

January 28, 2016

VIA ELECTRONIC MAIL

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Re: Stipulations

Dear Andrew:

While we wait for the Hearing Officer to rule in the WSID Enforcement Action, I want to take this opportunity to reach out to you regarding factual stipulations.

I have to state that we remain confused regarding your objection to Karna Harrigfeld's proposed testimony. Her testimony is factual in nature, and limited to mundane factual issues regarding the district. Your offer to allow WSID to substitute a non-attorney for this testimony only heightens our confusion. If the testimony is non-objectionable coming from a district employee, why is it objectionable to come from its attorney? The testimony from either party is limited to the factual items included in the testimony. The problem is that there is no one at the districts that has personal knowledge of all of the factual information, if we were to substitute staff people it would likely take at least two to accomplish the task.

In any event, we are frustrated because this dispute would have been eliminated had the Prosecution Team seriously considered the factual stipulations that we offered in November of 2015, over two months ago. While we received your red-lined changes to our proposed stipulations of fact on November 23, 2015, you have since refused to engage in any discussion regarding factual stipulations. We continue to believe that factual stipulations would streamline the hearings and allow us to focus on the legal issues, and would request you to seriously consider our proposed stipulations

Very truly yours,



JEANNE M. ZOLEZZI  
Attorney-at-Law

cc: Service List

