

**From:** "Everett DeLano" <everettdelano@yahoo.com>  
**To:** "Jorge Leon" <JLeon@waterboards.ca.gov>  
**Date:** 12/5/2008 11:28 AM  
**Subject:** RE: ACLC R9-2005-0265 Hearing Procedures Document

My apologies, Jorge. I wish this were in my control. I can tell you that I have seen a draft and that work is being done on it as I write this e-mail. My hope is that you folks will receive something from TECC by Monday or Tuesday of next week.

Everett

Law Offices of Everett L. DeLano III

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From: Jorge Leon [mailto:JLeon@waterboards.ca.gov]  
Sent: Friday, December 05, 2008 10:41 AM  
To: Everett DeLano  
Cc: etaylor@brownandwinters.com; Jeremy Haas; Mike McCann; Rebecca Stewart  
Subject: RE: ACLC R9-2005-0265 Hearing Procedures Document

Everett, are we going to receive updated SEP material today? I believe that you indicated last week that we would receive something by this week. We will need time to review it and to prepare a settlement agreement and draft order and provide 30-days notice before the February, 2009 Bd meeting if we are to proceed with this case as a settlement/sep. Management is losing patience with us on this matter. If we do not receive and finalize all material, essentially within the next week, we will be forced to proceed with either a hearing on the ACL or with presentation of a Stipulation without an SEP. At this late date, we are uncertain whether we can meet the deadlines even if you submit your responses to our comments today. Unfortunately, I will be occupied on other matters for much of next week and we are fast approaching the holiday period when essential players are away on vacation. We provided comments to you quite some time ago and are disappointed that we have not already received responses. Our choices on how to proceed are fading fast. It's looking more and more as though we will be forced to proceed before the Board in the same manner that we were jammed into doing last time around, with the Prosecution Team and the City presenting a stipulation for the ACL amount, and leaving you to independently present the SEP proposal.

Jorge A. Leon  
Senior Staff Counsel  
Office of Enforcement  
State Water Resources Control Board  
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>>> "Everett DeLano" <everettdelano@yahoo.com> 12/5/2008 9:46:55 AM >>>

Attached is a request for Designated Party status.

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-----Original Message-----

From: Catherine Hagan (George) [HYPERLINK "mailto:CHagan@waterboards.ca.gov%5d"mailto:CHagan@waterboards.ca.gov]  
Sent: Tuesday, November 25, 2008 10:06 AM  
To: hapamom@alum.mit.edu; etaylor@brownandwinters.com; cphillips@ci.escondido.ca.us; jburcham@ci.escondido.ca.us; lvereker@ci.escondido.ca.us; mmann@ci.escondido.ca.us; mmcguinness@ci.escondido.ca.us; ksbarnard@earthlink.net; highwayscribery@sbcglobal.net; gabe@sdcoastkeeper.org; Catherine Hagan (George); Jeremy Haas; Jorge Leon; John Robertus; Mike McCann; Rebecca Stewart; everettdelano@yahoo.com  
Subject: ACLC R9-2005-0265 Hearing Procedures Document

All,

Attached is the hearing procedures document issued by the Advisory Team today for the February 11, 2009 hearing in the matter of Administrative Civil Liability Complaint No. R9-2005-0265. Please let me know if you have any difficulty opening the document. Please forward the document to anyone you know who may be interested in the proceeding.

Regards,

Catherine George Hagan  
Senior Staff Counsel  
Office of Chief Counsel  
State Water Resources Control Board  
chagan@waterboards.ca.gov

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9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340  
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