

**Frank Melbourn - Fwd: RE: In the Matter of Tentative Cleanup and Abatement Order No. R9-2011-0001**

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**From:** Catherine Hagan (George)  
**To:** Frank Melbourn  
**Date:** 11/2/2010 3:17 PM  
**Subject:** Fwd: RE: In the Matter of Tentative Cleanup and Abatement Order No. R9-2011-0001

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>>> Catherine Hagan (George) 10/22/2010 12:15 PM >>>  
Ms. Nichols,

Your request is acceptable. Please submit the Port District's reply brief by close of business on October 25, 2010.

Best regards,

Catherine George Hagan  
Senior Staff Counsel  
Office of Chief Counsel  
State Water Resources Control Board  
[chagan@waterboards.ca.gov](mailto:chagan@waterboards.ca.gov)

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>>> "Nichols, Sandi" <[snichols@allenmatkins.com](mailto:snichols@allenmatkins.com)> 10/22/2010 12:12 PM >>>  
Dear Ms. Hagan:

The Port District respectfully requests that it be permitted to submit a brief Reply to the Responses received on the Port District's Motion to Re-Open and Extend Discovery Deadlines. There are significant procedural and substantive issues raised by the Responses, which require a reply before a ruling is made by Acting Chair Destache to assure the parties are afforded due process in this proceeding. We propose to submit our Reply by close of business on **Monday, October 25, 2010.**

We appreciate your consideration of this request.

Very truly yours,

Sandi Nichols  
Attorney for San Diego Unified Port District

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**From:** James V. Handmacher [mailto:JVHandmacher@bvmm.com]

**Sent:** Friday, October 22, 2010 11:36 AM

**To:** Hagan, Catherine

**Cc:** Andrews, Melanie; Barrett, D; Botha, W; Brown, William; Carrigan, Christian; Cloward, Sharon; Cushman, Nate; Dart, Matthew; Dragna, Jim; FitzGerald, Leslie; Goldberg, Steve; Gonzales, V; Gonzalez, Marco; Hunter, Laura; Jill; Ledger, Brian; Lieb, f; Lucchesi, Jennifer; Luxton, Matthew; Lytz, Karl; McDonough, Michael; McNevin, Christopher; Mulliken, David; Newsome, Kathryn; Nichols, Sandi; Parra, Raymond; Reinhart, Douglas; Richardson, Kelly; Sarah; Scully, M; Silverstein, David; Solmer, Gabe; Spear, Scott; Stahl, Tom; Tobe, Roslyn; Tracy, Jill; Tracy, Mike; Wall, B

**Subject:** In the Matter of Tentative Cleanup and Abatement Order No. R9-2011-0001

Ms. Hagan,

Campbell Industries joins in the responses filed by BAE Systems and NASSCO.

Campbell Industries opposes the Port's request to propound additional discovery against Campbell Industries. Campbell Industries has already produced its insurance policies to the Port in the federal litigation. Further discovery regarding the financial resources of the Dischargers in this proceeding is nothing more than harassment. The Port knows and admits in its motion that the Dischargers as a group have far more than adequate financial resources to complete the cleanup. The Port has latched upon a reference in the DTR to "sufficient financial resources" to support engaging in wide-ranging new discovery, ignoring the rest of the sentence which clearly indicates that the critical factor for the Board is compliance with the CAO.

James V. Handmacher

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