

## Farwell Jensen, Jane@Waterboards

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**From:** Jennifer Spaletta <jennifer@spalettalaw.com>  
**Sent:** Thursday, August 25, 2016 3:24 PM  
**To:** Stacy Henderson  
**Cc:** Tauriainen, Andrew@Waterboards; Farwell Jensen, Jane@Waterboards; Russell Frink; jonathan.knapp@sfgov.org; anna.brathwaite@mid.org; agodwin@MRGB.ORG; Kuenzi, Nicole@Waterboards; Buckman, Michael@Waterboards; Mona, Ernie@Waterboards  
**Subject:** Re: Notice of Postponement of Public Hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Hearing Officer and Hearing Team:

Mr. Hoy also joins in this request.

Thank you,

Jennifer Spaletta  
Spaletta Law PC  
Attorney for Peder Hoy

Sent from my iPhone

On Aug 25, 2016, at 3:21 PM, Stacy Henderson <[shenderson@thtlaw.com](mailto:shenderson@thtlaw.com)> wrote:

Good afternoon.  
I join in this request on behalf of Mr. Passalacqua.

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<image004.png>

**STACY L. HENDERSON**

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**From:** Tauriainen, Andrew@Waterboards [<mailto:Andrew.Tauriainen@waterboards.ca.gov>]  
**Sent:** Thursday, August 25, 2016 3:14 PM  
**To:** Farwell Jensen, Jane@Waterboards; [jennifer@spalettalaw.com](mailto:jennifer@spalettalaw.com); [russell@spalettalaw.com](mailto:russell@spalettalaw.com); [shenderson@thtlaw.com](mailto:shenderson@thtlaw.com); [jonathan.knapp@sfgov.org](mailto:jonathan.knapp@sfgov.org); [anna.brathwaite@mid.org](mailto:anna.brathwaite@mid.org); [agodwin@MRGB.ORG](mailto:agodwin@MRGB.ORG)  
**Cc:** Kuenzi, Nicole@Waterboards; Buckman, Michael@Waterboards; Mona, Ernie@Waterboards  
**Subject:** RE: Notice of Postponement of Public Hearing

Hearing Officers and Hearing Team:

Thank you for granting the joint request to postpone the Passalaqua/Hoy ACLC/Draft CDO hearing. The Prosecution Team and representatives for Mr. Hoy and Mr. Passalaqua expect to complete settlement negotiations within 60-90 days, or sooner. On that basis, the Prosecution Team, Mr. Hoy and Mr. Passalaqua jointly request that the Hearing Team leave this matter off calendar unless notified by the parties that the settlement negotiations have ended without agreement. In that event, the Prosecution Team, Mr. Hoy and Mr. Passalaqua will, after consultation with the other parties, propose a discovery and hearing schedule for the Hearing Officers' consideration. Representatives for Mr. Hoy and Mr. Passalaqua will join separately in this request.

This message is copied to the representatives for all parties who submitted Notices of Intent to Appear listed here:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/passalaqua\\_hoy/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/passalaqua_hoy/index.shtml)

Best,

Andrew Tauriainen, Attorney III  
State Water Resources Control Board  
Office of Enforcement  
1001 I Street, 16th Floor  
Sacramento, CA 95814  
tel: (916) 341-5445  
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**From:** Farwell Jensen, Jane@Waterboards  
**Sent:** Thursday, August 25, 2016 9:50 AM  
**To:** [jennifer@spalettalaw.com](mailto:jennifer@spalettalaw.com); [russell@spalettalaw.com](mailto:russell@spalettalaw.com); [shenderson@thtlaw.com](mailto:shenderson@thtlaw.com); Tauriainen, Andrew@Waterboards; [jonathan.knapp@sfgov.org](mailto:jonathan.knapp@sfgov.org); [anna.brathwaite@mid.org](mailto:anna.brathwaite@mid.org); [agodwin@MRGB.ORG](mailto:agodwin@MRGB.ORG)  
**Cc:** Kuenzi, Nicole@Waterboards; Buckman, Michael@Waterboards; Mona, Ernie@Waterboards  
**Subject:** Notice of Postponement of Public Hearing

Ladies and Gentlemen:

Please find attached the Notice of Postponement of Public Hearing to determine whether to issue a Cease and Desist Order and whether to impose Administrative Civil Liability against Mike Passalaqua and Peder Hoy, Tuolumne River in Stanislaus County.

Best regards,

Jane Farwell Jensen  
Ph: (916) 341-5349  
Fax: (916) 341-5400

[State Water Resources Control Board](#)  
[Division of Water Rights](#)  
[Hearings and Special Programs Section](#)

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