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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO

DEPARTMENT S36 HON. GILBERT OCHOA, JUDGE

Coordination Proceeding Special)  
Title (Rule 1550(b) )  
 )  
 )  
SUCTION DREDGE MINING CASES ) Case No. JCPDS4720  
 )  
 )  
 )  
AND ALL INCLUDED ACTIONS: )  
 )

REPORTER'S TRANSCRIPT OF ORAL PROCEEDINGS  
TUESDAY, JUNE 23, 2015

APPEARANCES:

FOR THE PLAINTIFF LYNNE R. SAXTON  
KARUK TRIBE ACTION: JONATHAN EVANS  
Attorneys at Law

FOR THE PLAINTIFF DAVID YOUNG  
KIMBLE and PUBLIC Attorney at Law  
LANDS FOR THE PEOPLE,  
INC. ACTIONS:

FOR THE PLAINTIFF JAMES BUCHAL  
NEW 49'ERS, INC: Attorney at Law

FOR THE DEFENDANT BRADLEY SOLOMON  
CALIFORNIA DEPARTMENT Deputy Attorney General  
OF FISH AND WILDLIFE:

MARC MALNICK  
Attorney at Law

JOHN MATTOX  
Attorney at Law

Reported By: MARY ANDERSON, C.S.R.  
Official Reporter, CSR-10319

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SAN BERNARDINO, CALIFORNIA; TUESDAY, JUNE 23, 2015

A.M. SESSION

DEPARTMENT S36 HON. GILBERT OCHOA, JUDGE

APPEARANCES:

LYNNE SAXTON, Attorney at Law; JAMES BUCHAL, Attorney at Law; DAVID YOUNG, Attorney at Law; JONATHAN EVANS, Attorney at Law, representing Plaintiff; BRADLEY SOLOMON, Deputy Attorney General; MARC MALNICK, Attorney at Law; JOHN MATTOX, Attorney at Law, representing Defendant.

(Mary Anderson, C.S.R., Official Reporter 10319)

THE COURT: Number 2, In Re: Suction Dredge.

MR. BUCHAL: James Buchal for plaintiff, the New 49ers, et al.

MR. EVANS: Jonathan Evans for Karuk Tribe.

MS. SAXTON: Lynne Saxton for the Karuk Tribe Coalition.

MR. SOLOMON: Bradley Solomon, California Department of Fish and Wildlife.

MR. MALNICK: Marc Malnick for the defendants, your Honor.

MR. MATTOX: John Mattox for the California Department of Fish and Wildlife.

MR. WALKER: Steve Walker representing myself.

THE COURT: Yesterday afternoon there was an attempted ex parte communication by Mr. Walker. Mr. Walker, one-on-one conversations with the Court are appropriate for the mandatory settlement conferences which have been

1 conducted in this case, but it is not appropriate for a hearing  
2 like this. I understand the confusion that you might have had  
3 as a result. I wanted to inform everybody of that, that  
4 there's no communication as to that ex parte.

5 Mr. Young, state your appearance.

6 MR. YOUNG: David Young, your Honor, on behalf of the  
7 Kimble plaintiffs and most of the POP plaintiffs.

8 THE COURT: Before we get to the matter at hand, I  
9 don't believe that we have a trial date on the merits. I want  
10 to discuss that date first and select a date.

11 So does anybody have any recommendation for when you  
12 want to have the trial on this?

13 MR. MALNICK: Your Honor, we submitted a stipulation  
14 setting a briefing schedule on the --

15 THE COURT: When did you submit that?

16 MR. SOLOMON: It's been a number of weeks now. I  
17 think the Court -- we contacted the Court, and I think there  
18 have been some inquiries to you as to the status of the  
19 stipulation. It laid out -- perhaps you have seen it already.  
20 It laid out all the briefing schedule for the CEQA matter.

21 THE COURT: Was a date selected?

22 MR. SOLOMON: We don't have a date for the hearing.  
23 We only said that it would be in, I believe, in January.

24 MS. SAXTON: The week of January 18th, I believe.

25 THE COURT: How about January 20th for the trial  
26 date?

1 MR. MALNICK: At what time, your Honor?

2 MS. SAXTON: Just to clarify, when you say trial  
3 date, the stipulation had just spoke about the hearing date  
4 being just for the CEQA issues. I know the miners have  
5 additional, like, Takings issues and some other --

6 THE COURT: It's everything, so everything. It will  
7 be on that date.

8 You have a time estimate that you would like?

9 MR. SOLOMON: Well, to be frank, your Honor, if we  
10 were try the Takings claim, that would take days, if not weeks.  
11 So there's a question as to whether the miners are going to  
12 proceed on those claims. If they are on that date, it's going  
13 to completely change the framework of that hearing.

14 MR. MALNICK: The CEQA claims are based on briefing,  
15 your Honor. There will be no live evidence. It's based on the  
16 record, so it's just argument. That's different than a real  
17 trial.

18 THE COURT: So are you telling me you don't have an  
19 estimate, then, because you don't know?

20 MR. MALNICK: We haven't met and conferred about  
21 that, your Honor.

22 MR. SOLOMON: I think this is the first, your Honor,  
23 that we considered the possibility that that hearing in January  
24 would resolve all the issues in the case. We talked about  
25 handling the case in phases, and the final phase was going to  
26 be potentially the Takings claim, if the miners were going to

1 proceed on that. I think we were all operating on the  
2 understanding that the CEQA and on all other issues other than  
3 the Takings claims would be tried in January, and then we would  
4 decide at that point whether there was going to be any further  
5 litigation on the Takings claim. I think we're sort of a bit  
6 at a loss right now because we hadn't considered that  
7 possibility yet.

8 THE COURT: I don't think that the decision has to be  
9 made after the CEQA issues have been litigated. The case has  
10 been around a long time. It's my longest CEQA case that I  
11 have, so I want to get rid of all of it. Everything is going  
12 to be dealt with on the 20th, so we're going to go forward on  
13 the Takings if they are going forward. And if we're not, then  
14 that -- CEQA issues shouldn't take more than an hour.

15 MR. SOLOMON: I completely agree with the Court's  
16 time estimation with regard to CEQA. The only thing with the  
17 Takings, your Honor, if someone were to bring a true Takings  
18 claim in the context of this case in what counsel has asked for  
19 would be a class action, the amount of discovery that would be  
20 required would make it next to impossible to complete that  
21 discovery prior to a January hearing date. I'm not envisioning  
22 that's where the miners are going with this. I know  
23 Mr. Buchal -- and you can correct me if I'm wrong -- has  
24 already said we wouldn't probably go there.

25 MR. BUCHAL: We will go there. That's the whole  
26 idea. If we can't mine, we should be paid.

1 MR. SOLOMON: Then, your Honor, if that's the case,  
2 we would ask for a farther out date with regard to the Takings  
3 claim because --

4 THE COURT: How much farther? How long has the  
5 Takings claim been around, Mr. Buchal?

6 MR. BUCHAL: Since the first day the claim was filed.  
7 What was it -- I don't have the first of 16 volumes of  
8 pleadings with me. I can't remember. 2012 maybe.

9 MR. YOUNG: 2013.

10 THE COURT: It's been around since 2012. This is  
11 2016. That's four years.

12 MR. SOLOMON: Right, your Honor. I think there's an  
13 understanding that the parties have not for -- in order to  
14 conserve resources and because of the direction we were taking  
15 because of settlement discussions and the very nature of this  
16 unique case --

17 THE COURT: How much additional time do you want?

18 MR. SOLOMON: If Mr. Buchal is going to move to  
19 certify a class before we get to the trial of the Takings claim  
20 because if he does not certify a class we would be trying  
21 individual Takings claims. That would take months to do that.  
22 There are hundreds, if not thousands, of claimants. So we have  
23 to get some understanding of what this Takings case is.

24 MR. BUCHAL: It's not so complicated. There's  
25 about -- my case have, I think, 24 mining claims in them by  
26 something like a dozen plaintiffs. And if we were to try just

1 those, it would take maybe a half day for each claimant to get  
2 up and say, Here's what I got out of the claim. Here is what I  
3 lost by losing it. Here is what it's worth. Talking about --

4 THE COURT: Six days?

5 MR. BUCHAL: I think you can do it in six days from  
6 my side. I don't know what he will do. Between now and  
7 January 20th, we'll move to certify, and the Court can make its  
8 decision on certification. If it's certified then what we have  
9 suggested is that the Court would devise some mini-trial-type  
10 format on damages. What we would do is we would decide if  
11 there's Takings liability, as a matter of law, and then some  
12 expedited procedure with notice of classing, here is what you  
13 should send in. And there will be some almost  
14 quasi-administrative scheme for determining the value. It's a  
15 little more complicated if there's a class, but it's not --

16 THE COURT: How much time do you need, Mr. Solomon?

17 MR. SOLOMON: At minimum a few months. May I ask,  
18 your Honor, if we could after this hearing try to work out a  
19 proposed stipulation for the Court as to the scheduling of his  
20 certification hearing and then --

21 THE COURT: That's fine. But I want to select a date  
22 for the trial today before everybody leaves.

23 MR. SOLOMON: Is the Court considering if we  
24 continue -- that we're going to continue the CEQA matter if we  
25 request additional time for the Takings matter?

26 THE COURT: I'll leave it to you folks to work

1 something out. I'm willing to work with you, as I have been  
2 all along. But we just kind of need to put the matter to rest,  
3 at least in this court.

4 MR. YOUNG: The Kimble proceeding, in September we're  
5 running up against the five-year statute. Mr. Solomon and I  
6 have stipulated among ourselves to extend that. And I think it  
7 meets whatever statutory requirements there. But if the Court  
8 would like something formal for the file, I guess we can  
9 prepare something formally so it would be in the file and for  
10 the Court's eyes.

11 THE COURT: If you extend the five years, you need  
12 some type of stipulation.

13 MR. YOUNG: We have that.

14 THE COURT: You're not going to be able to do that  
15 orally.

16 MR. YOUNG: Under the statute I think you can do it  
17 orally in court. I have it with me. But I think it can be  
18 done orally. And we have stipulated among ourselves in sort of  
19 informal e-mails. But we can file a stipulation -- formal  
20 stipulation with the Court.

21 THE COURT: I said orally, I mean outside the  
22 presence of the Court. I mean, obviously, if I don't know  
23 about it, that's not working. I can do it, certainly, on the  
24 record in court.

25 MR. SOLOMON: Your Honor, I apologize. Actually, I  
26 left my calendar back at the hotel. And I should have been

1 contemplating that potentially we'd be setting a date like this  
2 today, so I apologize. What I'm wondering is, I don't envision  
3 that we want to delay the CEQA matter further. Maybe I'm  
4 wrong. But I'm envisioning the Takings claims would be heard  
5 shortly -- at a trial date shortly after the CEQA.

6           Could we potentially enter into a stipulation after  
7 today's hearing that we would send the Court within the next  
8 few days with regard to the cert? Mr. Buchal seems to be  
9 indicating that he wants to set a date right now?

10           MR. BUCHAL: We're happy with the January 20th date.  
11 We'll talk to you, if you need another month or something. It  
12 has gone on forever. And cases have to come to an end.  
13 There's only more the State can do to increase our costs and  
14 delay our justice, and we're tired of it.

15           MR. YOUNG: Can we have a stipulation with  
16 Mr. Solomon and myself on the record in court that on the  
17 Kimble, the five-year statute is extended?

18           MR. SOLOMON: We're not going -- that's stipulated,  
19 your Honor. We're not claiming the five-year statute on  
20 Kimble. We understand the Court wants more formal  
21 documentation on that.

22           But with regard to the Takings, your Honor,  
23 your Honor tries a lot of cases --

24           THE COURT: Hold on, Mr. Solomon. You made a request  
25 for more time, and I'm willing to entertain that request. What  
26 I'm going to have you do after the hearing this morning, maybe

1 you can run back to the hotel, get your calendar and talk about  
2 it. And then when you guys are ready to talk again, I'm here  
3 all day. So I'm not going anywhere today. So that's what I  
4 would ask you to do. That's on the trial date.

5 So let's move on to the hearing. I've given you the  
6 tentative.

7 Does the movement wish to be heard?

8 MR. BUCHAL: Yes, your Honor.

9 THE COURT: You have five minutes. Mr. Buchal,  
10 gentlemen, if you can remain standing. It's a motion. It's  
11 only five minutes. Unless you have a physical infirmity, you  
12 can sit down.

13 MR. BUCHAL: Your Honor, these cases are coordinated;  
14 they're not consolidated. Mr. Young filed a motion for  
15 preliminary injunction. He did not include a great deal of the  
16 evidence that we have included. The ruling that you made in  
17 Kimble on irreparable injury is in some sense not binding on my  
18 clients. My clients have their own record, and that record  
19 shows actual arrests, visits to the house, seizures,  
20 business --

21 THE COURT: I agree with you there, Mr. Buchal.  
22 Maybe you can explain to the Court what the irreparable injury  
23 to your clients. I know they have harm, and I know that they  
24 have injuries. But for the issuance of the preliminary  
25 injunction, there needs to be irreparable injury. That injury  
26 is something other than that can be dealt with through damages

1 as in, I'm losing my house today. I don't want to be kicked  
2 out of my house. That's an irreparable injury. You need a  
3 preliminary injunction so the bank doesn't sell it.

4 MR. BUCHAL: Their mining claims are like their  
5 houses. They are kicked off of their houses. What they do in  
6 those houses every day this summer or last summer or next  
7 summer are things that the State will never pay us a dime for.  
8 The State will never pay us a dime because one of these guys  
9 stands up and says, I would have found \$20,000 worth of gold  
10 this summer.

11 This is a case that falls right down the middle of  
12 Section 526. I would say section 526 of Code of Civil  
13 Procedure does not require irreparable injury. What it  
14 requires in Section (a) (3) in some act in violation of the  
15 rights of another party to the action respecting the subject of  
16 the action and tending to render the judgment ineffectual.  
17 Now, this court has rendered what is, in substance, a judgment.  
18 It is a summary adjudication on a cause of action. That cause  
19 of action has been --

20 THE COURT: Summary adjudication is not a judgment.  
21 There's an adjudication of a cause of action. It is not a  
22 judgment.

23 MR. BUCHAL: Right. But we have shown you two or  
24 three cases when there's multiple claims in the case and one of  
25 the cases calls for equitable remedy, one of the causes of  
26 action is fully adjudicated. Normal course of action is to

1 issue the injunction to prevent the future harm. On the other  
2 causes of action go back and give the damages. That happens  
3 all the time in California courts. And so what is going on is  
4 these people are, essentially, ignoring their summary  
5 adjudication and trampling on the rights of the miners. So we  
6 think it's a 526(a)(3).

7           It's also a 526(a)(2), irreparable injury, because we  
8 have established that when you have a business and your  
9 customers can't come to the business -- Mr. McCracken  
10 (phonetic) has a business. And the business involves people  
11 coming to mine their own claims. Whether these customers would  
12 have come or not, how can we prove what customers would have  
13 come?

14           That's the case of the truck stop and the sheriff who  
15 are illegally arresting people near the truck stop. The truck  
16 stop can get an injunction if the troopers are acting illegally  
17 because the truck stop will never be able to prove how many  
18 customers were deterred or put away by the activity of the  
19 government operatives. And that's what we have here. We have  
20 a business whose customers are being interfered with through  
21 illegal conduct by the California Department of Fish and Game.

22           It's a different kind of injury. It's clearly  
23 irreparable under the cases because we can never --  
24 Mr. McCracken can't stand up in January 20 and say, By my  
25 estimate I would have had a 101 people, and they're mining and  
26 buying memberships, and I should get this much money. It would

1 be dismissed outright as speculation. It is -- because of the  
2 nature of the interference with the rights, then an injunction  
3 is appropriate.

4           There is (a) (5) of Section 526, which is damages are  
5 hard to ascertain. This case falls right down the middle of  
6 that. All we would have is the testimony of the miners about  
7 how much gold they would have dug up. And if they're  
8 cross-examined --

9           THE COURT: Do most miners make money, or do they  
10 lose money? Most of your clients.

11           MR. BUCHAL: I don't know the answer to that. It's  
12 the nature --

13           THE COURT: I think the answer was most of them lose  
14 money. It's a form of recreation. Obviously there are some  
15 who may do it for a living or do it to supplement their income.  
16 But it's my understanding that most of them are recreational  
17 miners.

18           MR. BUCHAL: That's -- in the whole universe of  
19 suction dredge miners, that's true. But the people in front of  
20 you today are people who include people who made their living  
21 doing this and have been locked out of their job since 2009.  
22 So the fact that a bunch of people just dabble at it doesn't  
23 undermine the fact that we have people here who are  
24 professionals who have been locked out of their profession.  
25 And they can't come into this court in January and say, In 2009  
26 I would have dug in this hole. I know at the bottom of the

1 hole I would have found this much gold. In 2010 I would have  
2 moved up the river a hundred yards to that place next to the  
3 boulder, and I would have gone under the boulder and found a  
4 big strike there.

5           This type of testimony it's -- is not going to be  
6 credited by the Court to award damages commensurate with being  
7 locked out of their profession for year after year. There  
8 is -- there is no way that there is ever an adequate damage  
9 remedy. That is -- again, another subsection of 526(a) is,  
10 essentially, the inadequacy of the pecuniary relief because of  
11 the nature. It's like your Honor says, some people make the  
12 big strike, some don't. That's inherently a problematic  
13 (phonetic) matter when you lock them out of the big strike.  
14 That's why we need a remedy because pecuniary relief doesn't  
15 work --

16           THE COURT: Why do people mine for gold?

17           MR. BUCHAL: To get the gold.

18           THE COURT: Because they want the money, right?

19           MR. BUCHAL: They want the gold.

20           THE COURT: Gold fever. Damages will address that.  
21 That's just a money-damage issue. There's not something  
22 inherently special about gold mining like you might have an  
23 inherently special feeling about your one and only home.

24           MR. BUCHAL: It's not like --

25           THE COURT: Doesn't sound like irreparable harm. I'm  
26 not disputing that harm is occurring to your clients. That

1 much is obvious.

2 MR. BUCHAL: It's not like a McDonald's. McDonald's,  
3 you set up your McDonald's, and you have costs and revenues,  
4 and you can show here is how much I made, here is how much I  
5 made. So when the illegal order to close the McDonald's, you  
6 get out your accounting record.

7 The miner comes in and says, I bought that claim. I  
8 don't know what's under it. I paid \$30,000 for it. I've been  
9 deprived of my opportunity to dig for gold. I think I would  
10 have found this much gold. You can't award damages because he  
11 says, I think I would have found this much gold on this place  
12 that I just bought but I never dug before.

13 THE COURT: Okay thank you, Mr. Buchal. You had over  
14 your five minutes.

15 Any brief response from respondents?

16 MR. SOLOMON: No, your Honor. Unless the Court --

17 THE COURT: Thank you. The Court's tentative will  
18 become the ruling. If you prepare --

19 MR. YOUNG: Your Honor, may I address the Court on  
20 this? We're also moving.

21 THE COURT: Briefly.

22 MR. YOUNG: Yes, I will. We're talking about money  
23 damages. This isn't a case totally about money damages.  
24 Primarily it's constitutional case. What the Court is doing  
25 now is saying we have a ruling --

26 THE COURT: Mr. Young, we're not arguing a

1 constitutional issue. We're arguing preliminary injunction.

2 MR. YOUNG: But the preliminary injunction, if you're  
3 talking about irreparable harm, these people are subject, one,  
4 after the Court has ruled that the Department's scheme is  
5 unconstitutional, that it -- that it is violative of the  
6 supremacy clause of the Constitution of the United States, this  
7 Court is now allowing the Department to continue to violate the  
8 constitution. That constitutes irreparable harm.

9 Secondly, every miner who goes out and wants to mine  
10 now, and some have based upon the Court's ruling, is subject to  
11 arrest. Just the threat of arrest is irreparable harm. We  
12 cited cases to your Honor on that. I think what we are -- what  
13 the Court is facing is, what really is the law on this? What  
14 constitutes the law?

15 I look at the law the way Holmes looked at the law.  
16 He said, The law is what the Court, in fact, will do. My  
17 prophecies as to what the Court, in fact, will do constitutes  
18 my view of the law. I mean nothing more pretentious than that.  
19 What the Court is doing is allowing -- if it continues with its  
20 tentative ruling, is allowing the State to continue to violate  
21 the constitution. That constitutes irreparable harm to my  
22 clients.

23 What the Court is doing is threaten -- is allowing  
24 the State to arrest my clients for engaging in actions and in  
25 work that this court has ruled is constitutional, is lawful. I  
26 think the Court has a bit of a dilemma here because the law, as

1 written, is not the law in fact, in fact what the Court will  
2 do.

3 I ask the Court on behalf of my clients, one, to hold  
4 that the violation by the Department, by the State of  
5 California of the Constitution of the United States constitutes  
6 irreparable harm. Secondly, the mere threat of arrest  
7 constitutes irreparable harm. Third, the actual fact of arrest  
8 constitutes irreparable harm. These people are harmed by now  
9 engaging in activity that this court has ruled it is  
10 constitutional and has ruled --

11 THE COURT: Let me have Mr. Solomon comment, not on  
12 the second and the third prong, but on the first prong, that  
13 irreparable harm equates to a violation of your constitutional  
14 rights. If you want to comment on that.

15 MR. SOLOMON: It's sort of a broad subject matter,  
16 your Honor. In that -- first of all, we dispute there's a  
17 violation of constitutional rights here. I imagine there might  
18 be some scenario in which constitutional rights in terms of  
19 someone's free speech or a specific instance in which they had  
20 to do something at the moment where that can conceivably be  
21 irreparable harm. In this context when you're talking about an  
22 ongoing activity over time, I don't see that as constituting  
23 irreparable harm.

24 THE COURT: All right. Thank you. The Court's  
25 tentative will become the ruling. If you'll prepare the order.  
26 I'm ordering all the parties to meet after this hearing to

1 discuss the trial on the merits. Yes.

2 MR. BUCHAL: One housekeeping matter. There was an  
3 ex parte application made by the Department back on April 30th  
4 to forbid the plaintiffs from filing other lawsuits. And there  
5 was clarification sought as to what the word "plaintiff" meant  
6 in that context. And the Court has before it a proposed order  
7 from Mr. Solomon to which I've objected.

8 And so we are operating under the assumption unless  
9 and until that order is issued that what is barred right now is  
10 that these plaintiffs are not allowed to file for relief, but  
11 just these plaintiffs.

12 THE COURT: You're saying there's an outstanding  
13 order the Court hasn't signed?

14 MR. SOLOMON: There is, your Honor. When we  
15 submitted --

16 THE COURT: How long ago was that?

17 MR. SOLOMON: It's maybe six to eight weeks. I'm  
18 trying to think of the exact date. We submitted a cover letter  
19 with the order where we outlined the dispute Mr. Buchal had  
20 with our proposed order.

21 THE COURT: I'll tell you right now, the Court has no  
22 outstanding orders sitting on my desk.

23 MR. SOLOMON: We can resubmit all the terms again,  
24 your Honor.

25 THE COURT: Do that. Because if there's something  
26 outstanding and a ruling that hasn't been made, that's a

1 serious issue. I don't allow things to sit like that, and I'd  
2 like to see it immediately.

3 MR. BUCHAL: We have copies here, your Honor.

4 THE COURT: If you have copies today, I would ask  
5 that you hand them to my clerk. I'll either sign or not sign  
6 the order today.

7 MR. BUCHAL: I can bring up the -- ex parte  
8 application, what was the date?

9 MR. MALNICK: It was in a packet of material,  
10 your Honor, where we sent a schedule for the CEQA hearing.  
11 There was a proposed stipulated order on that as well as --

12 THE COURT: Did you file it with the Court or the  
13 clerk's office?

14 MR. SOLOMON: I believe it was both, your Honor.

15 MR. MALNICK: We checked in with Ms. Poland last week  
16 or the week before about it.

17 THE COURT: I'm saying I have never seen it, and  
18 there are no unsigned orders that are older than -- that I  
19 have.

20 MR. SOLOMON: We can call our office and have it sent  
21 to Ms. Poland's e-mail right now.

22 THE COURT: That's fine.

23 MR. BUCHAL: I have it right here.

24 May I approach, your Honor?

25 THE COURT: Can you give it to me? And the Court  
26 will take a look at it. Court is in recess.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO

DEPARTMENT S36 HON. GILBERT OCHOA, JUDGE

Coordination Proceeding Special)  
Title (Rule 1550(b) )  
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AND ALL INCLUDED ACTIONS: )  
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STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

I, MARY ANDERSON, Official Reporter, of the  
State of California, for the County of San Bernardino,  
do hereby certify that the foregoing pages, 1 through  
18, comprise a full, true and correct computerized  
transcript of the proceedings held in the  
above-entitled matter on Tuesday, June 23, 2015.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

-----Official Reporter, C-10319-----

1 MARY ANDERSON, CSR No. 10319  
2 TAX I.D. No. 20-1607372  
3 San Bernardino Justice Center  
4 247 West Third Street  
5 San Bernardino, California 92415-0063  
6 (909) 521-3514

7 June 29, 2015

8 I N V O I C E

9 TO: JAMES BUCHAL  
10 Attorney at Law  
11 3425 Southeast Yamhill #100  
12 (503) 227-1011  
13 jbuchal@mbllp.com  
14 ATTN: JAMES BUCHAL

15 Re: SUCTION DREDGE MINING CASES  
16 Case No. JCPDS4720

17 Date	18 Description	19 Amount Due
20 6/23/2015	21 Transcript of Proceedings of 22 the above-referenced matter 23 held in Department S36 24 (Motion)	
	25 Original and One Copy -	26 171.18
	27 TOTAL AMOUNT DUE	28 <u>171.18</u>

THANK YOU

**(VISA 6250 \*\*\* RECEIVED ON 06/29/15.)**