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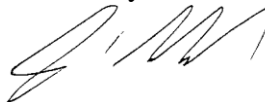
MEMORANDUM

To: Dave McCracken, The New 49'ers Legal Fund
From: James L. Buchal
Date: October 10, 2014
Re: Further Developments in *People v. Rinehart*.

I am pleased to report two positive developments in *People v. Rinehart*. On October 8, 2014, the California Court of Appeal issued an order providing for publication of the opinion. And on October 10, 2014, the Court of Appeal denied the State's petition for rehearing. It is possible that the State may seek further review in the Supreme Court of California.

With publication, the opinion is now binding on all Superior Courts in the State of California, including the Superior Court for San Bernardino County. That Court is, as you know, in the process of attempting to fashion a comprehensive settlement of the coordinated suction dredging cases. We expect publication to enhance the bargaining position of the mining community, and increase the change of a negotiated settlement that appears to be the fastest way of getting miners back in the water.

Sincerely,



James L. Buchal