

1 RANCHO CUCAMONGA, CALIFORNIA; WEDNESDAY, JANUARY 31, 2001;

2 A.M. SESSION

3 DEPARTMENT R-8 HON. J. MICHAEL GUNN, JUDGE

4 APPEARANCES:

5 (Appearing for the Plaintiff, MR. MICHAEL T. FIFE,
6 Attorney at Law.)

7

8 (Heather R. Moore, C.S.R., Official Reporter, C-10294)

9

10 THE COURT: This is case number RCV 51010,
11 otherwise known in our parlance around here as
12 Watermaster.

13 I think you're a little bit late to shorten
14 time. It is really an ex parte motion. Is there anybody
15 else here on this?

16 MR. FIFE: No.

17 THE COURT: It is unopposed. You are going to
18 have to fax notice of the ruling, so I am preparing it
19 right now for you.

20 MR. FIFE: Okay. Excellent.

21 THE COURT: Because you have got to give it. I
22 don't want anybody coming down here tomorrow.

23 MR. FIFE: Right. I think pretty much verbally
24 everybody's been notified. We will go through the formal
25 notification process today.

26 THE COURT: All right. Well, not only are you

1 going to go through the formal notification process, since
2 we don't have an agreement on the fax, I want you to fax
3 it also.

4 And I think your idea of having a workshop some
5 time in February is probably a pretty good idea, so I will
6 suggest that to Anne Schneider too. I will somehow try to
7 get a hold of her by telephone. Obviously, she is not
8 here today, but I will try to get a hold of her and notify
9 her. Perhaps your office could, also.

10 MR. FIFE: Okay.

11 THE COURT: And if you will wait just a second.
12 Do you wish to be heard on any of that? It is
13 going to be continued to March 8th.

14 MR. FIFE: I am only here to answer any
15 questions you might have.

16 THE COURT: Okay. I hope you can do everything
17 by March 8th. Looks like you have a lot on your plate.

18 MR. FIFE: We're fairly certain we can. I have
19 also brought copies of the draft as far as where it stands
20 right now. This is a copy of the draft that was
21 distributed to everybody yesterday at --

22 THE COURT: You can give that to the bailiff and
23 I will take a look at it.

24 MR. FIFE: There are three copies of it.

25 THE COURT: I do note with some degree of

26 concern that Western's conditional approval is good

3

1 through the month of March.

2 MR. FIFE: I think it's through the end of
3 March.

4 THE COURT: Good. Through the end of March. It
5 might have only been to March 30th instead of March 31st.
6 But I do recall that being in there. That's why I am a
7 little bit concerned. And I actually toyed with
8 continuing the case later than March the 8th. And then I
9 thought, how could I, because --

10 MR. FIFE: I think given that it was the
11 financial data that has really been holding us back. We
12 did -- that data did come out.

13 THE COURT: You say on the 25th? I suspect you
14 probably had it sooner then.

15 MR. FIFE: No. Actually, the report is dated
16 the 23rd.

17 THE COURT: The 23rd? Was it the 23rd or did
18 you receive it on the 23rd?

19 Was it the 23rd?

20 MR. FIFE: The report was dated the 23rd. I
21 think everyone first saw it on the 24th. I think that was
22 our first meeting with it.

23 THE COURT: Okay. Anyway, let me go in the back

24 and see if it is completed.

25 MR. FIFE: I had three copies, because it was my
26 courtesy copy and we didn't know how many you would want.

4

1 THE COURT: Three is great. I can give one to
2 the research attorney. Good. And I will file one.

3 We still have it coming off the press, so when I
4 get that I will have the clerk give that to you.

5 (Proceedings in the above-entitled matter
6 were concluded.)

7 --oOo--

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22
23
24
25
26

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION
3 DEPARTMENT R-8 HON. J. MICHAEL GUNN, JUDGE

4

5 CHINO BASIN MUNICIPAL WATER)
DISTRICT,)
6)
Plaintiff,)
7)
vs.) Case No. RCV 51010
8)
THE CITY OF CHINO,)
9)
Defendants.)
10)
_____)
11

12

13

REPORTER'S TRANSCRIPT OF ORAL PROCEEDINGS

14

re: Ex Parte Motion to Continue

15

Wednesday, January 31, 2001

16

APPEARANCES:

17

For the Plaintiff:

HATCH AND PARENT

18

By: MR. MICHAEL T. FIFE
Attorney at Law

19

20
21
22
23
24
25
26

Reported by: HEATHER R. MOORE, C.S.R.
Official Reporter, C-10294

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION
3 DEPARTMENT R-8 HON. J. MICHAEL GUNN, JUDGE

4
5 CHINO BASIN MUNICIPAL WATER)
DISTRICT,)
6 Plaintiff,)
7 vs.) Case No. RCV 51010
8 THE CITY OF CHINO,)
Defendants.)
9 _____)
10

11 STATE OF CALIFORNIA)
12 COUNTY OF SAN BERNARDINO) ss

13 I, Heather R. Moore, Official Reporter of the Superior
14 Court of the State of California, for the County of San
15 Bernardino, Rancho Cucamonga Division, do hereby certify
16 under penalty of perjury that the foregoing pages numbered
17 1 through 4, comprise a full, true and correct

18 computer-aided transcription of the proceedings held in
19 the above-entitled matter on Wednesday, January 31, 2001.

20 Dated this 25th day of June, 2001.

21

22 _____C.S.R.

23 Official Reporter, C-10294

24

25

26