FOR THE NEXT PHASE.

2 THE COURT: AND MAYBE YOU SET IT FOR HEARING ON APRIL
3 19 OR MAY 10.

4 WHAT DO YOU WANT TO TELL ME IN YOUR BRIEF FOR MARCH
5 15, GIVEN THAT IT WON'T BE A NOTICED MOTION? JUST ANOTHER
6 LITTLE TUTORIAL?

7 MR. HAGERTY: YES, YOUR HONOR. I MEAN, AND AGAIN,
8 WE'LL CERTAINLY --

9 THE COURT: I'LL ACCEPT THAT. I NEED TO BE EDUCATED.

10 MR. HAGERTY: IT WOULD BE A BROAD DISCUSSION OF
11 THE COURT'S POWERS, DUTIES, AS WE SEE THEM, BASED UPON
12 THE REPORTED CASES ON THE ISSUE OF PHYSICAL SOLUTION.

13 THE COURT: MR. SLATER MADE AN INTERESTING COMMENT
14 THAT SPOKE TO SOMETHING I PUT IN MY TENTATIVE, WHICH WAS
15 THE PRACTICAL WAY IN WHICH, AT LEAST THE WAY THAT MR. SLATER
16 DEPICTED IT, THE PHYSICAL SOLUTION SOMEHOW SUBSTITUTES FOR
17 ADJUDICATING ALL THE OTHER CLAIMS. BECAUSE PRESUMPTIVELY
18 ONE DOESN'T TRAMPLE ON SOMEBODY'S RIGHTS, AND SO, FROM A
19 DUE PROCESS REASON, IF THE PHYSICAL SOLUTION IS A WIN-WIN
20 AND THE OBJECTIONS TURN OUT TO BE CONFUSED, MISPLACED OR
21 DE MINIMIS, ONE ULTIMATELY DECIDES THAT THE OBJECTIONS
22 DON'T CONSTITUTE A DUE PROCESS BARRIER TO ENDORSING THE
23 PHYSICAL SOLUTION AND TRYING TO MAXIMIZE THE SCARCE WATER
24 RESOURCES OF THIS ARID STATE.

25 MR. HAGERTY: AND WE CAN MAP OUT ALL THAT OUT, AT LEAST
26 FROM OUR PERSPECTIVE, IN WHAT WE'RE PROPOSING TO SUBMIT.

27 AND AGAIN, FOR THE OTHER PARTIES, WE'LL CIRCULATE
28 IT IN ADVANCE SO THAT PEOPLE WHO HAVE DIFFERENT VIEWS CAN

1 BRING THOSE DIFFERENT VIEWS TO THE COURT, WHICH WE THINK
2 IS HEALTHY AND SHOULD BE DONE.

3 SO THAT WOULD BE OUR PROPOSAL: TO PROVIDE THAT
4 OVERVIEW OF THE PHYSICAL SOLUTION LAW. WE CAN GIVE THE
5 COURT SOME EXAMPLES OF OTHER PHYSICAL SOLUTIONS SO YOU GET
6 A SENSE OF WHAT THEY LOOK LIKE AND HOW THEY'RE IMPLEMENTED
7 OVER TIME, AND HOW, TO GET TO THE COURT'S SPECIFIC QUESTION,
8 HOW THOSE ISSUES OF DUE PROCESS, OTHER CLAIMS, HOW THOSE
9 ARE STRUCTURED WITHIN THE PHYSICAL SOLUTION WITH THE COURT'S
10 CONTINUING JURISDICTION.

11 AND AGAIN, WE RECOGNIZE THAT PARTIES WILL HAVE
12 DIFFERENT VIEWS, AND I THINK IT'S APPROPRIATE FOR THEM TO
13 BRING THOSE TO YOUR ATTENTION.

14 THE COURT: ALL RIGHT. I'M GOING TO RECESS FOR 15
15 MINUTES TO CALL AN UNRELATED CASE. THIS IS A BATHROOM
16 BREAK FOR ALL INVOLVED, INCLUDING THE COURT REPORTER.

17
18 (RECESS TAKEN)
19
20
21
22
23
24
25
26
27
28

1 CASE NUMBER: 19STCP01176
2 CASE NAME: SANTA BARBARA CHANNELKEEPER
3 VS. STATE WATER RESOURCES
4 CONTROL BOARD, ET AL.
5 LOS ANGELES, CA TUESDAY, FEBRUARY 9 2021
6 DEPARTMENT 10 HON. WILLIAM F. HIGHBERGER, JUDGE
7 TIME: 3:35 P.M.
8 REPORTER: TIMOTHY J. MCCOY, CSR NO. 4745
9 APPEARANCES: (AS HERETOFORE NOTED)

10 * * *

11
12 (THE PROCEEDINGS RECOMMENCED IN OPEN COURT, WITH
13 VARIOUS PARTIES APPEARING REMOTELY, AS FOLLOWS:)

14
15 THE COURT: OKAY WE'RE BACK ON THE RECORD IN THE
16 SANTA BARBARA CHANNELKEEPERS CASE.

17 MR. HAGERTY, WHAT ELSE WOULD YOU LIKE TO TAKE
18 UP WITH THE COURT? I THINK I'VE TOUCHED ON THE ISSUES
19 THAT WERE OF CONCERN TO ME.

20 MR. HAGERTY: I THINK WE'RE DONE, YOUR HONOR.

21 THERE WAS A QUESTION, THAT I'M HAPPY TO PUT ON
22 THE RECORD, IN TERMS OF THE BRIEFING THAT WE TALKED ABOUT.
23 WE DO THINK IT'S IMPORTANT FOR ALL THE PARTIES TO SEE THAT
24 IN ADVANCE AND BE ABLE TO RESPOND.

25 SO WHAT WE'VE INDICATED, AND WE'LL PUT INTO THE
26 NOTICE IF THE COURT FINDS IT APPROPRIATE, IS THAT WE'RE
27 HAPPY TO FILE THAT BY THE END OF THE MONTH, WHICH WOULD
28 GIVE AT LEAST TWO WEEKS TO THE OTHER PARTIES TO HAVE THAT.

1 SO I JUST MAKE THAT AS AN OFFER, IF THAT'S
2 ACCEPTABLE.

3 THE COURT: THIS WOULD BE A BRIEFING SCHEDULE FOR YOUR
4 EVENTUAL MOTION TO LIFT THE STAY, OR?

5 MR. HAGERTY: NO, THE EDUCATIONAL BRIEFING IN ADVANCE
6 OF THE NEXT STATUS CONFERENCE.

7 THE COURT: SO YOU WILL LET THEM SEE IT BEFORE I SEE
8 IT SO THEY CAN CRITIQUE IT?

9 MR. HAGERTY: WELL, WE COULD DO IT THAT WAY, YOUR HONOR.
10 OR WHAT I HAD IN MIND IS, WE WOULD JUST FILE AND SERVE
11 IT TWO WEEKS IN ADVANCE OF BEFORE OUR STATUS CONFERENCE
12 REPORT, AND THEN PEOPLE COULD READ IT AND RESPOND TO IT
13 AS PART OF THEIR STATUS CONFERENCE STATEMENTS IF THEY WISH.
14 BUT MAYBE THAT'S TOO COMPLICATED.

15 IF THE COURT WANTS TO DO IT A DIFFERENT WAY, THAT'S
16 FINE. THE QUESTION CAME UP FROM MR. DENNINGTON ABOUT HOW
17 MUCH TIME THE OTHER PARTIES WOULD HAVE TO SEE IT, AND WE
18 WANT TO GIVE PARTIES SUFFICIENT TIME, AS WELL.

19 THE COURT: WHY DON'T YOU SERVE IT TWO WEEKS IN ADVANCE,
20 AND THEN FILE IT AFTER YOU GET ANY COMMENTS THAT YOU CARE
21 TO ACKNOWLEDGE ONE WEEK IN ADVANCE, AND PEOPLE WHO WANT
22 TO COMMENT ON IT CAN FILE THREE COURT DAYS IN ADVANCE.

23 MR. HAGERTY: YES, YOUR HONOR.

24 THE COURT: SO ALTHOUGH I WANT YOUR STATUS CONFERENCE
25 REPORT SLASH BRIEF FILED FIVE COURT DAYS IN ADVANCE, OTHER
26 PEOPLE'S REPORTS CAN COME IN THREE COURT DAYS IN ADVANCE
27 SO THAT THEY ACTUALLY ARE REACTIVE TO YOUR FINAL DRAFT.

28 MR. HAGERTY: YES, YOUR HONOR.

1 THE COURT: AND YOU GIVE NOTICE OF SAME.

2 MR. HAGERTY: YES, YOUR HONOR.

3 THE COURT: OKAY.

4 ALL RIGHT. MR. SLATER, WHAT ELSE SHOULD WE TALK
5 ABOUT TODAY?

6 MR. SLATER: NOTHING, YOUR HONOR.

7 THE COURT: MR. DENNINGTON?

8 MR. DENNINGTON: I THINK I'M GOOD, YOUR HONOR.

9 THE COURT: MR. FRANCOIS?

10 MR. FRANCOIS: JUST A BRIEF COMMENT, IF THE COURT WOULD
11 ENTERTAIN IT, YOUR HONOR.

12 THE COURT: SURE.

13 MR. FRANCOIS: DO YOU NEED ME TO COME UP?

14 THE COURT: ACTUALLY JUST FOR THE MIC, YES. MAYBE SWAP
15 OUT WITH DENNINGTON.

16 MR. FRANCOIS: YOU GOT IT.

17 FOR DR. ROBIN BERNHOFT, TONY FRANCOIS, YOUR HONOR.
18 WE DON'T HAVE ANY OBJECTION TO ANY OF THE DECISIONS THAT
19 THE COURT HAS MADE TODAY, AND WE APPRECIATE THE ATTENTION
20 TO A LOT OF THESE DETAILS.

21 I DID WANT TO MAKE TWO BRIEF COMMENTS: ONE, SIMPLY
22 TO CONFIRM ON THE RECORD THAT THE RECOMMENDATIONS MADE BY
23 MR. MELNICK AND MR. COOPER ABOUT THE CONTENTS OF THE REPORTS
24 THEY DISCUSSED ARE MERELY OFFERS OF PROOF. AND I THINK
25 NOBODY DISAGREES WITH THAT, BUT I JUST WANT TO STATE THAT
26 FOR THE RECORD.

27 SECONDLY, ON THE QUESTION OF THE CITY'S PROVISION
28 OF THE INFORMATION THEY HAVE ON THE CONNECTIVITY OF

1 THE BASINS, ONE OF THE DIFFICULTIES SO FAR IS THAT
2 THE DISCUSSIONS THAT HAVE TAKEN PLACE HAVE BEEN UNDER
3 CONFIDENTIALITY AGREEMENTS. AND SO SOME OF THE PARTIES
4 WHO HAVE APPEARED AND ENGAGED IN THOSE DISCUSSIONS HAVE
5 ACCESS TO SOME OF THAT INFORMATION, BUT THERE'S A DISPARITY
6 BETWEEN THE PARTIES THAT HAVE ACTIVELY PARTICIPATED IN
7 THE NEGOTIATION OF THE PROPOSED SETTLEMENT, THAT'S NATURAL
8 ENOUGH, AND THE THOUSANDS OF HOMEOWNERS IN OJAI AND OTHER
9 PLACES, YOU KNOW, WHO FOR THE VERY SAME REASONS HAVE NOT
10 PARTICIPATED IN THAT, AND, YOU KNOW, THEY MAY OR MAY NOT
11 HAVE ACCESS TO THAT INFORMATION.

12 I THINK ONE OF THE THINGS THAT MIGHT BE WISE TO
13 DISCUSS AT THE NEXT STATUS CONFERENCE IS WHETHER THE CITY
14 WOULD BE DIRECTED TO PUT THAT ON THEIR WEBSITE. BECAUSE IT
15 MAKES A BIG DIFFERENCE TO JUST THE AVERAGE HOMEOWNER, YOU
16 KNOW, IN OJAI, THE PACE OF WHICH AND THE PACKAGING WITH
17 WHICH THEY TRY TO EVALUATE THAT INFORMATION AND DECIDE
18 WHETHER THEY WANT TO STACK ARMS OR WHETHER THEY WANT TO
19 FIGHT OVER IT.

20 AND I THINK THAT SEQUENCING THE SHOWING OF
21 CONNECTIVITY SEPARATELY FROM THE COURT'S CONSIDERATION
22 OF THE PHYSICAL SOLUTION IS IMPORTANT FOR GIVING THOSE
23 HOMEOWNERS WHO HAVE WELLS A MEANINGFUL OPPORTUNITY TO
24 MAKE THAT DECISION. AND THAT IF THAT'S DONE JOINTLY,
25 THAT DIMINISHES THAT OPPORTUNITY.

26 YOU KNOW, OBVIOUSLY WE'RE NOT ASKING FOR A
27 DECISION ON ANYTHING AT THIS POINT, BUT, YOU KNOW,
28 BASED ON THE FLOW OF THE DISCUSSION TODAY I THOUGHT

1 IT WAS IMPORTANT TO RAISE THAT CONCEPT.

2 THE COURT: WELL, I CONFESS, AND I DON'T MIND IF
3 YOU QUOTE ME TO YOUR CLIENT, MR. HAGERTY, WHETHER IT'S
4 THE CITY ATTORNEY OR THE CITY COUNCIL OR THE MAYOR, THE
5 PUBLIC RELATIONS EXERCISE BY THE CITY OF VENTURA TO TRY
6 TO RATIONALLY EXPLAIN TO POTENTIALLY AFFECTED WELL OWNERS,
7 PARTICULARLY THOSE WHO LIVE BEYOND THE BORDERS OF THE
8 CITY OF VENTURA, SEEMS TO BE NOT AS EFFECTIVE AS IT MIGHT
9 BE.

10 SOME OF THE SQUAWKS THAT I HEAR ON THE PHONE TODAY,
11 PARTICULARLY FROM THE UPPER OJAI PEOPLE, WHO AT LEAST TO MY
12 LAYMAN'S PERCEPTION HAVE A VERY PLAUSIBLE INITIAL REACTION
13 AS TO WHY MY WELL SO MANY FEET HIGHER AND SO MANY MILES
14 GEOGRAPHICALLY HORIZONTAL SHOULD HAVE ANY RELEVANCE TO
15 THIS EXERCISE SEEMS TO BE VERY NATURAL HUMAN REACTION, AND
16 IT MAY BE THAT PEOPLE EVEN CLOSER IN THE MAIN PORTION OF
17 OJAI THAT HAS SOMEWHAT LESS OF A GRADE VARIATION FROM REACH
18 FOR AND GEOGRAPHICALLY CLOSER HORIZONTAL PROXIMITY MAY
19 NEVERTHELESS HAVE SKEPTICISM KNOWING HOW MANY MILES AND
20 YARDS THEY ARE FROM REACH FOR. AND IF YOU'VE GOT GOOD
21 FACTS, GENERALLY SPEAKING, AS AN ADVOCATE, BE HAPPY AND
22 SAY IT EARLY AND OFTEN.

23 I'M NOT AT THE MOMENT TRYING TO ORDER YOU TO
24 DO IT, BUT I AM WILLING TO TELL YOU THAT YOU MIGHT GO
25 BACK TO YOUR CLIENT AND SUGGEST THE JUDGE THINKS THAT
26 THEY'RE NOT DOING THE BEST PUBLIC RELATIONS EXERCISE
27 THEY MIGHT.

28 MR. HAGERTY: THANK YOU, YOUR HONOR. AND WE WILL

1 DO THAT. AND I'M HAPPY TO TALK WITH MR. FRANCOIS ABOUT
2 OPTIONS AND WAYS TO DISSEMINATE INFORMATION.

3 SO WE HEAR YOU LOUD AND CLEAR. THANK YOU.

4 THE COURT: ALL RIGHT. OTHERS IN THE COURTROOM?
5 I THINK I'VE HEARD FROM EVERYBODY EXCEPT MR. HAGERTY'S
6 COLLEAGUE.

7 I ASSUME, MR. PISANO, YOU TRUST WHAT MR. HAGERTY
8 SAID?

9 MR. PISANO: YES, YOUR HONOR.

10 THE COURT: THOSE OF YOU ON THE PHONE WHO HAVE SPOKEN
11 BEFORE WISH SPEAK NOW? OPEN MIC.

12 MR. GOLDEN-KRASNER: YOUR HONOR, NOAH GOLDEN-KRASNER
13 WITH THE DEPARTMENT OF FISH AND WILDLIFE.

14 THE COURT: PROCEED.

15 MR. GOLDEN-KRASNER: I AM CONCERNED ABOUT THIS PROPOSED
16 BRIEFING, YOUR HONOR. I'M NOT SURE WHAT THE PURPOSE IS OF
17 HOW THERE'S DUELING BRIEFING WHEN THERE'S NO MOTION BEFORE
18 THE COURT. I DON'T UNDERSTAND THE PURPOSE OF US ARGUING
19 ABOUT WATER LAW TO YOUR HONOR WHEN THERE'S NO MOTION BEFORE
20 THE COURT.

21 I UNDERSTAND IF YOUR HONOR WANTS IT, WE'RE HAPPY TO
22 DO IT, BUT I DON'T SEE THE PURPOSE IN HAVING DUELING BRIEFS
23 ABOUT WATER LAW AT THIS STAGE WHEN THERE'S NOTHING BEFORE
24 THE COURT.

25 THE COURT: I LIKE THE IDEA, AND I THINK I AM STILL
26 SO FAR DOWN THE LEARNING CURVE THAT I CAN ONLY BENEFIT BY
27 BEING EDUCATED, EVEN IF IT IS IN THE CONTEXT OF COMPETING
28 SUBMISSIONS.

1 HOPEFULLY THE DRAFT BRIEF THAT YOU'LL SEE A
2 WEEK IN ADVANCE OF ITS IN SUBMISSION TO THE COURT IS
3 CLOSE ENOUGH TO ACCURATE THAT YOU MIGHT GIVE MR. HAGERTY
4 AND MR. PISANO AN ATTABOY OR GIVE THEM SOME EDITORIAL
5 IMPROVEMENTS. OR IF NOT, THEN YOU CAN DEMONSTRATE THAT YOUR
6 LEGAL ANALYSIS FAR EXCEEDS THEIRS AND WORK TO ESTABLISH YOUR
7 CREDIBILITY SO THAT YOU TEAR DOWN THE CITY OF VENTURA'S
8 ADVOCATE AND BUILD UP THE STATE'S CREDIBILITY WHEN THE
9 TIME COMES FOR THE REAL FIGHT.

10 MR. GOLDEN-KRASNER: UNDERSTOOD, YOUR HONOR.

11 THE COURT: ANYBODY ELSE WISH TO BE HEARD VIA
12 LACOURTCONNECT?

13 MR. MELNICK: YOUR HONOR, THIS IS MARC MELNICK.

14 I JUST WANT TO THANK YOUR HONOR AGAIN FOR ALL
15 THE TIME AND ATTENTION THAT YOU'RE GIVING TO THIS CASE.
16 IT IS AN IMPORTANT CASE, AND IT'S PROBABLY JUST AS
17 IMPORTANT FOR ALL THE LAWYERS.

18 MS. BLISS: CAN I SPEAK, YOUR HONOR?

19 THE COURT: I'LL GET TO YOU IN A MOMENT, MS. BLISS.
20 LET MR. MELNICK FINISH.

21 MS. BLISS: SORRY.

22 MR. MELNICK: I DIDN'T HAVE ANYTHING MORE TO SAY,
23 YOUR HONOR. THANK YOU.

24 THE COURT: ALL RIGHT. MS. BLISS, YOU HAVE THE FLOOR.

25 MS. BLISS: I ONLY WANTED TO SAY THAT PART OF THE
26 ORDERLY CONDUCT OF LITIGATION IS TO HAVE PLEADINGS OF
27 FACTS AND LAW. AND WE HAVEN'T SEEN THAT. THERE'S BEEN
28 A CONCLUSION THAT THE PHYSICAL SOLUTION IS NECESSARY

1 SOMEHOW. AND WE'VE PUT IN OUR STATEMENT THAT WE'D LIKE THE
2 CITY TO PLEAD SOME FACTS AND STATE, YOU KNOW, WHAT IS THEIR
3 THEORY OF THE CASE, A LEGALLY-IDENTIFIABLE THEORY OF THE
4 CASE.

5 NOW, WE CAN GUESS. I MEAN, WE READ. BUT WE
6 REALLY WANT IT ON THE RECORD. SO WHAT IS THEIR THEORY
7 THAT INVOLVES BRINGING IN THE UPPER OJAI VALLEY. AND IT
8 SEEMS TO ME THAT THAT MIGHT BE RELEVANT WHEN THE EDUCATIONAL
9 BRIEFS COME ALONG.

10 SO I DON'T KNOW, I GUESS I'M ASKING TO HAVE THAT
11 ONE WAY OR ANOTHER FROM THE CITY, AND IF THE COURT COULD
12 ASK THEM TO DO IT.

13 THE COURT: WELL, BEAR WITH ME.

14 MS. BLISS, IF MEMORY SERVES ME RIGHT, YOU WERE
15 AN UNNAMED PARTY WHO GOT NOTICE OF THE SUIT AND HAVE
16 JOINED US OF YOUR OWN ACCORD BY FILING AN ANSWER?

17 MS. BLISS: THAT'S TRUE. I BELIEVE SO. THERE WERE SO
18 MANY NAMES, I'M NOT SURE THAT I -- I'D HAVE TO GO BACK AND
19 LOOK AND SEE IF I WAS NAMED. I DID NOT RECEIVE A SUMMONS.

20 I AM, BY THE WAY, A RIPARIAN OWNER, SO I'VE BEEN
21 NOT IDENTIFIED.

22 THE COURT: WELL, THEN IN THEORY, IF YOU ARE A RIPARIAN
23 OWNER, LIKE THE STATE PARKS DEPARTMENT THAT SAYS THEY GOT
24 OMITTED, YOU SHOULD GET ADDED AS A RIPARIAN CROSS-DEFENDANT
25 WITH THE RELEVANT PLEADINGS.

26 BUT IF YOU HAVEN'T BEEN SERVED WITH A SUMMONS,
27 THAT ASSUMES YOU'RE NOT A RIPARIAN OWNER AND YOU'RE ONLY
28 A GROUNDWATER OWNER.

1 MS. BLOOS: RIGHT.

2 THE COURT: WHAT YOU CAN DO, SINCE YOU'VE ALREADY FILED
3 AN ANSWER IN LIEU OF A DEMURRER -- AND REMIND ME, DO I
4 RECOLLECT THAT YOU HAVE LEGAL TRAINING AND/OR ARE A LAWYER,
5 MS. BLISS, ALTHOUGH YOU'RE REPRESENTING YOURSELF?

6 MS. BLISS: THAT'S CORRECT. ALTHOUGH IT'S BEEN A LONG
7 TIME.

8 THE COURT: OKAY. WELL, WHEN I USE THE WORD "DEMURRER,"
9 YOU WENT TO LAW SCHOOL AND KNOW WHAT THAT WEIRD CALIFORNIA
10 LEGAL FRENCH IS ALL ABOUT?

11 MS. BLISS: I KNOW WHAT A DEMURRER IS. I HAVE TO SAY
12 THAT IN THE FINER POINTS OF CALIFORNIA CIVIL PROCEDURE
13 I AM -- I AM XC. I HAVE NEVER PRACTICED IN CALIFORNIA,
14 ALTHOUGH I AM ADMITTED. SO. . .

15 THE COURT: WELL, IN OTHER COURTS IT WOULD BE CALLED
16 A MOTION TO DISMISS. BUT BASICALLY IF AT SOME POINT YOU
17 WANT TO MAKE A MOTION FOR JUDGMENT ON THE PLEADINGS OR A
18 MOTION FOR SUMMARY JUDGMENT, REMIND ME AND I'LL GIVE YOU
19 THE CHANCE TO DO SO, AND AT THAT POINT YOU CAN PUT CITY
20 OF VENTURA TO ITS PROOF.

21 I'M NOT CLEAR THAT'S THE HIGHEST AND BEST USE
22 OF YOUR TIME, BUT HOPEFULLY MR. HAGERTY WILL REALIZE
23 THE IMPORTANCE OF SHARING THE BEST CONCRETE, PLAUSIBLE,
24 COMPREHENSIBLE EVIDENCE THAT HE HAS THAT THE LANDOWNERS IN
25 THE UPPER OJAI BASIN ACTUALLY HAVE MATTERS OF LEGITIMATE
26 CONCERN FOR THE SUFFICIENCY OF THE WATER IN REACH FOR.

27 MR. HAGERTY: THANK YOU, YOUR HONOR.

28 THE COURT: ANYBODY ELSE WISH TO BE HEARD?

1 ALL RIGHT. HEARING NOTHING, COURT'S IN RECESS.
2 CITY OF VENTURA TO GIVE NOTICE THROUGH
3 MR. HAGERTY.

4 THANK FOR ALL YOUR TIME AND ATTENTION. AND
5 AGAIN, MY APOLOGIES TO MR. SKAHAN OF YOUR OFFICE,
6 MR. HAGERTY.

7 MR. HAGERTY: THANK YOU, YOUR HONOR.

8 MR. PISANO: THANK YOU, YOUR HONOR.

9 MR. SLATER: THANK YOU, YOUR HONOR.

10 MR. DENNINGTON: THANK YOU, YOUR HONOR.

11 MR. FRANCOIS: THANK YOU, YOUR HONOR.

12 TELEHONIC RESPONSE: THANK YOU, YOUR HONOR.

13
14 (AT 3:50 P.M., THE PROCEEDINGS WERE ADJOURNED)

15 - - -
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 10 HON. WILLIAM F. HIGHBERGER, JUDGE

- - -

SANTA BARBARA CHANNELKEEPER, A)
CALIFORNIA NON-PROFIT CORPORATION,)
PLAINTIFF,)

VS.


CASE NO. 19STCP01176

STATE WATER RESOURCES CONTROL BOARD,)
ETC., ET AL.,)
DEFENDANTS.)

AND RELATED CROSS-ACTION.

I, TIMOTHY J. MCCOY, CSR NO. 4745, OFFICIAL
REPORTER PRO TEMPORE OF THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY
THAT THE FOREGOING PAGES, 1 THROUGH 70, INCLUSIVE, COMPRISE
A FULL, TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD
IN THE ABOVE-ENTITLED MATTER ON TUESDAY FEBRUARY 9, 2021.

DATED THIS 23RD DAY OF FEBRUARY 2021.



TIMOTHY J. MCCOY, CSR NO. 4745
OFFICIAL REPORTER PRO TEMPORE
LOS ANGELES SUPERIOR COURT

A			
ABLE 8:14 27:7 52:6 61:24	49:10 51:19 58:6 ADDRESSED 18:27 33:9	42:15 53:16 56:2 AL 1:9,4 61:4 71:9	29:14 ANYBODY 6:26 15:24 21:1 25:18
ABOVE-ENTITLED 71:18	ADDRESSING 31:17	ALERT 23:28	27:12 48:26 49:18
ABSOLUTELY 43:3	ADJOURNED 70:14	ALERTED 3:27	51:2 67:11 69:28
ACCEPT 59:9	ADJUDICATING 59:17	ALERTS 4:25	APART 36:12,20
ACCEPTABLE 52:3 62:2	ADJUDICATION 8:5,11 9:15 28:20 50:9	ALLEVIATE 45:27	APARTMENTS 51:22
ACCEPTED 17:5	ADJUST 50:27	ALLOW 7:18 39:26 55:20	APC 2:9
ACCESS 16:10 37:8 64:5,11	ADJUSTING 30:9,14	ALLOWS 15:21 35:11	APN 8:8
ACCESSIBLE 14:2	ADMINISTRATION 15:20 34:14	ALSTON 2:15	APNS 8:18,22,24,26 9:6 16:13
ACCOMMODATI... 35:22	ADMITTED 69:14	ALTERNATIVE 53:7	APOLOGIES 70:5
ACCOMPLISHING 29:25	ADVANCE 38:24,27 49:6,8 59:28 61:24 62:5,11,19,21,22,25 62:26 67:2	ALTERNATIVELY 20:20	APOLOGIZE 7:8 32:2 36:26
ACCORD 68:16	ADVANCED 42:18	AMBITIOUS 55:13	APPARENTLY 5:14
ACCOUNT 58:18	ADVANCES 36:4	AMEND 17:9	APPEAR 3:8 8:27 24:7 34:20
ACCOUNTANT'S 3:6	ADVANTAGE 28:8 52:26	AMENDED 4:4 5:25 7:11 9:5 21:11,13 31:3 43:20	APPEARANCES 1:15 2:1 3:1 1:9 61:9
ACCURATE 11:12 11:17,18 27:9 67:3	ADVERSARY 21:20	AMENDMENTS 11:6 22:9	APPEARED 24:12,16 24:20 27:12 58:11 64:4
ACKNOWLEDGE 62:21	ADVISED 25:6	AMOUNT 25:4 26:3	APPEARING 1:13 18:26 21:14 25:19 61:13
ACKNOWLEDGED 15:17	ADVOCATE 65:21 67:8	ANACAPA 1:20	APPEARS 24:20
ACKNOWLEDGES 4:18	AERA 2:13	ANALYSIS 29:2 31:14 32:8 42:3 67:6	APPELLATE 33:11
ACRE 45:7	AERIAL 42:22	ANALYZE 29:22 30:20	APPLICATION 25:16
ACTION 9:7 21:22 21:24,25 39:18	AFAR 40:11	AND/OR 10:11 15:27 44:14 53:2 69:4	APPLIED 32:7 34:7
ACTIVE 23:2	AFFILIATED 8:3	ANGELES 1:2,18,5 11:21 41:7 61:5 71:2 71:15,28	APPLY 29:11
ACTIVELY 55:22 64:6	AFTERNOON 2:8	ANSWER 5:15 7:11 16:16 19:9 20:11 21:14,20 22:17 24:2 24:26 26:23 27:4 41:24 68:16 69:3	APPRECIATE 18:13 20:4 30:27 33:3 36:11 57:5 63:19
ACTUAL 16:12	AGENCIES 2:1	ANSWERED 10:12 25:8	APPROACH 34:5 58:22
ADAPTIVE 34:16,24	AGENCY 29:21 30:11	ANSWERS 16:6 25:23 26:12 28:1	APPROPRIATE 23:16 44:8,8 51:15 58:4,26 60:12 61:26
ADD 47:7	AGENDA 2:22	ANTE 17:24	APPROPRIATELY 39:24
ADDED 4:12 11:10 68:24	AGO 14:22,28	ANTELOPE 34:17	APPROXIMATELY 58:9
ADDING 22:9 45:5	AGR 2:15	ANTHONY 1:22	AQUARIUM 41:6,9
ADDITION 30:22 32:9	AGREE 3:19 9:9 42:16 58:26	ANTICIPATED	
ADDITIONAL 12:3 18:17 22:10 27:8 32:23 38:19,28	AGREEABLE 14:16 20:12		
ADDRESS 13:18 46:7	AGREED 26:15		
	AGREEMENT 52:2		
	AGREEMENTS 64:3		
	AHEAD 7:4 16:2 23:25 24:25 40:16		

41:15	AUDITOR 11:13	44:11,11,12 47:4	3:25,26,26 4:5,6
AQUARIUM'S 41:10	AUGMENT 46:24	69:25	16:1,1,3 18:11,16
AREA 37:12 38:8	AUGMENTATION	BASINS 8:27 9:2 30:2	BLATZ'S 17:13
AREAS 45:28 52:18	46:22,27	31:2,12,22 36:19,24	BLESSING 14:19
ARGUED 37:3	AUTHORITIES	43:21 44:1,4 64:1	20:15
ARGUING 66:18	20:22	BASIS 33:15 38:8	BLISS 2:10,10 42:14
ARID 59:24	AUTHORITY 3:4	BASKET 46:12,22	42:15,16 43:17,18
ARMS 64:18	25:20 26:26 27:15	47:10	67:18,19,21,24,25
ARRANGE 52:3	AUTHORIZE 55:20	BASKETS 46:11	68:14,17 69:5,6,11
ARREARS 54:20,28	AVAILABLE 7:16	BATHROOM 60:15	BLOCKING 35:12
ARRIETA 2:19	8:6 9:18,23 33:27	BEACH 41:6,9,15	BLOOS 69:1
ARRINGTON 14:15	46:25,26	BEAR 31:25 68:13	BOARD 1:8 2:3 1:4
56:4,18	AVENUE 1:18	BECKER 2:23	1:16 2:3 29:25 30:22
ARTICLE 35:2	AVERAGE 64:15	BEDROOM 11:15	36:21 61:4 71:8
ASIDE 14:12 41:4	AVOID 48:23	BEGINNING 34:23	BOARDING 2:27
ASKED 35:9 41:22	AWARE 16:21	BEHALF 21:5 24:24	BOOTS 42:21
55:28	AWARENESS 31:20	32:28	BORDERS 65:7
ASKING 41:26 46:12	52:19	BEHAVIOR 54:25	BOTTOM 4:21
50:8 64:26 68:10		BEHOOVE 11:16	BOX 58:12,17
ASPECT 54:11	B	BELIEVE 2:10 7:20	BRADLEY 3:6
ASQUITH 2:17	B 2:17 4:8 35:25	9:11 10:16 21:16,24	BREAK 60:16
ASSESS 45:3	39:13	22:26,27 26:17 27:8	BREEDING 2:15
ASSOCIATED 16:13	BACK 1:26 7:19	44:6,11,12 45:7	BRIDGETT 2:25
17:10 30:17 43:21	12:14,28 14:15 22:5	68:17	BRIEF 10:24 23:14
46:20	24:17 37:17 42:28	BELIEVES 8:22 9:19	58:27 59:4 62:25
ASSOCIATES 3:18	55:22 56:25 61:15	24:27 42:2	63:10,21 67:1
ASSUME 28:14 54:25	65:25 68:18	BELOVED 10:7	BRIEFING 38:19,20
66:7	BACKSTOP 53:4	BENEFICIAL 24:16	38:23 39:11 49:11
ASSUMES 68:27	BACKSTORY 6:6	24:28 34:8 47:25	61:22 62:3,5 66:16
ASSUMING 54:17	BAD 3:6 5:7 9:17	BENEFIT 1:20 33:3	66:17
ATN 7:13,17	BADLY-NEEDED	37:8 45:25 52:9,10	BRIEFS 66:22 68:9
ATTABOY 56:26	29:27	66:26	BRING 21:17 43:19
67:4	BARBARA 1:5,21 3:6	BERNHOF 1:22	51:25 56:10,11
ATTACH 13:8 19:6	1:2,15 2:6 61:2,16	63:17	57:11 60:1,13
ATTACHES 35:19	71:5	BEST 1:16,16 5:9,9	BRINGING 45:15
ATTEMPTING	BARRIER 59:22	14:4 28:11 56:25,25	68:7
45:18	BASE 7:21 53:6	65:26 69:21,23	BRINGS 48:16 50:8
ATTENDANCE 52:6	BASED 4:6 33:28	BETTER 2:19 28:17	BROAD 59:10
ATTENTION 2:15	59:11 64:28	39:1 45:24 55:23	BROADLY 9:14
5:2 21:18 60:13	BASELINE 46:24	BEYOND 65:7	BROKEN 9:3
63:19 67:15 70:4	BASIC 26:14 32:1	BIG 52:7 64:15	BROUGHT 5:2
ATTORNEY 2:3,4,5	BASICALLY 17:15	BIND 17:11	BROWN 3:12
2:6,7,8 21:4 22:18	20:15 57:28 69:16	BIRD 2:15	BROWNSTEIN 1:19
27:21 65:4	BASIN 9:1 10:19 12:9	BIT 6:9 9:27 22:28	3:6
ATTORNEYS 7:21	19:5 20:8 29:11 31:6	30:10 33:5	BUBBLING 52:7
ATTRACTIONS	33:24 34:20 42:25	BIZARRE 5:27	BUENAVENTURA
41:7	42:25 43:23,26	BLATZ 2:17,17,23,24	1:17 3:5,8 25:20

BUILD 67:8	25:17 27:14	42:2,18 43:7 45:6,16	COLLEAGUE 14:15
BULK 56:17	CAUSES 21:22,25	45:28 47:3,19 49:5,8	66:6
BUMP 40:19	CAUSING 35:15	64:13 65:4,4,5,8	COLLEAGUES 25:5
BUNCH 10:26	CAVEAT 22:28	67:7 68:2,11 69:19	COLLECTIVE 2:16
BUNDLING 13:25	CCP 4:18 19:4	70:2	53:5
BUNN 3:18	CEQA 45:20	CITY'S 20:12 40:18	COLLECTIVELY
BURDEN 14:6 23:5	CERTAIN 8:25 10:28	45:23 63:27	15:8 46:19
BUYING 47:8	11:1 27:7 39:18,19	CIVIL 23:21 69:12	COLLECTOR 55:2
	43:25 45:26,28	CLAIMS 9:7 59:17	COLLEGE 2:27 3:1
	CERTAINLY 5:11	60:8	COLUMBIA 3:1
	7:10 8:16 9:24 27:13	CLARIFY 21:10	COME 5:2 15:20
	49:23 59:8	48:27	19:19,21 20:9 23:9
C	CERTIFY 71:15	CLARITY 5:19	29:6 34:21 36:7 40:8
CA 2:5,7 1:5 61:5	CHALLENGE 45:21	CLEAN 9:26 12:4	40:12 42:24 43:8
CALCULATE 24:18	CHALLENGED	18:11	45:9 62:26 63:13
CALIFORNIA 1:1,5	45:21	CLEANEST 56:11	68:9
1:18,21,23,26 3:18	CHANCE 23:14 31:5	CLEANING 15:27	COMES 17:10 67:9
21:5 23:21 69:9,12	41:8 69:19	18:12	COMFORT 11:14
69:13 71:1,5,15	CHANGE 4:28	CLEANUP 11:19	COMFORTABLE
CALL 5:16 46:22	CHANGES 18:16	40:26	4:27 54:1 58:22
60:15	50:1	CLEAR 7:10 21:21	COMING 12:20 16:5
CALLED 13:25 44:1	CHANNELKEEPER	22:14 47:2 55:26	20:11 30:28
69:15	1:5 3:6 1:2,16 32:9	66:3 69:21	COMMENCED 1:12
CANDIDLY 11:11	61:2 71:5	CLEARLY 39:2	COMMENT 29:7
CANGER 3:9	CHANNELKEEPE...	CLERICAL 2:16 5:7	30:7 36:27 39:26
CAPACITY 17:11	2:6 61:16	51:9	41:21 53:24 59:13
CAPTION 4:13 9:22	CHARACTER 33:21	CLERK 12:26	62:22 63:10
16:26	CHARACTERIZA...	CLIENT 11:16 24:26	COMMENTS 27:25
CAPTURE 17:28	34:16	26:5 27:1 29:3,3,10	39:22 62:20 63:21
CAPTURES 58:15	CHECK 11:14 13:11	29:12 31:16 50:17	COMMERCIAL
CAR 52:4	CHIME 58:27	51:1 65:3,25	19:13
CARD 54:6	CHINO 34:20	CLIENT'S 50:12,13	COMMITTED 46:17
CARE 26:23 57:14,27	CHOICE 20:7	50:15	COMMON 15:12
62:20	CHRISTOPHER	CLIENTS 7:11 17:15	35:20
CAREFUL 8:11	1:17	18:27 20:26 41:25	COMMUNICATED
45:10 53:23	CIRCULATE 38:27	CLOSE 29:6 67:3	37:9,12
CASE 1:7 2:22 1:1,2	52:21,24 53:9 59:27	CLOSER 29:15 40:12	COMMUNICATI...
2:21 8:4 11:24 15:3	CIRCULATED 27:27	65:16,18	28:11
20:19 33:24 34:18	52:20	CLYNTON 2:16	COMMUNITY 30:25
38:1 39:27 44:9 48:9	CIRCULATING 37:7	CMC 50:25	COMPANY 2:22
57:27 58:1 60:15	CITY 1:16 3:4,8 1:17	CO-PARTICIPAN...	18:7
61:1,2,16 67:15,16	2:12 7:15,21 8:3,22	49:6	COMPETING 66:27
68:3,4 71:7	8:28 9:19 10:9,20	CO-TRUSTEES	COMPLAINT 14:21
CASES 13:24 33:4,6	12:18 17:15 19:11	16:15 17:8,18 20:14	15:10 16:27 43:20
59:12	20:16 25:20 27:15	CODE 23:21 55:19	COMPLETELY
CASITAS 1:24 30:19	28:9,20 30:19 32:6	COGNIZANT 55:5	11:27
40:1 45:17	32:23 35:24 36:8	COHERENT 11:12	COMPLEXITIES
CATCH 19:25			
CAUGHT 9:7			
CAUSE 14:12 21:23			

37:27 58:24 COMPLICATED 6:2 30:10 62:14 COMPONENTS 33:12 COMPREHENSIB... 69:24 COMPREHENSIVE 19:3 COMPRISE 71:16 COMPUTER 31:27 CONCEPT 34:6 65:1 CONCERN 9:5 17:26 28:11 37:12 53:20 61:19 69:26 CONCERNED 28:1 66:15 CONCERNS 6:27 9:10 37:22 38:22 54:11 CONCLUDE 35:10 CONCLUSION 67:28 CONCLUSIONS 37:19 CONCRETE 69:23 CONDITION 36:1 CONDITIONS 46:25 CONDOS 51:23 CONDUCT 34:13 67:26 CONFERENCE 38:14,24 39:7 40:22 40:25 47:12 51:19 53:11 58:6 62:6,11 62:13,24 64:13 CONFESS 65:2 CONFIDENTIALI... 64:3 CONFIRM 63:22 CONFLICT 48:23 CONFORMED 13:2 13:9,9 15:1 CONFUSED 7:12 59:20 CONFUSION 6:22 6:24	CONJECTURE 42:19 43:4 CONNECT 45:18 CONNECTED 31:12 44:7 45:14 CONNECTEDNESS 29:22 30:2 31:7,21 33:24 36:10 38:10 43:27 44:5 45:6 CONNECTION 42:1 47:8 CONNECTIVITY 31:24 32:15,19 63:28 64:21 CONSENT 10:21 52:28 CONSIDER 8:10 42:9 CONSIDERATION 64:21 CONSIDERING 30:22 CONSISTENT 7:14 CONSISTENTLY 46:11 CONSTITUTE 59:22 CONSTITUTION 34:28 CONSTRAINTS 34:11 CONSTRUCTIVE 11:23 CONSULTED 56:4 CONTACT 9:13 CONTEMPLATE 2:20 CONTEMPLATED 23:21 CONTEMPLATION 45:5 CONTENTS 63:23 CONTEXT 46:10,13 66:27 CONTINGENT 45:6 CONTINUE 19:15 34:24 47:27 50:21 CONTINUED 3:1	CONTINUING 22:11 34:14 35:23 36:4 54:10 60:10 CONTOURS 33:20 CONTRACT 30:13 CONTRACTOR 30:14 CONTRACTORS 30:12 CONTRARY 57:23 CONTRIBUTIONS 33:14 CONTROL 1:8 2:3 1:4,16 2:3 36:21 61:4 71:8 CONVENTION 17:25 CONVERSATION 41:21 CONVERSATIONS 22:13 50:3 CONVEY 38:6 CONVINCED 16:20 37:22 38:9 COOPER 3:7 2:5,7 31:16,24,26,27 32:2 32:17,18,21 36:13 36:14 52:18 53:18 63:23 COOPERATING 49:5 COPIES 32:24 COPY 13:2,9,9,9 15:1 CORPORATION 1:5 71:5 CORRECT 2:2,11 3:20 6:11 7:1 17:3 17:25 18:2 21:26 24:9 25:13 26:16 29:24 39:9 46:2 47:26 69:6 71:17 CORRECTED 3:23 CORRECTIONS 16:24 22:1 CORRECTLY 16:11 29:23 CORRELATE 44:25	CORRELATION 32:11 CORTE 2:26,26 COUNCIL 47:19 65:4 COUNSEL 1:15 2:1 3:1 1:18,28 2:5 22:1 22:14,14,17 25:28 40:13 COUNSEL'S 3:9 19:26 COUNTING 10:27 COUNTY 1:2 2:25 3:9,9,16 7:21 11:21 41:8 71:2,15 COUPLE 8:19 20:13 27:25 COURSE 13:5,23 22:19,21 51:21 56:24 COURSES 8:25 39:17 COURT 1:1,12,15,18 1:26 2:4,9,13 3:11 3:21,25,27 4:23,25 5:1,4,14 6:15,25,26 6:27,28 7:4,7,16,26 7:28 8:17,19 9:16,25 9:25 10:5,25,26 11:4 11:11,22 12:1,6,14 12:20,23 13:20,26 14:4,6,7,11 15:19,21 15:23 16:2,6 17:4 18:19,27 19:2,3,21 19:24,27 20:6,9,12 20:13,27 21:2,7,10 21:19,27 22:3,16,22 22:24 23:19,25,28 24:3,7,11,19,22,25 25:1,8,11,14 26:5,14 26:19,26 27:11,20 27:23 28:6,27 29:2 29:13,18,20,26 31:1 31:15,25,28 32:16 32:20,26 33:2,3 34:17 35:3 36:9,23 37:6,17 38:1,11,26
---	---	---	---

40:8,11,13,16,24 41:14,18,22 42:9,15 43:17,19 44:14,18 45:3,4,13 47:11,19 48:1,4,21 49:1,4,6,7 49:12,14,17,18,18 49:22 50:10,15,27 51:5,8,11,20,25,28 52:5,12,23,27 53:2,5 53:12,16,24 54:5,9 54:16 55:6,17,19,27 56:1 57:6 58:7,28 59:2,9,13 60:1,5,14 60:16 61:12,15,18 61:26 62:3,7,15,19 62:22,24,25,26 63:1 63:3,7,9,10,12,14,19 65:2 66:4,10,14,18 66:20,24,25 67:2,11 67:19,24 68:11,13 68:22 69:2,8,15,28 71:1,14,28 COURT'S 11:2 13:10 16:25 21:18 34:4 59:11 60:7,9 64:21 70:1 COURT-APPROV... 19:8,9 COURTCONNECT 2:1 3:1 1:19 COURTROOM 14:16 66:4 COURTS 69:15 COVER 13:28 COVERS 38:20 COVID 53:28 CRABTREE 3:16 CRANKY 6:9 CREDIBILITY 42:7 67:7,8 CREDIBLE 42:1,3 CREEK 43:5 CRISTIAN 2:19 CRITIQUE 62:8 CROSS-ACTION 1:11 71:11 CROSS-COMPLA...	9:19 CROSS-COMPLA... 4:5 5:25 6:16 8:23 9:5 17:10 18:28 19:7 21:12,13 31:3 58:15 CROSS-DEFEND... 4:17 13:7 56:6 68:24 CROSS-DEFEND... 4:1,12,20 5:16 9:20 9:26 15:26 55:9 58:10 CSR 1:27,8 61:8 71:13,26 CURRENT 30:4 45:4 53:21 54:27 CURRENTLY 21:13 45:20 CURRENTLY-OP... 49:19 CURVE 66:26 CUSTOMARY 52:11 CUT 18:20,23 CYCLE 56:28 <hr/> D <hr/> D 1:17 4:1 DAM 52:16,17 DAMN 50:13 DANCE 54:6,6 DANIEL 3:7 DANNY 3:13 18:26 DARN 50:15 DATA 7:21 11:11 29:28 32:10,10 53:6 DATABASE 11:7 DATE 17:19 24:1,17 25:24 27:25,27 38:17 39:12 48:28 DATED 17:9,19 71:20 DAUGHTER 41:8 DAVID 3:4,13,14 18:25 25:19 DAY 25:8,9 48:1 51:17 54:16 71:20 DAYS 14:22 25:12 49:6,8 62:22,25,26	DE 3:16 59:21 DEADLINE 25:27 27:7,12 DEADLINES 30:13 DEAL 39:12,27 DEALING 2:26 53:5 DEBATE 36:5 DECEASED 10:2,7,8 11:3 DECIDE 20:20 37:23 64:17 DECIDES 59:21 DECISION 64:24,27 DECISION-MAKER 50:23 DECISIONS 33:11 63:18 DECLARATIONS 15:4 DEED 17:3 DEEMED 4:8 DEFAULT 2:20 12:6 13:3,6 14:11,23,26 56:8,10,12,24 DEFAULTED 57:20 DEFAULTING 57:19 DEFAULTS 54:15 56:2 57:25 DEFENDANT 2:12 21:20 DEFENDANTS 1:10 31:17 71:10 DEFER 35:12 DEFICIENCIES 47:26 DEFINED 4:9 DEFINITIVE 32:13 DEGREE 33:27 DEIGN 49:14 DEIGNING 51:5 DELAY 23:17 50:10 DELINEATED 8:27 DEMONSTRATE 67:5 DEMONSTRATION 37:2 DEMURRER 69:3,8	69:11 DENNINGTON 1:25 40:1,2,6,10,15,16,17 41:13 62:16 63:7,8 63:15 70:10 DENNIS 2:26,26 DEPARTMENT 1:3 2:5,7 1:6 21:6 24:5 61:6 66:13 68:23 71:3 DEPEND 19:12 20:22 DEPENDING 39:16 DEPICTED 59:16 DEPUTY 2:4,6,8 21:4 DESCRIBED 36:14 DESERVES 56:26 DESIGNATED 43:22 46:26 DESIRE 19:15 DESTINATION 41:7 DETAIL 31:10 DETAILS 31:14 63:20 DETERMINE 33:28 DEVELOPED 46:23 DEVIATIONS 3:9 DIE 9:28 DIFFERENCE 64:15 DIFFERENT 6:20 8:26 10:10 12:22 15:8,13 16:28 26:11 38:5 39:17,20 43:21 45:25 59:28 60:1,12 62:15 DIFFICULTIES 64:1 DIFFICULTY 7:20 DIGEST 48:9 DILIGENCE 15:4 DIMINISHES 64:25 DIRECT 9:7 DIRECTED 64:14 DIRECTIONS 38:5 DIRECTLY 8:9 56:18 DISAGREES 63:25 DISCLOSING 8:21 DISCLOSURE 23:15
---	---	---	---

23:27 24:8,13 26:17 32:24	34:17 40:6,26 47:15 51:27 53:20 56:27 57:17 65:26	EDUCATION 36:11 40:26	3:28 4:2,14 17:2 22:25
DISCLOSURES 22:20 23:1,3,20 24:2 24:28 25:3,5,28 27:28	DOLLAR 30:13 41:23	EDUCATIONAL 19:8 41:1 57:10 62:5 68:8	ERROR 21:16 ERRORS 51:9 ESPECIALLY 33:4 ESQ 2:19 3:11
DISCOUNT 20:13	DOUBLY 53:24	EFFECTIVE 28:15 48:11 65:8	ESQUIRE 1:17,17,20 1:22,25 2:9,12,14,14 2:16,17,21,22,24,25 3:3,4,6,7,8,9,12,14 3:17,18
DISCOVERY 37:25 42:12 43:1	DOUGLAS 1:25	EFFECTIVELY 34:15	ESSENTIALLY 10:1 29:8 38:20,25 49:25
DISCUSS 34:3 64:13	DOZEN 9:2	EFFICIENCIES 13:20	ESTABLISH 67:6
DISCUSSED 63:24	DOZENS 57:25	EFFICIENT 14:6 15:18 16:20 27:2	ESTABLISHES 34:13
DISCUSSION 1:24 12:12 33:20 59:10 64:28	DR 63:17	EFFORT 52:13 58:5	ET 1:9,4 19:4 61:4 71:9
DISCUSSIONS 49:25 64:2,4	DRAFT 30:5 45:5 49:15 52:24 62:27 67:1	EITHER 8:3 19:10	EVALUATE 32:11 34:4 35:1 64:17
DISEASE 53:26	DRAGGING 51:28	ELABORATE 49:22	EVALUATING 32:3
DISINTEREST 54:22	DRAMATIC 31:1	ELAINE 2:9 6:5	EVENTUAL 62:4
DISMISS 11:6 69:16	DRAWS 41:28	ELEMENT 35:18	EVERETT 3:13 18:26
DISMISSAL 3:12 12:22	DRILLING 19:18	ELKINS 2:20	EVERYBODY 35:19 52:26 58:15 66:5
DISMISSED 9:28 10:2,5 11:9	DRIVES 12:3	EMILY 3:12	EVIDENCE 33:26 44:9 52:16,17 69:24
DISPARITY 64:5	DROP 15:5	ENCOURAGING 57:26	EVIDENT 9:8
DISPLAYING 41:11	DRY 12:17	ENDEAVOR 22:10	EX-PARTE 25:16
DISPUTE 43:11	DUCHESNEAU 2:14	ENDORING 59:22	EXACTLY 3:11 4:15 16:22 56:8
DISPUTED 45:2 53:10	DUE 13:21 19:20 31:24 57:18 59:19 59:22 60:8	ENERGY 2:13	EXAMPLE 13:6 38:7
DISSEMINATE 9:15 66:2	DUELING 66:17,22	ENGAGED 37:17 64:4	EXAMPLES 60:5
DISTRIBUTED 47:6	DUTIES 59:11	ENGINEERING 34:11	EXCEEDS 67:6
DISTRICT 1:25 3:17 40:1	DUTY 34:4,28	ENGINEERING 34:11	EXCEL 58:14
DIVERSIFY 45:24		ENSURE 27:8	EXERCISE 35:21 40:4 45:19 56:21 65:5,15,26
DIVISIONS 35:2	E	ENTER 3:14 14:13 17:16	EXHIBIT 9:4 31:3 41:16 43:19
DOCKET 3:12 4:26 5:21	E 2:10,10 4:1,5,5,8	ENTERED 22:28 35:11	EXHIBITS 41:6,10
DOCTRINE 34:6	EARLIER 13:8 47:18 49:1	ENTERING 35:6	EXISTENCE 36:13
DOCUMENT 5:4,6 10:16	EARLY 30:7 47:15 47:25 54:15 65:22	ENTERTAIN 27:13 63:11	EXPECT 4:25 5:20 11:20 23:27
DOCUMENTATI... 30:6,18 38:28	EASIER 5:24 16:25	ENTIRETY 58:15	EXPEDITION 23:22 57:4
DOCUMENTS 5:5 8:16 16:22 26:9	EASILY 14:1	ENTITIES 25:21 26:11,13	
DOING 7:20 16:23 17:17 22:9 29:21 30:22,24 33:7,13	EASY 15:20 30:15	ENTITY 18:8	
	ECOLOGICAL 52:17	ENTRIES 7:1	
	ECOLOGY 41:11	ENTRY 10:1	
	ECONOMIC 20:6	ENUNCIATE 31:28	
	ECONOMICS 46:19	ERNEST 2:21	
	EDITORIAL 67:4	ERRONEOUS 3:14	
	EDUCATE 30:24 44:17	ERRONEOUSLY	
	EDUCATED 2:23 59:9 66:27		

EXPENSE 35:17 43:10	1:5 29:28 47:24 48:8 49:16,20 61:5 71:18 71:20	FIRM 2:17 5:8	FORTUNATELY 53:6
EXPERIENCE 40:27 40:28	FEE 19:5 20:7,10 43:26	FIRST 5:28 6:1,17 14:18 17:25 34:7 48:10,15 57:24	FORWARD 6:11 11:24 39:27 43:8 45:22
EXPERT 25:28 27:1 33:26 37:1,8 42:3	FEEDBACK 30:20	FISH 2:7 24:5 28:28 29:27 66:13	FOSTER 32:20,21
EXPERT'S 37:26	FEEL 54:1	FISHERY 32:6 36:2	FOUGHT 37:4
EXPERTS 34:2 37:18	FEET 45:7 65:13	FISHING 29:1	FOUND 18:23 22:10 30:25
EXPLAIN 6:5,13 30:23 39:5 65:6	FELT 18:22	FITS 47:10	FOUNDATION 1:20 1:22 32:28
EXPLAINED 38:8	FERGUSON 2:22	FIVE 15:8 33:16 49:6 49:7 62:25	FOUR 15:8 18:8
EXPLAINING 42:6	FICTITIOUS 18:7	FIXED 2:25 24:17	FRALEY 2:12,12
EXPLANATION 19:8 20:25	FIELD 51:11 52:14 52:24	FLIPPING 30:15	FRAME 39:1
EXPLORE 9:24	FIGHT 5:17 19:21 20:22,28 64:19 67:9	FLOOR 1:18,20,25 67:24	FRAMED 39:2,3
EXPRESSED 38:22	FIGHTING 21:21	FLOW 31:7,19 32:10 36:19 42:1 43:4 46:15,24 47:7 64:28	FRANCOIS 1:22 48:27 49:3 63:9,10 63:13,16,17 66:1 70:11
EXTENSIONS 27:14	FIGURE 14:4 16:10 22:6 26:15,27 36:9 54:5 56:16	FLOWING 43:5	FRANKLY 40:26 57:14
EXTENSIVE 25:4	FIGURED 53:4	FLOWS 31:5,22 32:12 43:28	FREE 49:10
EXTENT 21:17 36:27	FILE 13:27 16:19 18:17 20:11 28:2 43:1 48:9 52:21,25 53:3,6 61:27 62:10 62:20,22	FLUSHED 46:28	FRENCH 69:10
F	FILEABLE 14:20	FOCUS 7:22 11:27	FRONT 26:19
F 1:3,6 13:4,7 61:6 71:3	FILED 5:6,15 12:25 13:8 14:25,26,28 16:3 21:14 24:26 25:23 26:12 27:4 53:2 56:14 62:25 69:2	FOCUSING 7:17	FRUSTRATION 30:27
FACIE 33:24	FILING 4:27 5:15 11:5 68:16	FOERSTER 3:10	FULL 24:27 25:6 26:3 27:9 39:15,15 39:26 71:17
FACT 5:3 11:12 21:12 30:10 48:11 50:4 53:25 57:21	FINAL 62:27	FOLEY 3:8	FULLY 58:26
FACTS 42:17,27 43:2 43:8,9 65:21 67:27 68:2	FINALLY 6:15	FOLKS 44:10,12	FUNCTION 9:1 18:8
FAIR 34:16 53:24	FINANCING 34:11	FOLLOW 8:25	FURTHER 6:27 27:14
FAIRLY 43:24	FIND 4:25 5:19,20 6:15 12:28 13:12 18:28 20:12 36:10 42:4 43:1,15 55:1	FOLLOWED 5:27,28 8:26	FUTURE 58:23
FALL 30:7	FINDINGS 39:19	FOLLOWS 1:13 61:13	G
FAMILY 2:17	FINDS 61:26	FORBID 3:14	G 1:23
FAR 27:11 37:10,11 37:15 39:2 41:28 43:3 47:3 64:1 66:26 67:6	FINE 23:15 48:14,19 62:16	FOREGOING 71:16	GAME 28:28 51:12
FARBER 1:19 3:6	FINER 69:12	FOREIGN 46:22	GARRISON 3:15,15
FARKAS 3:4 25:19 25:19 26:6,16,25,28	FINISH 67:20	FORESHADOWI... 31:2	GARTSIDE 2:20
FASHION 37:25 44:17,21 45:1 52:20		FORGET 19:17	GENERAL 2:3,4,5,6 2:7,8 18:9 21:5 36:11,12
FAULT 13:13		FORM 18:5 21:14 22:17 25:23 26:12 27:4	GENERAL'S 22:18 27:22
FAVORITE 53:12 54:12		FORMAL 42:12	GENERALLY 25:6 53:1 65:21
FEBRUARY 1:14 4:2		FORMALITIES 18:9 51:26	
		FORMALITY 52:2	
		FORMS 18:1,2,17	
		FORTH 37:16 42:28	

GEOGRAPHICAL... 65:14,18	24:5,9 28:27 29:1,5 29:13,16,19,23,24 66:12,12,15 67:10	H 4:8	61:27 65:21 66:1,21
GEOLOGIST 43:16		HAGERTY 1:17,17 2:10,11,11,13 3:19 4:24,27 5:12,13 6:8 6:10,22 7:26 8:2,5 9:10,11,21 10:4,23 10:28 11:26 12:2 13:17,23 14:10 15:15,24 18:10 19:25,28 21:2,27,28 22:8,21,22,26 24:10 24:21 27:17,18,26 28:4,18 36:12,22,25 37:11 38:4 40:20 43:19,24 44:6,15 45:4,9,16 47:1,17,21 48:5,16,19 49:9,13 49:16,25 50:8 51:4,7 51:10,15 52:12 53:8 53:17,27 54:7,13 55:4,18,21 57:1 58:3 58:20 59:7,10,25 61:17,20 62:5,9,23 62:28 63:2 65:3,28 66:7 67:3 69:22,27 70:3,6,7	HARD 13:22 20:22 26:26 31:26 39:10
GETTING 2:20 3:11 37:15 50:11 56:26	GOLDENRING 2:9,9 7:2,2,5,7,8 8:7 9:6 18:21 41:17,19,20		HARM 46:26
GIVE 1:20 13:20 27:17 28:6 29:27 30:20 47:26 49:8 58:7,12,17 60:4 61:28 62:18 63:1 67:3,4 69:18 70:2	GOOD 2:7,7 14:7,12 14:18 23:17 25:17 27:14 29:18,28 54:15 56:21 63:8 65:20		HAVEN 2:12
GIVEN 4:28 15:14 19:20 26:3 37:27 39:8 50:28 53:20 59:5	GOOD-BYE 26:24		HAYSTACK 12:27 13:1,12 15:1
GIVING 51:6 64:22 67:15	GOTTEN 44:22		HEAD 22:5 51:6 55:1
GO 5:23 7:4 10:10 12:28,28 13:12,13 16:2 17:15 22:5 23:25 24:17,25 34:15 37:28 38:5 40:16 41:8 42:11,15 42:28 53:16 56:2 57:10 65:24 68:18	GRADE 65:17		HEADWAY 38:15
GOAL 55:12	GRAND 1:18		HEALTH 54:10
GOD 3:14 54:24	GRANULAR 33:15		HEALTHY 60:2
GODOT 11:22	GREAT 40:6		HEAR 29:23,26,28 31:26 35:4 40:12 55:26 65:10 66:3
GOES 10:6 28:3 42:5 56:3	GREETINGS 2:6 21:7,8		HEARD 23:20 25:18 33:1 44:3 48:3 49:28 57:22 66:5 67:11 69:28
GOING 5:6 6:11,24 11:21 12:21 14:18 15:4,4,6,12 23:9 25:11,14 26:21 27:11,16 28:4 29:6,7 29:27 30:14 34:24 35:4,7,28 36:5,6 37:23 40:24 43:10 43:19 44:19 46:10 46:15 47:24 48:7,8,9 49:27 50:1 51:2 52:2 52:15 53:1,12 54:12 54:17,26,28 55:14 55:26 56:8,23 58:13 58:17 60:14	GREG 3:15		HEARING 2:21 12:5 23:23 59:2 70:1
GOLDEN-KRASN... 2:7 23:24,26,26 24:4	GREGG 3:15		HEARS 34:9
	GREGORY 3:3		HELD 1:24 12:12 17:7 71:17
	GREIFINGER 3:13 3:14 18:25,25 19:23 19:27 20:5,6,25		HELP 5:18 55:17
	GRESSINGER 19:27		HELPFUL 7:15 9:12 23:8 42:23
	GRIDLEY 18:6		HELPING 7:22 17:14
	GROUND 42:22 52:8 52:10		HELPS 38:1
	GROUNDWATER 8:27 19:4,5 20:8 29:23 31:11,22 32:4 32:15,18 33:24 36:19 43:5,21,27 47:3 68:28		HERETOFORE 1:9 61:9
	GUADIANA 2:21		HERREMA 3:6
	GUESS 9:21 14:3 28:3 31:28 68:5,10		HERUM 3:16
	GUESSING 43:6		HIDDEN 12:27
	GUESSTIMATING 54:14		HIDE 42:5
	GUFSTAFSON 6:15		HIDING 43:9,9
	GUFSTAFSONS 6:18,20		HIGH 3:1
	GUIDEPOSTS 35:18		HIGHBERGER 1:3,6 13:4,7 17:6,7,7,8,8 17:17,18,18,21,21 18:3,3 61:6 71:3
	H		HIGHER 65:13
			HIGHEST 69:21
			HIGHLY 28:15
			HIRE 12:19
			HISTORY 12:25 33:5
			HOLDER 35:16
			HOME 15:5

HOMEOWNER 15:10 64:15	HUMAN 65:15	IMPROVEMENTS 67:5	34:13
HOMEOWNERS 64:8,23	HUNDRED 16:19 57:14	IN-PERSON 1:15	INJURY 35:16
HON 1:3,6 61:6 71:3	HUSBAND 15:11,14 16:15	INCLUDE 16:14 41:10 53:10	INPUT 11:23 35:8 51:18 53:9
HONOR 2:2,7,11 3:19,26 4:6 5:13	HYATT 1:19 3:6	INCLUDED 4:21 32:21	INSOFAR 10:15
6:10,23 7:2,6,27	HYDROGEOLOGY 35:8 36:8	INCLUDING 35:1 37:20 41:25 47:12	INSTANCE 3:13 33:19 34:7
9:11 11:26 12:20	HYDROLOGIC 35:26	60:16	INTEGRATED 46:4
13:17 16:1 18:10,25	HYDROLOGIST 25:2	INCLUSIVE 36:8 71:16	INTENTIONALLY 52:27
19:25 20:25 21:4,9	HYPOTHETICAL 42:19	INCONCLUSIVE 36:15	INTERCONNECT... 33:21 35:27 36:18 36:23 37:2,21
22:27 23:24 24:6,9	HYPOTHETICAL... 12:21 13:4 14:21,27	INCORRECTLY 4:16	INTERESTED 15:25 21:23,24 31:18 52:6 58:1
24:21,23 25:19 26:7	I	INDEPENDENT 13:26	INTERESTING 10:15 41:13 59:13
26:17,25 27:18,19	I-JIUN 3:11	INDEPENDENTLY 12:28 13:11 43:14	INTERESTS 39:24
27:24 28:18 29:5,17	IDEA 9:17 30:1 38:13 39:1 54:21 66:25	INDICATE 10:15,23 11:4 43:25	INTERFACE 32:4
29:24 30:4 31:10	IDEAS 51:17	INDICATED 17:2 18:10 54:18 58:22 61:25	INTERNET 11:15
32:2,25 33:10,28	IDENTIFIED 3:20,28 4:3,12,17 5:1 6:12 9:4 23:13 38:21 44:1 47:27 49:11 55:9 68:21	INDIVIDUAL 9:12 37:21 43:11	INTERRUPT 36:25
34:20,27 38:5,13	IDENTIFYING 16:11	INDIVIDUALS 7:10 17:1 18:8	INTRIGUED 22:16
39:28 40:7 41:17,19	IGNORE 20:24	INFINITE 20:10	INVESTIGATION 26:1,6
42:14 44:6,10,15	III 3:18	INFORMATION 8:8 8:12,14,18 9:14 10:11 12:3 13:28 23:8,9,17 25:4 27:10 28:19 29:4,11 30:18 31:10 36:3,14,28 37:14,24 38:6 44:21 44:26,28 45:2 55:27 63:28 64:5,11,17 66:2	INVIOULATE 35:21
45:9 46:3,9 47:17	IMMEDIATELY 4:13 35:28 38:3	IMPACT 44:13 54:11	INVITED 19:10
48:2,18,19,27 49:9	IMPACT 44:13 54:11	IMPLEMENTED 35:15 60:6	INVOLVED 60:16
49:13,21,24 50:3,7	IMPLICATION 36:15	IMPLICATIONS 33:14	INVOLVES 68:7
50:20,21 51:4,10,17	IMPLIES 29:21	IMPORTANCE 69:23	INVOLVING 21:22 45:17
52:9 53:14,28 54:7	IMPORANT 11:24 50:18 61:23 64:22 65:1 67:16,17	IMPROVE 36:1	IRRELEVANT 10:21
55:4,18,21 57:1 58:3			IRRITATION 51:8
58:20 59:7 61:20			IRVINE 1:26
62:9,23,28 63:2,6,8			ISSUE 2:21 7:5,11 8:8 8:27 19:5 22:13 28:10,26 33:9,28 36:10 39:1 44:4 55:5 59:12
63:11,17 65:28 66:9			ISSUES 3:20 4:28 8:12 10:24 12:5 20:1 31:17 34:21 37:20 38:21 39:9,12,23,27 44:18 46:7,7 51:9 53:28 58:27 60:8 61:18
66:12,16,19,21			ITEMS 53:10
67:10,13,14,18,23			
69:27 70:7,8,9,10,11			
70:12			
HONOR'S 48:12			
HOPE 2:19 28:8 44:16 45:21			
HOPEFUL 50:24			
HOPEFULLY 9:25 19:8 38:25 50:22 56:21 67:1 69:22			
HOPES 50:28			
HORIZONTAL 65:14,18			
HOSE 12:16 19:14,16			
HOUSING 3:4 25:20 26:26 27:15 51:21			
HUGELY 6:2 24:28			

J	J 1:25,27 2:21 3:6 1:8 61:8 71:13,26 JACK 34:17 JAMBOREE 1:25 JAMMED 5:26 JANUARY 21:15 24:26 25:9,10,23 JASON 3:9 JEANNE 3:17 JOB 16:25 40:6 JOIN 19:21 20:14 52:13 JOINED 68:16 JOINTLY 64:24 JOSEPH'S 3:18 JUDGE 1:3,6 5:22 11:18 18:24 40:28 40:28 52:27 61:6 65:25 71:3 JUDGES 28:14 JUDGMENT 3:14 69:17,18 JULIA 6:3 JULY 25:24 54:16 JUMPED 36:27 JUNE 24:19 25:11,14 25:25 27:7,12 54:15 56:10 JURISDICTION 19:6 34:14 35:3,23 36:5 60:10 JURISDICTIONS 28:8 JURY 51:21,24,26	KINKS 57:3 KNOW 4:28 5:11 10:3,8 13:11,24 15:13 16:3,4,6,8 20:1 25:1,25,28 26:7 26:8,8,9,28 27:3,6 28:17,26 30:20,25 31:9,13 37:14,22 38:9 39:13,17 42:25 42:25 43:6,9,10,11 44:22,25 47:22 48:15 50:2,3,22 53:10 55:1,18 56:12 56:19,20,27,28 58:8 64:9,10,16,26,27 68:2,10 69:9,11 KNOWING 65:19 KNOWLEDGE 31:20,20 KNOWS 13:10 37:17 42:24 54:24 KOMAR 34:17 KRANKL 2:9 6:2,3 7:19 KRANKLS 7:3 KRIEGER 1:16 56:25 KRIEGER'S 5:9	LARGER 18:9 LAW 2:12,17,23 3:13 2:28 3:1 38:26 39:6 60:4 66:19,23 67:27 69:9 LAWSUIT 20:24 LAWYER 12:19 34:19 40:27 69:4 LAWYERS 42:6 67:17 LAYMAN'S 65:12 LEARN 41:1 LEARNING 66:26 LEAVE 25:14 28:16 52:22,23 LEFT 11:4 LEGAL 1:22 67:6 69:4,10 LEGALLY-IDENT... 68:3 LEGISLATURE 20:9 LEGITIMATE 69:25 LET'S 43:13,14 LEVEL 11:11 31:10 LEVER 51:1 LIEU 69:3 LIFE 41:12 LIFT 57:6 58:1 62:4 LIMITED 2:17 20:18 31:16 LINDLEY 2:12,12 LINE 10:1 33:6 LION 43:5 LIST 9:26,27 52:22 52:23 LISTED 16:27 17:3 LISTEN 36:6 LISTENING 41:22 LITIGATION 7:23 37:27 38:4 45:20 67:26 LITTLE 3:8 5:18 6:9 14:24 30:10 53:23 55:13 59:6 LIVE 4:23 5:18 65:7 LIVES 20:24 LIVING 17:8,18	LLC 2:12,13 LLP 1:16,24 2:13,15 2:22 3:18 LOA 2:10,10 LOCAL 16:5 20:22 28:9 LOCATION 52:15 LODGE 49:5,16 LODGED 53:2 LODGING 47:23 LOGICAL 51:13 LOMBARDO 2:20 LONG 2:13 33:17 41:6,9,15 43:15 50:13,15 69:6 LONGER 42:5,6 LOOK 30:8 33:10 34:8,28 50:26 51:17 56:5 60:6 68:19 LOOKED 32:14,16 LOOKING 6:1 LOOKS 5:8 34:8 LOS 1:2,18,5 11:21 41:7 61:5 71:2,15,28 LOSE 29:13 LOT 6:22 7:20 12:25 14:5 15:13 16:5 18:13 35:4 37:13 38:15 41:25 42:5 44:24 46:10 47:23 53:21 63:20 LOUD 55:26 66:3 LOVE 21:3 38:13,17 55:19 57:2 LOWER 44:1,14,15 LOWTHORP 2:18 LUCK 54:26
K	L	M		
KALT 2:20 KAWAKAMI 3:12 KEEP 28:19 41:26 42:8 47:21 50:4 58:18 KEY 29:4 35:11 KICK 50:17 KIND 3:9 8:14 13:25 18:8 39:25 52:4 58:12,17	L 1:22 3:12 L.A 51:22 LA 2:1 3:1 1:19 LACIV 18:1,2,5 LACKING 42:17,17 LACOURTCONN... 67:12 LAMB 3:12 LAND 3:10 10:19 13:5 54:22,23 LANDOWNER 10:2 21:10 LANDOWNERS 12:8 17:21,27 25:22 43:25 44:4 69:24 LANGERLOF 3:18 LARGE 22:10 23:6	M 1:17 3:17 MAGNITUDE 33:4 MAGUIRE 2:22 MAIL 15:7,17 MAIN 10:20 12:18 65:16 MAINTAINED 8:5 MAKING 9:18 23:16		

50:1 MAN 46:24 MANAGEMENT 34:16,24 46:4 48:10 MANATT 2:13 MANDATORY 34:12 35:18 46:17 MANFORD 6:4,4 MANFRED 6:2 MANNER 16:28 MANY-PAGE 5:24 MAP 59:25 MAPPING 9:1 MARC 2:3 27:21 48:2 49:21 53:15 67:13 MARCH 24:20 27:13 28:1,7 38:24 39:7 40:22,25 47:12,12 47:13,25 48:10,19 50:28 51:3,19 57:9 59:4 MARINE 32:6 MATCHED 16:9 MATERIAL 21:17 31:4,7 35:15 44:13 MATILJA 2:22 MATTER 2:26 12:25 23:6 26:8 35:4 39:17 71:18 MATTERS 3:11 26:2 69:25 MAXIMIZE 59:23 MAYOR 65:4 MCCOY 1:27,8 61:8 71:13,26 MEAN 9:11,21 11:3 11:26 16:6 44:16 51:16 53:28 59:7 68:5 MEANINGFUL 46:27 64:23 MEANS 55:8 MEASUREMENTS 43:3 MEASURES 35:28 46:17,17 MEDIA 28:10,13,14	28:15,17,21 MEET 27:7 MEET-AND-CON... 37:18 MEETINGS 47:19 MELNICK 2:3 1:28 2:2 27:19,21,21,24 29:26 30:4 31:8,9 33:25 48:2,2,5 49:21 49:21,22,23 50:10 50:14,19 51:1 53:14 53:15,16,17,27 54:8 54:9 63:23 67:13,13 67:20,22 MELNICK'S 29:3,10 MEMO 32:8 MEMORY 68:14 MENTALITY 3:5,6,7 MERE 3:10 15:10 20:14 43:4 MERELY 19:5 23:4 23:17 63:24 MERITS 3:22 11:25 12:5 34:9 MET 37:21 38:7 METCALF 2:25 METER 12:18 MIC 31:27 63:14 66:11 MICHAEL 2:20 MICROPHONE 31:26 MICROPHONES 40:9 MID-FEBRUARY 40:23 MILE 41:27,27 MILES 65:13,19 MILLION 30:12 MIND 20:3 57:9 62:10 65:2 MINE 56:19 MINIMIS 3:16 59:21 MINUTE 53:13 MINUTES 60:15 MISMATCH 3:13 17:22	MISPLACED 59:20 MISSED 22:7 MISTAKE 21:16 MISTAKES 41:3 MODEL 30:5,17 50:25 MODIFY 56:1 MOMENT 1:22 8:1,4 11:18 54:11 57:13 65:23 67:19 MONDAY 47:12,13 47:14 48:21,25 MONEY 42:12 43:15 55:2 MONTH 29:6,8,9,14 30:18 47:15,18 48:14,22,22,25 55:12,23 61:27 MONTHLY 38:13 47:11 MONTHS 13:8 14:28 24:1,8,14,18,27 25:6 25:23,26 27:4 30:24 50:7 54:28 55:3 MORNING 2:7 MORRISON 3:10 MOTION 39:11 43:1 48:16 50:8 57:8,10 57:11 58:1,21,27 59:5 62:4 66:17,19 69:16,17,18 MOVE 11:24 18:19 21:2 39:27 45:22 57:27 MOVING 9:27 33:16 33:22 34:26 35:24 43:7 44:27 47:21,28 MULTIPLE 16:14 MUNICIPAL 1:24 19:12 20:23 MUTATE 18:7 MUTUAL 2:18,22 <hr/> N <hr/> N 2:3 4:1,5 NAME 1:2,20 3:13,14 5:28 6:1 10:6,8 13:5	17:3,25 19:26 20:2 21:20 56:8 61:2 NAMED 4:4,9,14 6:3 6:16 9:20 12:8 15:26 16:11 17:1,6,27 18:7 20:8 21:11,12,21 25:22 56:6,20 57:12 57:19 68:19 NAMES 3:5,11 4:25 7:13,24 9:19,22 18:17,28 68:18 NAMING 15:27 17:20 21:9,16 51:9 NAMUO 2:16 NANCY 14:15 56:4 NARRATIVE 52:5 NARROW 36:9 NARROWING 25:26 NATHAN 2:25 NATIONAL 32:6 NATIVE 46:15 NATURAL 46:14 64:7 65:15 NATURE 26:22 NEAL 2:22 NECESSARILY 9:28 22:13 23:12 44:25 51:27 NECESSARY 3:16 67:28 NEED 2:16,17,18 6:25 8:11,13 11:23 12:7 13:1 15:1 17:9 38:15 39:9 40:26 42:21,24 43:8 45:1,2 45:27 51:24 52:1 53:4,23 56:9 58:18 59:9 63:13 NEEDED 16:25 18:17 22:2 25:7 NEEDLE 13:1 14:28 NEEDLE-IN-THE-... 13:14 14:24 NEEDS 3:23 18:12 25:16 29:10 43:13 48:15,17 54:2 NEGOTIATION
---	---	--	---

64:7 NEUTRAL 43:15 NEVER 36:5 69:13 NEVERTHELESS 65:19 NEW 27:27 36:7 56:14 NEWS 14:7 29:28 NEWSPAPERS 3:1 NICETIES 17:16 NIL 52:27 NINE 21:24 55:3 NOAA 32:5 NOAH 2:7 23:26 66:12 NOBODY'S 49:28,28 NON-PROFIT 1:5 71:5 NONDEFAULTED 57:12 NOT-YET 36:20 57:15 NOTE 7:9 NOTED 1:9 26:1 48:18 61:9 NOTES 16:18 NOTICE 4:18 27:16 28:3,7 29:7 39:15 49:8 54:13 61:26 63:1 68:15 70:2 NOTICED 4:8,16,20 39:11 50:8 52:1 57:8 57:15 58:21,27 59:5 NOTICES 28:24 NOTIFY 28:4 NOTION 35:22 NOVEMBER 44:23 NUMBER 1:1 4:7 7:12 10:26 11:3 16:4 16:5 31:16 38:5 48:7 61:1 NUMBERS 7:13,17	48:26 49:17,18 OBJECTION 22:22 23:23 24:22 25:15 27:24 40:20 49:22 63:18 OBJECTIONS 44:24 59:20,21 OBJECTORS 57:7 OBLIGATIONS 26:18 OBLIGED 34:26 OBSERVATIONS 52:15 OBSERVE 52:4 OBTAINED 7:21 31:21 36:20 OBVIOUS 43:24 50:4 OBVIOUSLY 16:24 23:8 39:23 51:16 58:23 64:26 OCCASION 14:12 19:15 OCCUR 35:13 OCCURRING 22:21 OCCURS 52:11 OCEAN 29:15 46:28 ODD 5:26 OFFER 49:26,28 62:1 OFFERED 52:10 OFFERING 20:13 38:16 OFFERS 63:24 OFFICE 2:3,5,7,12 3:9 11:14,24 20:1 22:18 27:22 53:19 70:5 OFFICES 3:13 OFFICIAL 1:28 71:13,27 OH 23:25 52:6 OJAI 3:18 16:5 28:9 31:6 38:2,7 43:22,26 44:2,10 64:8,16 65:11,17 68:7 69:25 OKAY 1:15,26 2:4,9 2:13 5:15 6:26 15:23 19:24,28 20:27 21:1	22:16,20 23:23 24:7 26:25 28:27 29:20 29:26 31:28 40:15 49:13 51:11 61:15 63:3 69:8 OLD 26:8,10 OLYMPIC 51:21 OLYMPICS 51:22 OMITTED 22:5 68:24 ONBOARD 40:4,17 48:17 ONCE 24:7 34:15,20 42:26 56:27 ONE-INCH 12:18 ONGOING 26:6 55:10 OPEN 1:12 13:20 37:23 54:21 61:12 66:11 OPENED 41:6 OPENING 49:26 OPINION 33:26 38:8 38:9 42:3 OPINIONS 37:1 OPPORTUNITY 14:3 15:19 34:3 35:25 36:6 38:18 39:4,26 44:20 64:23 64:25 OPPOSED 7:24 OPTIONS 66:2 ORDER 4:14,22 19:6 22:25 28:3 65:23 ORDERED 24:10 ORDERING 42:10 ORDERLY 37:25 44:17 45:1 67:26 ORDERS 12:23 28:24 ORDINARY 22:21 56:24 ORGANIZED 2:19 35:20 ORIGINAL 6:16 11:2 35:3 ORR 2:22 OUGHT 17:20 18:1	57:7 OUTDOOR 41:6,9 OVERBURDEN 23:18 OVERCOME 45:21 OVERLAP 6:22,24 OVERLYING 12:9 25:22 OVERVIEW 60:4 OWNED 6:20 16:28 17:1 OWNER 4:16,17 14:22 22:3 68:20,23 68:27,28 OWNERS 4:10 8:23 9:8 12:16 20:8 38:2 65:6 OWNERSHIP 16:12 16:13 OWNS 22:4 OXNARD 47:9
<hr/> O <hr/>			<hr/> P <hr/>
OAK 2:12 OAKS 45:13,15 47:9 OBJECT 25:18 45:12			P 2:12,12,22 P.M 1:7 48:22,25 49:4 61:7 70:14 PACE 64:16 PACIFIC 1:22 PACKAGING 64:16 PAGES 71:16 PAID 20:26 PAINLESS 18:15 PANDEMIC 41:5 53:21 54:2 55:7 PAPER 15:8,13 18:6 PAPERWORK 6:5 56:27 PARCEL 15:14 17:12 22:4,7 PARCELS 6:20 PARENT 10:7 PARK 32:20,21 PARKS 2:5 21:6,10 21:13 22:15 24:24 25:1,16 27:15 68:23 PART 6:11 11:10 13:10 15:16 19:17

<p>26:6,16 30:10 34:10 34:11,11 35:11 37:9 46:6 51:27 53:11 62:13 67:25</p> <p>PARTICIPATED 64:6,10</p> <p>PARTICIPATING 40:11</p> <p>PARTICIPATION 20:18 39:15</p> <p>PARTICULARLY 6:3 11:17 12:15 43:28 56:3,23 57:11 65:7,11</p> <p>PARTICULARS 58:14</p> <p>PARTIES 1:13 4:3,7 4:8,9,20 6:23 11:3 15:25 19:7 22:10 23:2,5,18 24:12 27:28 30:20 32:24 33:13,22 34:9,12,26 35:1,24 36:8 37:13 37:21 38:8,22,27,28 39:3,15 43:11 44:18 45:12 46:16 48:17 48:20 49:7 51:18 52:9 53:9 56:20 59:27 60:11 61:13 61:23,28 62:17,18 64:3,6</p> <p>PARTNERSHIP 2:17 18:9</p> <p>PARTS 33:25 44:11</p> <p>PARTY 2:18 4:14,16 6:28 8:3 11:9 16:11 16:26 17:3,19 18:4 20:10 21:14,21 24:1 27:15 43:7,15 56:5 57:12 68:15</p> <p>PARTY'S 33:15</p> <p>PASSES 49:19</p> <p>PATERSON 2:22</p> <p>PATHWAY 33:11</p> <p>PATHWAYS 33:8</p> <p>PATRICIA 3:11</p> <p>PATRICK 3:12</p>	<p>PATTERN 34:13</p> <p>PATTERSON 3:3</p> <p>PAUL 2:17</p> <p>PAULA 47:4,4</p> <p>PAW 5:23</p> <p>PAY 12:19</p> <p>PAYING 2:15 54:24</p> <p>PAYMENTS 54:20</p> <p>PEOPLE 3:28 4:2 6:27 7:12 9:12,27 11:8 16:5,14 17:11 17:16 20:7 23:16 28:26 39:23 41:25 42:25 44:6 46:18,19 48:8,9 49:17 50:26 53:21 54:1 55:1 57:13,15,19,26,28 59:28 62:12,21 65:11,16</p> <p>PEOPLE'S 62:26</p> <p>PERCEIVED 31:6</p> <p>PERCENT 12:17 16:20</p> <p>PERCEPTION 9:9 65:12</p> <p>PERFECT 6:23</p> <p>PERIOD 10:17 29:7</p> <p>PERMISSIBLE 22:18</p> <p>PERMIT 32:7</p> <p>PERPETUITY 34:15</p> <p>PERSON 7:28 13:27</p> <p>PERSONA 2:11,27 3:15</p> <p>PERSONAL 12:26 14:21 15:16 55:8,22 56:13</p> <p>PERSONALLY 25:4 55:7</p> <p>PERSONS 20:17 52:6</p> <p>PERSPECTIVE 45:23 59:26</p> <p>PERSUADED 43:27</p> <p>PERSUASIVE 25:15</p> <p>PERTINENT 46:21</p> <p>PETER 2:9,14 7:2 41:19</p>	<p>PHASE 59:1</p> <p>PHELPS 2:13</p> <p>PHILLIPS 2:13</p> <p>PHONE 6:26 18:20 28:13 65:10 66:10</p> <p>PHOTOGRAPHS 42:22</p> <p>PHYSICAL 10:14,21 33:22 34:5,6,10,27 35:6,10,14,25 36:16 37:4,6,16,20 38:26 42:9 45:5,11 46:5,15 47:23 49:15,19,26 50:6,11,16 51:3,14 59:12,16,19,23 60:4 60:5,9 64:22 67:28</p> <p>PHYSICALLY 55:15</p> <p>PIECE 38:4 54:23</p> <p>PIECES 15:8</p> <p>PIPED 19:12</p> <p>PISANO 1:17,17 66:7 66:9 67:4 70:8</p> <p>PLACE 3:10 33:17 53:22 57:25 64:2</p> <p>PLACES 64:9</p> <p>PLAINTIFF 1:6 2:6 71:6</p> <p>PLAN 30:4 35:23 48:24</p> <p>PLAUSIBLE 65:12 69:23</p> <p>PLAY 11:13 35:28</p> <p>PLEAD 68:2</p> <p>PLEADING 18:6</p> <p>PLEADINGS 19:1 67:26 68:25 69:17</p> <p>PLEASE 1:20 7:7 12:27 13:7 19:28 33:2 42:15 48:28</p> <p>PLED 35:4</p> <p>PLUS 47:25 54:15 57:17</p> <p>PODIUM 2:10</p> <p>POINT 2:17 5:17 10:9,13,27 17:13 18:22 20:15,17 27:1 32:17 35:9,9 36:3</p>	<p>37:26 38:14 39:4 40:18 46:4 51:1 52:14 54:10 57:18 58:6,13 64:27 69:16 69:19</p> <p>POINTS 32:1 45:26 69:12</p> <p>PORTION 65:16</p> <p>POSITION 23:11</p> <p>POSSESSION 15:6 32:22</p> <p>POSSIBLE 14:6 15:21 18:15 36:1 39:10 55:12</p> <p>POST 8:10,14 28:23</p> <p>POSTAGE-STAMP 22:4</p> <p>POSTED 16:19</p> <p>POSTING 55:14,19 55:20</p> <p>POT 28:16</p> <p>POTENTIALLY 65:6</p> <p>POWERS 59:11</p> <p>PRACTICAL 59:15</p> <p>PRACTICED 69:13</p> <p>PRECISE 3:4 58:8</p> <p>PREDICATE 35:6 42:11</p> <p>PREDICATES 35:26</p> <p>PREFER 48:1</p> <p>PRELUDE 54:13</p> <p>PREMATURE 54:6 57:11 58:2</p> <p>PREMISED 36:17</p> <p>PREPARE 24:27 25:3</p> <p>PREPARED 25:5</p> <p>PRESENT 1:18 33:23 34:27 35:25 36:28 39:20 44:9,21 45:3</p> <p>PRESENTED 20:7 37:4 39:20 46:16</p> <p>PRESENTING 17:24</p> <p>PRESENTLY 47:5</p> <p>PRESUMABLY 8:25 18:2 36:17 52:1</p>
--	--	---	--

PRESUMPTIVELY 59:17	46:21 47:8,10	PROVIDES 53:6	QUICKLY 11:25 13:12 15:22 38:15 51:16 55:11
PRETTY 38:15 57:16 57:17	PROJECTS 46:6	PROVING 15:9	QUIET 38:1
PRIMA 33:23	PROOF 13:2,8 14:18 14:20,26,27 15:7 56:13,14 63:24 69:20	PROVISION 63:27	QUITE 16:4 17:28 22:18 25:3 26:10 33:5
PRIMARILY 31:17	PROOFREADER 3:3 3:4 5:8	PUBLIC 9:20,22 11:14 28:11,19,25 29:7 30:7,23 37:18 41:5 50:18 54:10 65:5,26	QUO 17:24
PRIMING 56:3	PROOFREADER'S 3:5,7	PUBLICATION 54:18,21 55:24	QUOTE 9:26 65:3
PRINCIPALLY 33:8	PROOFS 12:24,25	PUBLICATIONS 2:28	R
PRINT 28:10	PROPER 56:7	PUBLICLY 8:6 33:27	R 2:14,14,19 3:13,14
PRIOR 12:23 25:28	PROPERLY 2:17	PUBLICLY-MAIN... 8:2	RAISE 65:1
PRIVACY 8:12,21 9:10	PROPERTIES 7:23 26:7	PUBLISH 55:27	RAISED 39:13,23
PRO 1:28 71:14,27	PROPERTY 4:9,16 4:17 7:19 14:22 16:12,28	PUMP 56:3	RANCHO 2:22
PROBABLY 4:23 15:3 17:4,9 20:28 22:3 41:2 53:3 67:16	PROPERTY'S 17:1	PURPOSE 66:16,18 66:22	RANKS 3:3
PROBLEM 4:24 8:20 8:21 14:24 20:2 23:7 53:26 56:18	PROPOSAL 20:12 38:23 39:28 40:18 44:22 52:12 53:8 60:3	PURPOSES 10:18 47:6 52:24	RATE 56:22
PROBLEMS 16:23 53:4	PROPOSE 38:19 48:21 52:14	PURSUANT 4:18	RATIONALLY 65:6
PROCEDURE 23:21 69:12	PROPOSED 18:6 33:19 36:16 40:21 40:21 47:17 49:16 64:7 66:15	PUSH 48:5,5	REACH 19:28 29:15 29:17 31:5,8,19,23 32:4 43:28 65:17,20 69:26
PROCEED 2:19 7:7 10:28 33:11 52:2 66:14	PROPOSES 6:28	PUSHING 48:6	REACHING 20:3 52:26
PROCEEDING 9:20 57:22	PROPOSING 33:23 59:26	PUT 18:5 23:5 37:16 38:2 42:4,10 46:12 46:27 59:14 61:21 61:25 64:14 68:1 69:19	REACTION 65:12,15
PROCEEDINGS 1:13,12 61:12 70:14 71:17	PROPRIA 2:11,27 3:15	PUTS 33:14	REACTIVE 62:27
PROCESS 3:12 13:19 13:21 15:21 19:20 20:17 23:10 26:13 26:17 27:2 28:21 29:2,5 33:15 34:23 37:18,20,25 41:1 44:8 47:21,27 55:14 56:17 57:3,4,18 59:19,22 60:8	PROSSER 2:9	Q	READ 4:15 5:24 6:14 62:12 68:5
PROCESSED 54:16	PROTECT 19:11,19 20:23 39:24	QUARTER 34:21 41:27	READING 10:22 16:18
PRODUCTION 35:27	PROTEST 23:20 51:2 51:4	QUARUM 57:28	READY 12:5
PROHIBITORY 34:12 35:18 46:18	PROVE 38:10 44:9	QUESTION 11:2 13:18 15:27 26:14 28:4 31:13,19 34:2 34:25 35:8 36:9 37:12,23 41:23,26 45:14 46:21 47:5,23 49:10 50:28 60:7 61:21 62:16 63:27	REAL 67:9
PROJECT 45:7,14,16 45:17,19,20,20 46:5	PROVIDE 13:28 23:16 24:2 27:9 32:24 37:14 38:26 45:2,25 49:11 55:27 60:3	QUESTIONS 6:27 8:19 9:13 35:26 44:20,23 46:11	REALITY 20:7

RECEIVE 34:1 68:19	31:4 32:14	REQUIRED 23:7,12	19:17 31:12 33:25
RECEIVED 7:9	RELATIVE 33:13	REQUIRES 20:10	42:1,23 43:22,28
43:25 44:24	RELATIVELY 30:28	REQUIRING 22:23	44:13 45:26,27 46:1
RECESS 60:14,18	RELEASE 30:5,17	RES 33:12,21 34:8	46:14,28 47:2 51:11
70:1	37:26	RESEARCHERS	ROAD 1:25 18:6
RECOGNIZE 60:11	RELEASED 50:25	22:6	42:11
RECOGNIZING	RELEVANCE 65:14	RESIDENCE 15:5	ROBIN 1:22 63:17
27:3	RELEVANT 10:17	RESOURCES 1:8 2:3	ROE 11:5,10 21:20
RECOLLECT 18:19	10:19 31:22 68:8,25	1:3,16 2:3 20:23	22:9
69:4	RELIED 25:27 27:5	36:21 59:24 61:3	ROLL 39:25
RECOLLECTION	REM 9:7 19:6	71:8	ROLLING 35:14
9:3	REMAINING 55:9	RESPECT 39:22	57:3
RECOMMENCED	REMEDY 34:7 46:26	RESPOND 2:22	ROMANCE 40:4
61:12	REMEMBER 49:24	61:24 62:12	ROODS 5:14
RECOMMENDAT...	REMIN 69:3,18	RESPONDING 47:1	ROOM 12:1
30:16 38:12	REMOTE 2:1 3:1	RESPONSE 24:15	ROUND 57:10
RECOMMENDAT...	REMOTELY 1:13	32:8 70:12	ROUTINE 13:14
36:7 63:22	61:13	RESPONSES 11:5	RULE 39:18
RECOMMENDING	RENAMING 17:5	RESPONSIVE 38:21	RULES 52:10
46:6	RENDON 3:12	RETIREMENT	RULING 39:14,16
RECORD 1:21,24,26	REPEAT 32:1	34:18	RULINGS 58:28
12:10,12,14 17:16	REPORT 29:14 37:26	REUBEN 2:20	RUN 43:15
58:7 61:15,22 63:22	49:5 53:11 58:8,16	REVIEW 3:2 4:6	RUTAN 1:24
63:26 68:6	62:12,25	REVIEWED 32:9	RYAN 2:23,24 3:26
RECORDATION	REPORTED 1:27	REVOCABLE 2:11	16:1
8:24 51:28	33:10 59:12	RICHARDS 2:18	
RECORDS 11:12,13	REPORTER 1:28,8	RICK 11:28	S
11:13,17 13:10	40:13 51:25,28 52:5	RIGHT 1:28 3:11	S 1:20 3:18 4:5,5,5,8
15:28 16:10 17:20	60:16 61:8 71:14,27	4:12,15 9:22 14:19	S-L-A-T-E-R 32:27
53:5 56:5,9	REPORTER'S 1:13	19:20 22:21 25:12	SACRAMENTO 1:23
RECREATE 41:5	1:20	26:22,25 29:21,26	SAFELY 40:13
RECREATION 2:5	REPORTS 37:9	30:14,16 35:16,19	SAMPLE 19:9
21:6	42:10,20 43:24 49:7	37:11 40:16 41:5	SAN 1:16 3:5 25:20
REFER 3:28	62:26 63:23	43:2,10 45:28 46:23	SANTA 1:5,21 3:6 1:2
REFERENCE 18:3,4	REPRESENTATI...	50:23 56:27,28	1:15 2:6 47:4,4 61:2
REFERS 43:20	37:13	57:19,21 60:14 63:4	61:16 71:5
REFLECT 11:7	REPRESENTING	66:4 67:24 68:14	SARAH 3:8 17:6,8,18
REGARD 38:7 39:18	69:5	69:1 70:1	17:21 18:3
56:2 58:21	REQUEST 2:20 3:12	RIGHTS 19:19 21:22	SATISFIED 35:7
REGION 32:20	13:3,6 14:19,23	26:1 34:9 35:21 45:6	SATURDAY 41:9
REGULARIZED 7:1	22:12 23:4,17 24:15	45:19 59:18	SAVE 43:15
REJECT 5:5	26:3 56:7,10	RIPARIAN 8:23 9:8	SAW 55:4
RELATE 8:22	REQUESTS 12:6,22	12:8,9,15 17:20,27	SAYING 5:11 10:25
RELATED 1:11 8:19	14:11 27:13 54:18	19:17 21:10,22 22:3	28:1 45:12
25:21 30:5 71:11	56:12,24	22:7 31:17 68:20,22	SAYS 4:16,20 24:10
RELATIONS 65:5,26	REQUIRE 23:4,27	68:24,27	37:1,16 68:23
RELATIONSHIP	25:3 26:1	RIVER 3:16 19:15,16	SCARCE 59:23

SCHEDULE 39:11 48:16 50:9 62:3	13:27 15:7,8 28:21 44:12 50:4	SHORTENING 25:25	SOCIETY 54:11
SCHOOL 3:3 2:27,28 3:1 69:9	SEPARATELY 23:14 64:21	SHOW 6:4 9:28 17:20 28:7 42:22 43:8 54:19	SOFT 9:17
SCHRECK 1:19 3:6	SEPTEMBER 37:17	SHOWED 9:4 58:19	SOLICIT 28:9
SCIENCE 36:4	SEQ 19:4	SHOWING 35:7 64:20	SOLICITOUS 28:10
SCOPE 7:23	SEQUENCE 5:27,28 6:1	SHOWN 2:24,24 9:2 14:12 25:17 27:14 31:2,4 57:27	SOLUTION 10:14,21 33:23 34:5,6,10,10 34:27 35:6,10,15,25 36:16 37:4,6,16,20 42:9 45:5,11 46:5,16 47:23 49:15,19,26 50:7,11,16 51:3 59:12,16,19,23 60:4 60:9 64:22 67:28
SCORE 58:12,17	SEQUENCING 64:20	SHOWS 36:23 56:9	SOLUTION'S 51:14
SCORES 57:25	SEQUENTIAL 35:13	SIDE 7:18	SOLUTIONS 38:26 60:5
SCOTT 1:20 32:27	SEQUENTIALLY 33:16	SIDES 34:2	SOLVE 34:21 44:19
SCRATCH 22:5	SERIES 32:3	SIGN 14:8	SOMEBODY 10:6 14:17 15:6 18:20,22 23:19 25:15 47:14 54:25 56:25
SCRATCHING 54:28	SERVE 52:22,25 53:6 62:10,19	SIGNED 10:12,13 18:14	SOMEBODY'S 59:18
SCRUB 2:17	SERVED 12:24 14:17 18:28 19:7 26:12,12 46:1 53:2 57:12 58:10,11 68:26	SIGRID 2:14	SOMEWHAT 7:1 65:17
SCRUBBING 3:17	SERVES 68:14	SIMILAR 44:3	SOON 14:25 30:28 36:1 53:20
SEARCHABLE 9:23	SERVEXPRESS 16:19 28:2 53:3	SIMPLE 19:5 20:6,8 21:16	SOONER 29:4 50:18 58:24
SEARCHES 10:6	SERVICE 12:24,25 12:26 13:2,8 14:20 14:21 15:2,9,17,17 32:6 47:27 52:22,23 55:9,20,22 56:13,13 56:14	SIMPLES 43:26	SOPHIE 2:5 21:5 24:23
SEASONALITY 35:27	SERVING 54:26 55:7	SIMPLY 63:21	SOPHISTICATED 30:19
SECOND 5:28 6:17 7:28 10:1 12:10 18:19 43:20 49:27 54:13	SET 1:21 2:21 8:26 14:12 24:16 25:11 27:12 30:13 34:15 38:17,24,25 39:11 39:11 47:11 48:16 48:21 58:28 59:2	SINGLE 9:1 15:10	SORELY 42:17
SECONDLY 63:27	SETS 15:12	SIR 7:4 27:23	SORRY 7:5 19:25 36:25 37:6 67:21
SECTION 23:22 32:7 35:2	SETTING 27:25	SIT 19:10	SORT 5:23 30:9 37:19 46:5
SEE 1:17 3:8 6:24 8:21 10:7 11:8 22:8 22:16 26:18 40:25 41:9 49:14 50:6 52:6 52:14,19 56:5 59:11 61:23 62:7,7,17 66:22 67:1 68:19	SETTLE 42:26	SITE 51:20,24 53:15	SORTABLE 5:21
SEEING 16:21 49:18 52:25 56:3	SETTLEMENT 49:25 50:2 64:7	SITUATION 6:13	SORTS 51:25
SEEK 28:11	SHARE 51:18	SITUATIONS 17:4	SOUNDS 16:7
SEEN 3:10 16:7 37:7 49:28 67:27	SHARING 69:23	SIX 24:1,7,14,18,27 25:6,23 26:11 27:4 54:28	SOUTH 1:18
SEES 17:14	SHAVE 25:11	SIXTH 21:23	SPACE 33:8
SELF-INTEREST 20:17	SHAWN 1:17 2:11	SIXTY-FOUR 41:23	SPEAK 1:20 29:12 41:18 42:14,27 66:11 67:18
SENSE 3:15 21:27 46:3 47:13 55:23 57:23 60:6	SHEET 13:28	SIZE 13:24 22:4	SPEAKER 7:27
SENSITIVE 52:17		SKAHAN 56:26 70:5	SPEAKING 23:25
SENTENCE 4:13,21		SKEPTICISM 65:19	
SEPARATE 9:2		SKIRMISH 42:28,28	
		SLASH 62:25	
		SLATER 1:20 32:25 32:27,27 33:3 34:19 36:13,15 37:1 45:4 46:9 52:9 59:13,15 63:4,6 70:9	
		SLOW 31:28 33:16	
		SOCIAL 28:13,14,14 28:17,21 53:26	

27:20 32:26 65:21 SPECIFIC 8:7 13:2 22:12,13 27:14 36:20 38:17 60:7 SPECIFICALLY 2:22 SPEED 29:2 50:11 SPELLING 3:4 SPEND 34:3 SPENDING 41:15 42:11 SPENT 6:8 SPOKE 11:27 59:14 SPOKEN 66:10 SPOTS 52:14 SPREADSHEET 58:14 SPREADSHEETS 14:1 SQUAWKS 44:3 65:10 ST 3:18 STACK 64:18 STAFF 3:21 4:25 9:26 11:22 13:10,13 14:4 30:16 52:23,27 54:16 58:13 STAGE 66:23 STAGED 39:25 STAKE 23:6 STAND 10:9 STANDARDS 35:17 STANDING 5:9 START 16:21 48:13 54:5 56:2 STARTED 34:25 55:8,10,15 STATE 1:1,8 2:3 1:3 1:16,28 2:1,2 24:1,3 27:15 29:25 32:8 33:26 35:1 36:7 45:7 45:14,18 46:21 47:8 47:9 53:21 59:24 61:3 63:25 68:2,23 71:1,8,14 STATE'S 30:1 40:17 67:8	STATEMENT 42:18 68:1 STATEMENTS 36:12 48:10 62:13 STATISTICALLY 57:16 STATUS 17:23 38:14 38:24 39:7 40:22,25 47:11 51:19 53:11 57:12 58:5 62:6,11 62:13,24 64:13 STATUTE 10:22 11:1 19:4 24:11 26:4 27:3 STATUTES 23:28 STAY 22:28 28:14 57:6 58:1 62:4 STAYED 22:24 STEELHEAD 41:12 41:15 46:7 STEP 48:22 STEP-BY-STEP 35:13 STEP-WISE 44:21 STEPS 28:25 STICK 12:16 19:14 19:16 STIPS 14:8,9 STIPULATED 52:10 STIPULATES 6:20 STIPULATION 4:11 5:15 6:12 10:12,14 16:15 17:5,10,17 20:14 STIPULATIONS 3:28 4:7,19 5:7 16:4 16:8,22 18:14 STIR 28:16 STOP 29:15 53:26 STRAGGLERS 55:24 STREAM 12:17,17 12:17 STREAMLINE 13:19 STREAMLINING 15:16 STREET 1:20,23 STRESS 55:21	STRUCTURED 54:1 60:9 STUDENT 2:28 STUDIES 32:3,13,22 STUDY 36:21 STUFF 2:18 57:10 STUTTER 48:22 SUBBASIN 9:4 SUBJECT 34:14 35:2 35:4,21,23 SUBMISSION 67:2 SUBMISSIONS 66:28 SUBMIT 14:18 38:28 49:7 59:26 SUBMITTED 12:26 14:23 SUBSERVICES 15:14 SUBSTANTIAL 35:17 SUBSTANTIVE 15:28 SUBSTITUTED 15:2 15:5 55:20 SUBSTITUTES 59:16 SUBSURFACE 52:17 SUCCESS 50:22 SUED 17:2 31:16 SUFFICIENCIES 31:19 SUFFICIENCY 19:11 31:4,7 69:26 SUFFICIENT 15:9 22:17 62:18 SUGGEST 65:25 SUGGESTED 36:15 SUGGESTION 9:16 9:17 48:12 SUGGESTS 54:22 SUIT 68:15 SUITE 46:6 SUMMARIES 37:19 SUMMARY 58:12 69:18 SUMMER 30:6	SUMMONS 5:24 14:21 15:9 68:19,26 SUNTAG 3:16 SUPERIOR 1:1 71:1 71:14,28 SUPPLIES 19:12 45:25 47:4 SUPPLY 35:20 45:24 47:2,5 SUPPORT 10:14 36:16 37:2,3 42:18 SUPPORTIVE 33:22 SUPPORTS 14:26 39:6 42:3 SUPPOSED 24:8 SURE 5:1 11:17 16:21 27:27 28:23 28:26 40:10,10 48:4 53:16 54:8 63:12 66:16 68:18 SURFACE 29:22 30:3 31:5,22 32:4,10 32:12,15,18 36:19 SURGERY 2:18 3:17 SURNAME 5:27 SURPLUS 47:6 SURPRISED 12:6 SWAP 63:14 SWITCH 30:15
T			
T 3:9 4:5,8 TABLE 40:14 42:4,10 TACKLE 54:4 TACKLING 35:12 TAKE 15:27 21:1 26:2,13 28:8,25 29:11 30:20 33:16 39:17 45:27 51:24 52:26 61:17 TAKEN 60:18 64:2 TAKES 3:24 25:1 33:14 34:7 TALK 10:11 15:13 21:3 22:6 34:4 47:25 51:5 53:22 58:23 63:4 66:1			

TALKED 23:1 47:15 61:22	5:10 10:28 12:24 15:28 30:14 39:14	TIGHTER 5:26	TRAVELING 42:11
TALKING 11:8 13:24 18:20 19:2 30:9 42:9 46:10	41:2,4 45:12 46:2,18 46:18,23 47:24 48:7 51:6 52:21 58:2 64:12	TILL 24:20	TREAT 57:21
TAR 52:7	THINK 2:18,25 4:23 7:12 9:12 10:23 15:18 17:16 18:27 19:1 21:19 22:27 23:11,16 25:24 30:8 30:26,28 33:21,25 38:14,20 39:6,25 40:13,18,21 41:22 42:16 43:7 44:19 46:12 47:7 48:12 50:6 51:15 53:19,23 54:3 55:15 56:6,7 57:6,11 58:4,21 60:1 60:12 61:18,20,23 63:8,24 64:12,20 66:5,25	TIME 1:7 6:7 10:17 12:17 13:13 14:19 17:25 18:4,13 23:2 25:16,25,26 26:2,3 26:13 27:4,8,9 28:2 33:17 34:4,21 37:26 39:4,21 41:1,15 44:8 45:26 47:26 50:6,24 51:12 52:3 53:20 56:15 58:6 60:7 61:7 62:17,18 67:9,15 69:7,22 70:4	TRIAL 39:12 51:21 51:27
TARGET 9:27	THINKS 65:25	TIME-CONSUMI... 11:16 13:15	TRIBUTARIES 51:12
TAX 20:11,26 54:20 55:2	THIRD 4:4 5:25 6:1 6:18 9:5 21:11,12 31:3 43:20 47:13,14 48:21,24	TIMELY 39:8	TRIED 10:23 11:4 28:19 38:6
TAXES 54:24,27	THOMAS 3:18	TIMING 58:23	TRIER 50:4
TAXPAYERS 11:20	THOUGHT 5:6 22:17 64:28	TIMOTHY 1:27,8 61:8 71:13,26	TRIES 2:22
TEAR 67:7	THOUGHTS 19:14 19:18 20:21	TITLE 10:3 17:7,28	TRIP 51:11 52:14,24
TECHNICAL 6:11 35:26 39:12 44:19	THOUSAND 12:7,22 41:23 45:13,15 47:9 54:14 57:20	TODAY 3:25 21:3 36:1 44:20 55:10 63:5,19 64:28 65:10	TRIVIAL 3:15
TEDIUM 2:26	THOUSANDS 64:8	TOKEN 29:20	TROUBLE 17:14
TEED 56:7	THRALL 11:28 14:14 56:4,17	TOLD 11:18 49:27	TROUT 41:12,16
TELEHONIC 70:12	THREE 2:1 15:7 44:1 44:4 62:22,26	TONE 42:12	TROY 2:23
TELL 8:20 26:21 28:13 30:8 51:6 58:9 59:4 65:24	THROWING 42:21	TON 59:1	TRUE 22:27 34:3 42:2 68:17 71:17
TELLING 11:19	THUMB 12:2	TONY 63:17	TRUST 2:11 3:10 7:9 10:11,11 17:9,19 19:10 42:7 66:7
TEMPORE 1:28 71:14,27	TICO 2:18	TOOL 28:15	TRUSTEES 17:1
TEN 57:15	TIDIED 2:16	TOP 46:24	TRY 5:23 6:28 11:12 13:20 18:14 50:3,19 54:4 58:7,17 64:17 65:5
TENTATIVE 23:13 56:1 59:14	TIDY 56:21	TOPIC 21:9 36:14 53:12 54:12	TRYING 16:10 17:15 17:16 18:7 23:5 24:17 26:18 36:9 39:1,5 40:4 45:10 54:5 55:11 59:23 65:23
TENTATIVES 54:19	TIE 7:19 47:19	TOTALITY 36:17	TSAO 3:11
TERMS 23:15 38:13 39:22 61:22	TIED 7:14	TOTALLY 54:9	TUCKER 1:24
TERRIBLY 52:16		TOUCH 21:28	TUESDAY 1:14 4:2 1:5 61:5 71:18
TESTIMONY 34:1,1 40:16		TOUCHED 61:18	TURN 11:25 15:28 53:12 59:20
THACHER 3:3		TRACK 12:28 58:18	URNS 6:3
THANK 7:8,25 19:23 26:24 31:15 38:16 41:19 42:13 43:17 43:18 49:3,13 54:9 57:1,5 65:28 66:3 67:14,23 69:27 70:4 70:7,8,9,10,11,12		TRADE 50:12	TUTORIAL 59:6
THANKS 20:25		TRADITIONAL 35:13	TWO 6:18,19 12:2 15:12,13 18:2,2 25:26 33:8 35:16,17 50:20 61:28 62:11 62:19 63:21
THEIRS 67:6		TRAINING 69:4	TWO-PHASED 38:20
THEORY 42:18 68:3 68:3,6,22		TRAMPLE 59:18	TWO-SIDED 5:5,5,6
THING 2:16 36:20 42:20 48:15 57:9		TRANSCRIPT 1:13 71:17	
THINGS 2:24 3:2		TRANSFERRED 10:3	

TYPE 11:7 49:11			
	U	V	
U.S 15:7	V 2:9 3:12	WAIT 11:20 50:16,27 51:13 54:2 56:9	WAY 2:24 3:3 5:22 7:22 13:6 14:4 15:20 15:25 16:16,20 17:28 19:3 20:18 23:10 31:1,12 35:14 36:17 39:18,26 41:3 45:9 52:21,25 54:1 56:5,17 59:15,15 62:9,15 68:11,20
ULTIMATE 31:19 33:17	VACCINATED 53:25,26	WAITING 11:22	WAYS 13:19 28:16 28:18 37:27 47:7 66:2
ULTIMATELY 23:9 59:21	VALID 54:10	WALK-ON 17:23	WE'LL 3:21,23 6:24 11:27 18:14 20:1,2 22:9,9 47:22 53:27 55:13 58:22 59:8,27 61:25
UNDERGROUND 41:28	VALLEY 34:18 44:2 68:7	WALK-ONS 28:7 58:16,19	WE'RE 1:26 8:14,17 13:23 16:24 18:11 18:15 19:23 21:28 22:11 23:15 24:8 25:2 27:6 28:23 29:7 30:9 33:20 38:11,14 39:5 40:22,25 42:6 43:6 44:19,28 45:18 46:1,6,10 49:24 53:8 55:5,11,26 58:22 59:26 61:15,20,26 64:26 66:21
UNDERLYING 2:5	VARIATION 65:17	WALKING 42:5	WE'VE 1:26 5:4 10:23 11:27 13:25 20:26 22:12 30:25 37:15,17,21,22 38:7 55:6,7,9,14 58:22 61:25 68:1
UNDERNEATH 4:13	VARIOUS 1:13 2:28 25:5 26:9 28:18 34:8 37:27 61:13	WANT 3:18,22 5:16 11:11 14:5 15:15,26 19:19 20:28 21:1,19 22:5 25:18 28:6 35:24 36:26,28 37:5 39:4 40:3,24 42:8 43:11 44:17,26 45:11 46:27 48:26 49:4 52:19,24 53:2 56:2,11,19 59:4 62:18,21,24 63:21 63:25 64:18,18 67:14 68:6 69:17	WEBINARS 30:23
UNDERSTAND 5:22 6:7,8,14 10:25 13:16 17:13 18:5 29:20 44:24 51:5 66:18,21	VENTURA 2:25 3:9,9 3:10,16 1:18 2:12 4:9 8:22 16:9 27:15 28:9 30:19 31:12 32:6,23 43:22 44:1,2 44:12 45:17,26 46:1 46:14 47:2,3 49:5,8 51:11 54:23 65:5,8 69:20 70:2	WANTED 5:1 16:3,8 16:21 18:23 21:17 23:28 55:21 67:25	WEBSITE 8:2,6,11 8:15 9:15,18 28:20 28:21 64:14
UNDERSTANDAB... 12:23	VENTURA'S 16:27 45:6 67:7	WANTING 20:21 39:24 53:22	WEBSITES 28:24
UNDERSTANDING 10:18 45:13	VERSION 50:25	WANTS 6:4 20:16 23:19 62:15 66:21	WEEK 48:1,8,10 49:1 56:20 62:21 67:2
UNDERSTOOD 16:16 41:11 67:10	VERSUS 1:16 7:9,13	WATER 1:8,25 2:3 2:18,22 3:17 1:3,16 2:2 8:25 10:19,20,20 12:9,15,18 13:5 18:6 19:12,13 20:22 25:1 26:1,22 29:22,25 30:3 32:4,10,12,15 33:4 35:16,19 36:20 40:1,28 41:28 43:4 45:7,7,14,15,18,24 45:25,27 46:4,21,23 46:23,28 47:2,8,9,10 59:23 61:3 66:19,23 69:26 71:8	WEEKEND 53:25
UNFILED 14:20	VICINITY 28:9	WATERFALL 52:7	WEEKS 13:8 14:28 50:20 61:28 62:11 62:19
UNFORTUNATELY 13:21 20:9 26:28	VIDEO 1:21,27	WATERMASTER 34:19	WEINTRAUB 2:20
UNIDENTIFIED 7:27	VIEW 2:17 8:28 10:9 17:13 20:18 37:3 44:23 46:4 51:24 57:18	WATERSHED 46:8	
UNILATERAL 49:7	VIEWS 59:28 60:1,12	WATERWORKS 19:11,13	
UNINTELLIGIBLE 18:26 31:24 32:5,10 32:11 42:23	VIRTUALLY 52:26		
UNLEARN 41:2	VIRTUE 9:18		
UNNAMED 4:3 19:6 68:15	VIRTUOUS 56:28		
UNPERSUASIVE 27:11	VISIBLE 52:8,16,16		
UNRELATED 60:15	VISIT 51:20 53:15		
UNUSUAL 6:13 33:5	VOLUME 35:27		
UPPER 31:6 38:2,7 43:22,26 44:1,14 65:11 68:7 69:25	VOLUNTARILY 5:17		
UPSTREAM 32:14 32:18	VOLUNTARY 21:14		
USE 18:5 26:23 33:15 52:25 69:8,21	VOLUNTEERING... 15:25		
USES 34:8	VS 1:7,3 61:3 71:7		
	W		
	W 2:16,24 4:5		
	WAGGENER 2:14		

WEIRD 69:9	WORKING 1:27 8:17 10:17 11:6 16:9 25:2 25:27 26:9,28 35:22 46:2 50:14,20 53:8	10TH 48:23	
WELLS 26:5,15,20 26:22,23,27 64:23	WORKS 14:14 19:4 24:21 48:20	13255,Signature 71:24	5
WENT 16:8 69:9	WORTH 54:24	15 47:13 48:19 51:3 59:5 60:14	50 56:11
WENZLAU 2:5 21:4 21:5,8,25,26 24:23 24:23,26 25:2,10,13	WORTHWHILE 17:14	15TH 48:12 50:28 51:19 57:9	6
WHATSOEVER 42:17	WOULDN'T 20:3 51:4	17TH 48:24 49:2	7
WIFE 15:11,14 16:15 41:8	WRITTEN 4:19	1857 1:25	70 71:16
WILDLIFE 2:7 24:6 29:1,27 66:13	<hr/> X <hr/>	19 4:8,19 59:3	8
WILLIAM 1:3,6 13:4 13:7 17:6,7,17,21 18:3 61:6 71:3	X 4:1,8	1936 51:22	830 19:4
WILLING 50:27 65:24	XC 69:13	1950S 26:8	833(C) 39:13,18
WIN 56:21	<hr/> Y <hr/>	1999 17:9	836 4:18
WIN-LOSS 58:7	YARDS 65:20	19STCP01176 1:7,1 1:15 61:1 71:7	842 23:22 26:14
WIN-WIN 59:19	YEAH 9:21 11:8 29:19 51:7	1ST 28:1	849 39:13
WIND 5:23	YEAR 44:23 45:8	<hr/> 2 <hr/>	850(A) 39:13
WISDOM 20:10 36:10	YEARS 33:7,17 34:20 40:27	2 35:2	9 1:14 4:2 1:5 61:5 71:18
WISE 64:12	YESTERDAY 11:5 11:28	20 20:14 25:12	9,900 57:17
WISH 12:19 62:13 66:11 67:11 69:28	<hr/> Z <hr/>	200 56:12	90071 1:18
WISHES 20:11	Z 5:27,28 6:1	2006 2:11	92612 1:26
WONDERFUL 57:2	ZERO 40:28	2021 1:14 4:2 1:5 61:5 71:18,20	930 1:23
WONDERING 55:1	ZEROING 10:1	21 34:20	93101 1:21
WONDERS 5:9	ZOLEZZI 3:17	2100 12:8 57:18 58:9	95814 1:23
WOOD-CLAEYSS... 1:19 32:28	<hr/> 0 <hr/>	23RD 71:20	98 12:17
WORD 69:8	<hr/> 1 <hr/>	25TH 1:18 21:15 24:26 25:10	9TH 1:25
WORDS 5:25 8:24	1 17:9 24:19,20 25:11 25:14,25 27:7,12,13 28:7 54:16 71:16	26TH 49:16,20	
WORK 3:2,9,21 5:7 6:10,25 8:6,7,9,13 9:13,14,25 12:4 14:4 14:5 15:15,19 18:10 18:13,16 20:1,2 22:1 22:11 29:8 30:11,23 32:7 33:18 39:10 47:22 48:18 50:12 50:18,21 53:17,18 53:27 55:25 56:24 57:2 67:6	1.7 30:12	29TH 25:23,24	
WORKED 2:28	1.30 48:22,25 49:4	2ND 1:20	
	1.50 1:7	<hr/> 3 <hr/>	
	10 1:3,6 4:22 35:2 49:1 59:3 61:6 71:3	3:35 61:7	
	10,000 45:7 57:15,17	3:50 70:14	
	100 56:12	30 14:22	
	1021 1:20	300 1:18	
	105 18:1,2,5	32 51:22	
		34 51:22	
		36 33:7	
		<hr/> 4 <hr/>	
		4 32:7	
		430 12:19 20:10	
		4745 1:27,8 61:8 71:13,26	