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FILED
Superior Court of California
County of Los Angeles
12/01/2025
David W. Slayton, Executive Officer / Clerk of Court
By: A. Morales Deputy

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Liaison Counsel for Individual Plaintiffs

(Additional counsel listed on the following page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE

PALISADES FIRE LITIGATION

DAN GRIGSBY, et al.,
Plaintiff,
vs.

CITY OF LOS ANGELES ACTING BY AND
THROUGH THE LOS ANGELES
DEPARTMENT OF WATER AND POWER,
a government entity; et al.,
Defendants.

AND ALL RELATED CASES.

Lead Case No. 25STCV00832

**~~PROPOSED~~ ORDER RE LIMITED
DISCOVERY**

Assigned for All Purposes to:
Hon. Samantha Jessner, Department 7

Date: December 15, 2025
Time: 2:30 p.m.
Dept.: 7

Action Filed: January 13, 2025
Trial Date: Not set.

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8 *Department of Water and Power*

9 **STATE OF CALIFORNIA DEPARTMENT OF JUSTICE**
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12 *Attorneys for Defendant State of California acting by and through the State of California*
13 *Department of Parks and Recreation (also erroneously sued herein as California Department of*
14 *Parks and Recreation)*

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1 **TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT**, in accordance with the discussions held on the record
3 during the Status Conference on November 25, 2025 in above-entitled action before the Honorable
4 Samantha Jessner, the Court makes the following Order:

5 **DEPOSITIONS**

6 **A. LAFD Depositions**

- 7 1. Liaison Counsel shall be permitted to take the depositions of the twelve (12) Los
8 Angeles Fire Department (“LAFD”) personnel selected by Liaison Counsel from the
9 list provided by counsel for the LADWP, all of whom were identified as having
10 responded to the Lachman Fire or to a subsequent 911 call concerning the Lachman
11 burn scar between December 31, 2024 and January 3, 2025 (these depositions shall
12 be referred to as the “LAFD Depositions”).
- 13 2. The LAFD Depositions shall be conducted in accordance with the following protocol:
 - 14 a. Questioning will be limited to (i) the deponent’s basic biographical
15 information, (ii) the deponents’ personal observations while responding to the
16 Lachman Fire and (iii) the deponent’s knowledge of or response to any 911
17 calls or other reports of smoke from the Lachman burn scar between January
18 3, 2025 and up until (but excluding) the reported start of the Palisades Fire at
19 approximately 10:30 a.m. on January 7, 2025;
 - 20 b. Liaison Counsel will designate one (1) attorney to question each deponent, and
21 no other Plaintiffs’ attorneys will question that deponent (though Plaintiffs’
22 attorneys who are not questioning the deponent may provide proposed
23 questions to the questioning attorney);
 - 24 c. Liaison Counsel may question each deponent for two and one half (2.5) hours
25 on the record;
 - 26 d. One (1) attorney for the LADWP and one (1) attorney for the State of
27 California may question each deponent;
 - 28 e. The LAFD Depositions will take place in person (at a location to be agreed
between counsel for the LADWP and Liaison Counsel); and

- 1 f. All LAFD Deposition participants must attend in person and no participation
2 by video or phone will be permitted.

3 **B. State Parks Depositions**

- 4 1. Liaison Counsel shall be permitted to take the depositions of the following five (5)
5 California State Parks personnel: (a) John Ota; (b) Christy Aruajo; (c) David Gunn;
6 (d) Greg Urban; and (e) Noa Rische Khalili (these depositions shall be referred to as
7 the “State Parks Depositions”).
- 8 2. The State Parks Depositions shall be conducted in accordance with the following
9 protocol:
- 10 a. Questioning will be limited to (i) the deponent’s basic biographical
11 information, (ii) the deponents’ personal observations and/or knowledge
12 concerning the Lachman Fire between 12:00 am on January 1, 2025 and 10:30
13 am on January 7, 2025; (iii) the deponent’s knowledge or involvement in the
14 implementation of State Parks manuals, practices, protocols, plans, methods,
15 systems or policies in response to the Lachman Fire (including mop-up
16 operations) between 12:00 am on January 1, 2025 and 10:30 am on January 7,
17 2025.
- 18 b. Liaison Counsel will designate one (1) attorney to question each deponent, and
19 no other Plaintiffs’ attorneys will question that deponent (though Plaintiffs’
20 attorneys who are not questioning the deponent may provide proposed
21 questions to the questioning attorney);
- 22 c. Liaison Counsel may question each deponent for two and one half (2.5) hours
23 on the record;
- 24 d. One (1) attorney for the LADWP and one (1) attorney for the State of
25 California may question each deponent;
- 26 e. The State Parks Depositions will take place in person (at a location to be agreed
27 between counsel for the State of California and Liaison Counsel); and
- 28 f. All State Parks Deposition participants must attend in person and no
participation by video or phone will be permitted.

1 **C. General Order Relating to All Depositions**

2 Liaison Counsel shall have the right to request additional depositions from the Court if, after
3 the LAFD Depositions and/or State Parks Depositions are concluded, they believe more are
4 warranted. And, counsel for LADWP and/or State of California shall have the right to lodge
5 objections to that further discovery with the Court. Because the LAFD Depositions and State Parks
6 Depositions are intended to preserve the memories and recollections of each deponent related to the
7 Lachman Fire, Liaison Counsel shall have the right to request an order recalling one or more of the
8 LAFD Depositions deponents or State Parks Deposition deponents to depose them concerning,
9 among other topics, the Palisades Fire or other non-cumulative topics, if necessary and if the Court
10 lifts the discovery stay. Counsel for the LADWP and State of California each shall have the right to
11 oppose any such requests.

12 **DOCUMENTS**

13 The LADWP and State of California are each ordered to produce the following documents
14 based on a reasonably diligent search.

15 **D. LAFD Documents**

- 16 1. All communications (which includes all text messages, emails, instant messaging
17 platforms, or other written communication mediums within the possession, custody or
18 control of the City of Los Angeles) between 12:00 am on January 1, 2025 and 10:30
19 am on January 7, 2025 relating to the Lachman Fire for the twelve (12) LAFD
20 Depositions deponents referenced above.
- 21 2. All radio communication recordings, including but not limited to the LAFD's Genesis
22 system, between 12:00 am on January 1, 2025 and 10:30 am on January 7, 2025
23 relating to the Lachman Fire for the twelve (12) LAFD Depositions deponents
24 referenced above.
- 25 3. All communications between or among the twelve (12) LAFD Deposition deponents,
26 referenced above, and the five (5) State Parks Deposition deponents, referenced above,
27 between 12:00 am on January 1, 2025, and 10:30 am on January 7, 2025, concerning
28 the Lachman Fire and within the possession, custody or control of the City of Los
Angeles.

- 1 4. Documents (within the possession, custody or control of the City of Los Angeles)
2 sufficient to identify any 911 calls reporting smoke from the vicinity of the Lachman
3 Fire burn scar between January 1, 2025, and approximately 10:00 a.m. on January 7,
4 2025, and an unredacted version of Incident Details for Incident #0695 (sufficient to
5 identify the number(s) of incoming calls). The LADWP need not review 911 call
6 recordings in order to satisfy its obligations under this paragraph.

7 **E. State Parks Documents**

- 8 1. All documents sufficient to identify the names and titles of all personnel of the State
9 of California, including California State Parks, who responded to the Lachman Fire
10 incident (at any location, including, without limitation, Incident Command, Lachman
11 Fire burn scar, etc.) between 12:00 am on January 1, 2025 and 10:30 am on January
12 7, 2025;
- 13 2. All communications (including text messages, emails, instant messaging platforms, or
14 other written communication mediums) relating to the Lachman Fire for each of the
15 personnel of the State of California, including California State Parks, identified in the
16 preceding paragraph (¶E.1.) between 12:00 am on January 1, 2025, am 10:30 am on
17 January 7, 2025;
- 18 3. All documents sufficient to identify the California State Parks' Area Representative
19 (AREP) and Resource Advisor (READ) assigned to the Lachman Fire between 12:00
20 am on January 1, 2025, and 10:30 am on January 7, 2025;
- 21 4. All documents, including the “Fire Action Plan Notebook” referenced by Christy
22 Aruajo in her January 1, 2025, telephone call to State Parks Dispatch, and ICS 213
23 notes, taken by any California State Parks Agency Representative (AREP) or
24 Resource Advisor (READ) relating to the Lachman Fire between 12:00 am on January
25 1, 2025, and 10:30 am on January 7, 2025;
- 26 5. All maps, including the Topanga State Park Avoidance Map referred to at page 33 of
27 the Wildfire Management Plan produced by State Parks on November 24, 2025, and
28 referred to as “Map 1” in Section 6 of the Wildfire Management Plan, and other
communications between personnel of the State of California, including California

State Parks, and any representative of LAFD concerning the Lachman Fire between 12:00 am on January 1, 2025, and 10:30 am on January 7, 2025;

6. Although counsel for the State of California indicated on the record that DPR 385, Public Safety Reports, including DPR 385A, Public Safety Report Supplemental – Natural Hazards, Wildfires referenced in Section 0313.2.1.4 of the DPR Operations Manual — Natural Resources, do not exist for the Lachman Fire, if such documents are later located by the State of California, they must be produced.

F. General Order Relating to All Documents

Liaison Counsel shall ensure that all documents to be produced pursuant to this Order shall be shared and made available equally to Liaison Counsel, counsel for the LADWP and counsel for the State of California. If Liaison Counsel has possession, custody or control over documents related to the Lachman fire response not previously produced by the City of Los Angeles or the State of California, Liaison Counsel shall produce those documents to counsel for LADWP and the State of California if: (1) they are not work product or attorney-client privileged; (2) they will be used at any depositions ordered herein; and/or (3) they are communications to, from, or copying one of the deponents. Such documents shall be produced at least two (2) business days before the start of each such deposition at which the document(s) will be used and in accordance with the following sentence. To the extent possible, documents should be produced promptly and on a “rolling” basis; that is, counsel for Plaintiffs, the LADWP and State of California need not wait until they have all of the documents ordered to be produced before producing them to other parties.

For reference, a true and correct copy of the final transcript for the November 25, 2025, hearing is attached hereto as **Exhibit A**.

IT IS SO ORDERED,

Date: 12/02/2025



A handwritten signature in black ink, appearing to read "S. Jessner".

Samantha Jessner / Judge

Hon. Samantha P. Jessner
Judge, Superior Court, State of California
County of Los Angeles

1 Submitted by:

2 Dated: December 1, 2025

ROBERTSON & ASSOCIATES, LLP
FOLEY BEZEK BEHLE & CURTIS, LLP
BOYLE LAW PC
MCNULTY LAW FIRM
WOOD LAW FIRM

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6

By: /sRoger N. Behle, Jr.

7

Alexander Robertson, IV

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Roger N. Behle, Jr.

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Robert A. Curtis

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Kevin R. Boyle

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Peter McNulty

E. Kirk Wood

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Liaison Counsel for Individual Plaintiffs

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EXHIBIT A

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 SPRING STREET COURTHOUSE
4 DEPARTMENT 7 HON. SAMANTHA JESSNER, JUDGE PRESIDING
5
6 DAN GRISBY, ET AL.,)
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PLAINTIFFS,

V.

NO. 25STCV00832

CITY OF LOS ANGELES ACTING BY AND
THROUGH THE LOS ANGELES DEPARTMENT
OF WATER AND POWER, A GOVERNMENT
ENTITY, ET AL.,

DEFENDANTS.

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, NOVEMBER 25, 2025, 10:00 A.M. CALENDAR
(APPEARANCES AS INDICATED IN THE CLERK'S MINUTE ORDER)

REPORTED BY:
ALEXANDER T. JOKO, CSR NO. 12272
COURT REPORTER PRO TEM

I N D E X

(N O N E)

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1 CASE NUMBER: 25STCV00832
2 CASE NAME: DAN GRISBY, ET AL. VS. CITY OF
3 LOS ANGELES ACTING BY AND
4 THROUGH THE LOS ANGELES
5 DEPARTMENT OF WATER AND POWER,
6 ET AL.
7 LOS ANGELES, CALIFORNIA TUESDAY, NOVEMBER 25, 2025
8 DEPARTMENT 1 JUDGE SAMANTHA JESSNER
9 APPEARANCES: (AS HERETOFORE NOTED.)
10 REPORTER: ALEXANDER JOKO, CSR NO. 12272
11 TIME: 10:00 A.M. CALENDAR
12

13 (THE FOLLOWING PROCEEDINGS WERE HELD
14 IN OPEN COURT AT 10:15 A.M.:)
15

16 THE COURT: GOING TO THE PALISADES FIRE CASES.
17 TERESA MOST LIKELY HAS NOTED ALL OF YOUR APPEARANCES.

18 WE ARE BACK TODAY TO DISCUSS SOME VERY
19 FOCUSED DISCOVERY, MORE SPECIFICALLY DISCOVERY REQUESTS
20 BY PLAINTIFFS.

21 AND I RECEIVED AND READ A JOINT STATUS
22 CONFERENCE REPORT. IT LOOKS LIKE AS THOUGH THE
23 PLAINTIFFS AND THE CITY HAVE NARROWED DOWN THE NUMBER
24 OF FIREFIGHTERS TO BE DEPOSED TO 12 AFTER BEING
25 PROVIDED WITH A ROSTER OF OVER 100 LAFD PERSONNEL.
26 THIS RELATES TO THE LACHMAN FIRE. AND THE CITY HAS NO
27 OBJECTION TO THE DEPOSITIONS AS THE PARTIES HAVE AGREED
28 IN TERMS OF THE PARAMETERS WITH REGARD TO THESE 12.

1 THE CITY DOES HAVE OBJECTIONS WITH REGARD
2 TO THE DOCUMENT REQUESTS THAT PLAINTIFFS HAVE LISTED
3 THAT ARE IN CONNECTION WITH THE LACHMAN FIRE. AND THEN
4 THERE'S A SECTION WHERE THE STATE LISTS, ONCE AGAIN,
5 THE PUBLIC RECORDS REQUEST AND THE STATUS.

6 SO, A, THANK YOU FOR AGREEING AT THE VERY
7 LEAST ON THE 12 THAT SHOULD BE DEPOSED AND THE
8 PARAMETERS OF THOSE DEPOSITIONS.

9 LET ME TURN TO THE CITY AND THE STATE AND
10 ASK YOU IF YOU WANT TO SAY ANYTHING MORE WITH REGARD TO
11 YOUR OBJECTIONS TO THE DOCUMENT REQUESTS OTHER THAN
12 WHAT YOU HAVE ALREADY SAID HERE IN COURT AND THEN ALSO
13 SAID IN YOUR JOINT STATUS REPORT.

14 MR. LEVIN, GOOD MORNING.

15 MR. LEVIN: YOUR HONOR, DANIEL LEVIN FOR THE
16 CITY OF LOS ANGELES.

17 I'LL BE VERY BRIEF BECAUSE I THINK -- I
18 DON'T WANT TO RETREAD WHAT WE TALKED ABOUT BEFORE, BUT
19 WE WENT BACK AND WE FEEL LIKE WE MET AND CONFERRED IN
20 GOOD FAITH WITH THE PLAINTIFFS. WE PROVIDED THEM WITH
21 A LIST. IT'S CLOSE TO 200 INDIVIDUALS BROKEN DOWN BY
22 DAY AND SHIFT. WE HAD A GOOD DISCUSSION WITH THEM. I
23 THINK WE'VE REACHED AGREEMENT ABOUT A PLAN FOR
24 DEPOSITION THAT WOULD SAY, YOU KNOW, WE STAND BY -- WE
25 DIDN'T THINK WE NEEDED THIS DISCOVERY, BUT HERE WE ARE
26 AND SO WE'RE WORKING IN GOOD FAITH TO DO IT.

27 I WILL REITERATE, YOUR HONOR, FROM OUR
28 PERSPECTIVE, THIS IS THIRD PARTY DISCOVERY OF THE CITY.

1 IT DOES NOT RELATE TO ANY OF THE LEGAL CLAIMS AGAINST
2 THE CITY, AND I HAVE HEARD NO ARTICULATION OF HOW IT
3 COULD RELATE TO A NEW LEGAL CLAIM AGAINST THE CITY. SO
4 WE DO THINK IT SHOULD BE FOCUSED AND NARROW.

5 AS I READ THE DISCOVERY REQUESTS, IT IS
6 ESSENTIALLY WHAT THEY ASKED FOR LAST TIME. AND I
7 THOUGHT OUR DISCUSSION LAST TIME WAS, WE'RE GOING TO
8 NARROW IT AND MAKE THIS FOCUSED AND FOCUSED ON
9 PRESERVING MEMORIES. I UNDERSTAND THAT.

10 I THINK THEY HAVE COME BACK AND PUT IN
11 THE STATEMENT, WELL, WE WANT ESSENTIALLY ALL OF THE
12 DOCUMENTS THAT A FIRE DEPARTMENT MIGHT HAVE IN RELATION
13 TO THE LACHMAN FIRE. WE THINK THAT IS TOO BROAD FOR
14 THESE PURPOSES PARTICULARLY SINCE IT'S ESSENTIALLY
15 THIRD PARTY DISCOVERY. THEY CAN ASK PEOPLE. I'M HAPPY
16 TO ANSWER OTHER QUESTIONS ABOUT IT.

17 THE ONLY OTHER THING I WOULD SAY, YOUR
18 HONOR, IS, THERE WAS A LOT OF HURRY UP AND GO. AND I
19 THINK WE'VE WORKED EFFICIENTLY TO GET THE INFORMATION.
20 DOCUMENT DISCOVERY, PARTICULARLY CUSTODIAL DISCOVERY -
21 THAT IS, FINDING E-MAILS OR TEXT MESSAGES FROM
22 INDIVIDUAL CUSTODIANS - TAKES TIME. IT JUST DOES. WE
23 SEE THIS OVER AND OVER AND OVER IN E-DISCOVERY. SO I
24 THINK THAT IS AT ODDS WITH THIS NEED THAT WE NEED TO
25 GET OUT OF THE GATE A TAKE A BUNCH OF DEPOSITIONS TO
26 PRESERVE MEMORY.

27 WITH THAT, THAT'S ALL I'LL SAY, YOUR
28 HONOR, UNLESS YOU HAVE QUESTIONS ON IT.

1 THE COURT: I DON'T AT THIS POINT IN TIME, BUT
2 THANK YOU.

3 MR. LAKE, WOULD YOU LIKE TO BE HEARD WITH
4 REGARD TO THIS DISCOVERY?

5 MR. LAKE: YES, YOUR HONOR.

6 GOOD MORNING. KEN LAKE FOR THE STATE OF
7 CALIFORNIA.

8 FIRST, I JUST WANT TO CONFIRM LAST WEEK
9 YOUR HONOR HAD ORDERED THAT MS. KASRAEE APPEAR. AND I
10 WANT TO -- SHE SHOULD BE ON. I WANT TO MAKE SURE SHE'S
11 ON.

12 MS. KASRAEE: GOOD MORNING.

13 THE COURT: GOOD MORNING AND THANK YOU FOR
14 JOINING US.

15 MS. KASRAEE: THANK YOU.

16 MR. LAKE: SO IF I MAY, AND I'LL TRY NOT TO
17 TAKE TOO LONG, BUT AS WE INDICATED IN THE JOINT REPORT,
18 DUE TO THE TIMING OF THE -- WE REALLY DIDN'T GET THE
19 PROPOSED REPORT FROM THE OTHER SIDE UNTIL ABOUT A
20 QUARTER TO NOON. SO WE DIDN'T HAVE A CHANCE TO
21 RESPOND, SO I WOULD LIKE THE CHANCE TO DO THAT.

22 BUT, FIRST, LET ME SAY, WITHIN THE LAST
23 WEEK -- OR NOW WE'RE TALKING EIGHT DAYS, STATE PARKS
24 HAS RESPONDED TO ALL 11 CATEGORIES. AND WE HAVE KIND
25 OF -- FOR CONTINUITY PURPOSES, WE BASICALLY HAVE GEARED
26 OUR RESPONSE TO BE CONSISTENT WITH WHAT WE DISCUSSED
27 LAST TIME. SO THAT'S WHY WE DETAILED THOSE. I KNOW
28 THE OTHER SIDE HAD SOME PROBLEMS WITH THAT.

1 SO NUMEROUS DOCUMENTS HAVE BEEN RELEASED.
2 AND I'M JUST GOING TO MAKE A FEW POINTS AND THEN, IF
3 IT'S OKAY WITH THE COURT, I WOULD TURN IT OVER TO
4 MS. KASRAEE TO KIND OF SUMMARIZE WHAT THOSE ARE BECAUSE
5 SHE CAN DO IT BETTER THAN I.

6 BUT, FIRST, I NEED TO CLARIFY A NUMBER OF
7 MISSTATEMENTS MADE BY PLAINTIFF'S COUNSEL IN THE JOINT
8 REPORT. FIRST OFF, THIS WAS RAISED LAST WEEK THE LAST
9 TIME. IN THE JOINT REPORT, PAGE 8, LINES 6 THROUGH 9,
10 THEY STATE, "MR. LAKE" -- "THE LIAISON COUNSEL PRODUCED
11 THIS PHOTOGRAPH TO MR. LAKE BECAUSE HE HAD STATED ON
12 THE RECORD AT THE NOVEMBER 17TH STATUS CONFERENCE THAT
13 A REPORT THAT A CALIFORNIA STATE PARKS EMPLOYEE HAD
14 TOLD AN LAFD FIREFIGHTER THEY WERE NOT ALLOWED TO USE A
15 BULLDOZER OR DIG AROUND CERTAIN PROTECTED SPECIES OF
16 PLANTS WAS LUDICROUS."

17 IF I MAY, YOUR HONOR, I WANT TO REFER TO
18 LAST WEEK'S TRANSCRIPT. THE FINAL WASN'T AVAILABLE,
19 BUT I HAVE A ROUGH DRAFT.

20 THE COURT: CAN I TRY TO SHORT CIRCUIT THIS?

21 IS IT IMPORTANT TO YOU TO CLARIFY THESE
22 THINGS BECAUSE IT'S NOT SIGNIFICANT TO ME --

23 MR. LAKE: IT IS IMPORTANT.

24 THE COURT: -- IN TERMS OF FIGURING OUT WHAT I
25 NEED TO FIGURE OUT TODAY?

26 MR. LAKE: WELL, IT IS IMPORTANT BECAUSE IT'S
27 KIND OF -- THEY'RE MAKING NUMEROUS STATEMENTS THAT
28 WE'RE NOT COMPLYING WITH THE COURT'S REQUEST. SO I'LL

1 JUST BRIEFLY -- WHAT MR. ROBERTSON ACTUALLY SAID WAS --
2 AND THIS IS AT PAGE 32, LINE 16-18, "STATE PARKS
3 REPRESENTATIVE TOLD THE LAFD BATTALION CHIEF THAT
4 YOU'RE NOT ALLOWED TO EXTINGUISH THOSE EMBERS BECAUSE
5 IT'S A SENSITIVE HABITAT." SO HE'S ACTUALLY -- THEIR
6 JOINT REPORT ACTUALLY MISSTATES WHAT HE ACTUALLY SAID,
7 BUT THEN THEY ALSO CLEARLY MISSTATE WHAT I SAID. AND
8 THAT'S AT PAGE 47, LINES 19 THROUGH 25. AND I'M JUST
9 KIND OF SKIPPING DOWN.

10 "YOUR HONOR, IF I MAY ADDRESS SOMETHING
11 THAT WAS BROUGHT UP THAT'S CONCERNING ME TO" --

12 THE COURT: IF YOU WANT THIS TO BE PART OF
13 YOUR RECORD, YOU'RE GOING TO NEED TO SLOW DOWN. YOU'RE
14 READING VERY QUICKLY, AND I'M JUST CONCERNED ABOUT YOUR
15 COURT REPORTER.

16 MR. LAKE: I'M JUST TRYING TO HELP YOUR HONOR
17 CAUSE YOU SAID TO MOVE IT ALONG.

18 BUT, YEAH, THERE SEEMS TO BE SOME
19 INFERENCE THAT, LOOKING THROUGH THESE COMMUNICATIONS,
20 THAT SOMEONE FROM PARKS WENT UP THERE AND TOLD THEM
21 "DON'T PUT THE FIRE OUT," WHICH IS LUDICROUS. THAT'S
22 WHAT I ACTUALLY SAID. NOTHING EVEN REMOTELY CLOSE TO A
23 BULLDOZER. THERE'S NO MENTION OF A BULLDOZER. SO I
24 JUST -- I THINK IT'S IMPORTANT THAT THE RECORD BE
25 CLEAR.

26 ALSO, THEY MISSTATED THE MEET AND CONFER.
27 AGAIN, WE WENT THROUGH THE 11 CATEGORIES. AND, FIRST
28 OFF, AS OF -- THAT WAS LAST WEDNESDAY. AND WE

1 DISCUSSED 3 THROUGH 11. AND AS WE INDICATE IN THE
2 JOINT REPORT, THAT -- AT THAT POINT IN TIME, WE HAD
3 ALREADY COMPLIED. WE HAD UPDATED, PRODUCED ALL OF
4 DOCUMENTS OR INDICATED, 9, 10 AND 11, THAT THERE WERE
5 NO RESPONSIVE DOCUMENTS. SO THEN AT ISSUE WAS NUMBER 1
6 AND 2, WHICH DEALT MORE WITH SOME OF THESE
7 COMMUNICATIONS THAT WENT BACK AND FORTH.

8 THEY AGREED. THEY WEREN'T REALLY FOCUSED
9 ON 3 THROUGH 11. SO ALREADY WE HAD COMPLIED WITH MOST
10 OF THEM, BUT OBVIOUSLY THEY'RE FOCUSED ON 1 AND 2.

11 NOW, WHAT I SAID IN THE MEET AND CONFER
12 IS THAT -- AND THEY KEEP TALKING ABOUT THAT WE REFUSED
13 TO IDENTIFY NAMES. THEY ASKED FOR A LIST OF NAMES.
14 AND JUST REAL QUICKLY WHAT I SAID IN CONTEXT WAS, WE
15 WEREN'T READY. THEY WERE STILL WORKING ON IT. THAT IS
16 WHAT I SAID. AND THAT THE RELEASE OF DOCUMENTS IS
17 GOING TO HAPPEN. IT'S GOING TO CONTAIN THE NAMES. AND
18 SO -- AND THEN THE NEXT DAY, BY THE WAY, I RESPONDED TO
19 A LETTER E-MAILING THEM TO SAY, "IT APPEARS THAT PARKS
20 IS GOING TO UPDATE THOSE RESPONSES WITH RELEASE OF
21 DOCUMENTS IN THE NEXT DAY OR TWO." THAT TURNED OUT TO
22 BE INCORRECT. THEY DID IT YESTERDAY MORNING, A
23 SUBSTANTIAL RELEASE OF DOCUMENTS.

24 THE REPORT THAT THEY KEPT FOCUSING ON HAS
25 BEEN RELEASED, TWO REPORTS.

26 BUT I JUST WANT TO SAY, CAUSE THERE'S
27 TALK ABOUT WHAT THE COURT HAD ORDERED, THE ORDER
28 VIS-A-VIS THE STATE IS DIFFERENT THAN WHAT THE COURT

1 WAS TALKING ABOUT WITH RESPECT TO THE STATE.

2 SO IF I MAY JUST QUICKLY GO TO -- THIS IS
3 PAGE 74. BY THE WAY, I E-MAILED A COPY OF THIS
4 TRANSCRIPT TO PLAINTIFF'S COUNSEL AND COUNSEL FOR THE
5 CITY LAST NIGHT.

6 AND SO JUST, IF I MAY, PAGE 74, LINE 5,
7 MR. BEHLE'S --

8 (REPORTER INTERRUPTION FOR SPEAKING TOO FAST)

9 MR. LAKE: I'M SORRY. I APOLOGIZE.

10 "INCLUDE THE IDENTITY OF THE STATE PARKS
11 REP THAT APPEARED." AND THEN HE'S GOING ON, "WE'D LIKE
12 TO HAVE A FURTHER MEET AND CONFER TO IDENTIFY WHOEVER
13 THAT IS."

14 THE COURT, YOUR HONOR, "I WOULD LIKE TO
15 SEE WHAT THAT LOOKS LIKE, WHAT DISCOVERY YOU CAN AGREE
16 ON. I'M NOT ORDERING THAT RIGHT NOW."

17 SO CONTRARY TO WHAT THEY REPRESENTED, THE
18 COURT DIDN'T ORDER US TO GIVE A LIST OF NAMES, WHICH
19 THEY KEPT INSISTING ON. AGAIN, WE'VE ALREADY -- THOSE
20 NAMES ARE IN THE DOCUMENTS.

21 BUT THEN THEY WERE TALKING ABOUT THAT THE
22 COURT HAD ORDERED DEPOSITIONS. AND IF I CAN GO TO
23 FURTHER DOWN THE PAGE, MR. BEHLE AT LINE 21, "AND IF WE
24 GET THE IDENTITY, MAY WE THEN DISCUSS SETTING A
25 DEPOSITION OF THAT ONE PERSON?"

26 AND YOUR HONOR SAID, "YOU CAN COME BACK
27 TO ME WITH WHAT IT IS, WHO IT IS, WHAT IT IS YOU WOULD
28 LIKE. WELL, YOU WOULD LIKE TO TAKE THE PERSON'S

1 DEPOSITION, A, AND THEN, B, WHETHER OR NOT THERE ARE
2 ANY DOCUMENT REQUESTS THAT WOULD GO ALONG WITH IT."

3 SO OUR ORDER WAS A LITTLE BIT DIFFERENT.
4 AND WE MET AND CONFERRED. AND WE CERTAINLY COMPLIED.
5 THE COURT DID NOT ORDER JUST TO -- BASICALLY THE ORDER
6 WAS TO TALK ABOUT POTENTIAL NAMES. AND, AS I
7 INDICATED, THEY HAVE THE NAMES NOW IN THE DOCUMENTS.

8 SO, IF I COULD AT THIS POINT, JUST REFER
9 TO MS. KASRAEE WHO CAN PROVIDE MORE DETAIL ABOUT THE
10 SUBSTANTIAL NUMBER OF DOCUMENTS PRODUCED YESTERDAY.

11 THE COURT: OKAY. MS. KASRAEE, THIS IS MY
12 THOUGHT, IS LET ME HEAR FIRST FROM PLAINTIFF'S COUNSEL
13 WITH REGARD TO WHETHER OR NOT THE DOCUMENT PRODUCTION
14 YESTERDAY CHANGES OR MODIFIES THIS LIST OF DOCUMENTS
15 REQUESTED IN THE JOINT REPORT AND THEN I'LL COME BACK
16 TO YOU. OKAY?

17 MS. KASRAEE: THANK YOU, YOUR HONOR.

18 MR. BEHLE: GOOD MORNING, YOUR HONOR. ROGER
19 BEHLE ON BEHALF OF THE PLAINTIFFS.

20 WE DID RECEIVE YESTERDAY A SUBSTANTIAL
21 PRODUCTION OF DOCUMENTS FROM THE STATE. WE HAVE BEEN
22 GOING THROUGH THOSE YESTERDAY AND TODAY. AND WE WERE
23 ABLE TO IDENTIFY FROM THOSE DOCUMENTS THE NAME OF THE
24 INDIVIDUAL WHO IS DEPICTED IN THE PHOTOGRAPH THAT WE
25 WOULD LIKE TO DEPOSE.

26 THERE WERE ALSO TWO OTHER NAMES THAT
27 APPEARED IN THOSE DOCUMENTS WHO WERE PRESENT AT THE
28 LACHMAN FIRE BURN SITE BETWEEN JANUARY 1 AND JANUARY 6,

1 WHICH IS THE DATE WINDOW THAT THE COURT ASKED US TO
2 FOCUS ON. AND I HAVE THOSE NAMES HERE ALSO.

3 IN MY READ OF THE TRANSCRIPT, THE COURT
4 ASKED US TO GO IDENTIFY WHO IT IS WE WANT TO DEPOSE AND
5 NARROW THE SCOPE OF WHAT WE WOULD ASK THOSE WITNESSES.
6 WE'VE DONE THAT, AND WE WOULD LIKE TO GET THOSE
7 DEPOSITIONS SCHEDULED WITH THE STATE.

8 THE COURT: OKAY. DOES THE DOCUMENT
9 PRODUCTION CHANGE WHAT IS A PRETTY INVOLVED LIST OF
10 DOCUMENTS THAT YOU ARE REQUESTING?

11 MR. BEHLE: WELL, THERE ARE THINGS MENTIONED
12 IN THE DOCUMENTS THAT WERE PRODUCED THAT SHOULD EXIST.
13 FOR EXAMPLE, THERE'S A MAP THAT APPARENTLY IS PRESENTED
14 OR WAS PRESENTED ON JANUARY 1ST TO THE FIREFIGHTER. IT
15 WASN'T PRODUCED.

16 THERE'S ALSO, APPARENTLY, A THUMB DRIVE
17 THAT THEY BRING THAT WASN'T PRODUCED.

18 SO THERE'S THINGS THAT ARE EVEN IN THE
19 DOCUMENTS THAT THEY PRODUCED YESTERDAY THAT WE THINK
20 SHOULD BE PRODUCED, BUT AT LEAST WE HAVE A UNIVERSE
21 THAT WE CAN FOCUS ON BASED ON WHAT THEY GAVE US
22 YESTERDAY.

23 THE COURT: LET ME ASK A BETTER QUESTION
24 BECAUSE I'M NOT GETTING THE INFORMATION THAT I'M AFTER.

25 AS A RESULT OF THE DOCUMENTS THAT WERE
26 PRODUCED YESTERDAY, ARE THERE ANY CATEGORIES THAT ARE
27 LISTED IN 1 THROUGH 7 ON PAGES 4 AND 5 THAT YOU NO
28 LONGER NEED TO GET?

1 MR. BEHLE: FOR PURPOSES OF THESE THREE
2 WITNESSES, I THINK WE CAN PROCEED WITH THOSE.

3 NOW, IF DURING THE DEPOSITIONS THEY
4 MENTION OTHER THINGS, THEN WE CAN ADDRESS THAT LATER;
5 BUT I THINK WE HAVE ENOUGH TO AT LEAST GET THESE THREE
6 WITNESSES INTO DEPOSITION BASED ON THE DOCUMENTS WE
7 HAVE FROM YESTERDAY.

8 THE COURT: I'M NOT TALKING ABOUT JUST THE
9 THREE. I'M TALKING ABOUT THE 12. OKAY?

10 I AM GOING TO NARROW THESE DOCUMENT
11 REQUESTS. AND WHAT I'M TRYING TO GET FROM YOU IS
12 WHETHER I NEED TO ACTUALLY BRUTE FORCE GO THROUGH EVERY
13 SINGLE ONE WITH ALL OF YOU, WHICH I AM PREPARED TO DO;
14 BUT I AM HEARING YOU'VE GOT A TRANCHE OF DOCUMENTS
15 YESTERDAY. SO I'M THINKING, MAYBE WRONGLY, THAT MAYBE
16 THERE ARE SOME WE DON'T HAVE TO DISCUSS.

17 IS THAT THE CASE?

18 MR. BEHLE: WELL, WE DID GET THE REPORT, SO
19 THAT'S GREAT. WE CAN CHECK THAT OFF. THAT'S
20 UNREDACTED. SO WE GOT THAT.

21 WE GOT RECORDINGS OF CALLS THAT WERE
22 PLACED ON THE MORNING OF THE 1ST.

23 SO THE BIG ITEM LAST WEEK WAS THE REPORT
24 THAT, AS YOU'LL REMEMBER, WAS REDACTED. WE --

25 THE COURT: THE ONE PAGE?

26 MR. BEHLE: CORRECT.

27 THE COURT: IS IT IN FACT ONE PAGE?

28 MR. BEHLE: THE REPORT IS MORE THAN ONE PAGE,

1 BUT WHAT THEY PRODUCED PREVIOUSLY WAS JUST THE ONE PAGE
2 REDACTED.

3 THE COURT: OKAY. ALL RIGHT. SO THIS IS WHAT
4 WE NEED TO DO, FOCUSING ON THE FACT THAT WHAT I AM
5 TRYING TO ACHIEVE HERE IS SOME LIMITED DISCOVERY THAT
6 IS MEANT TO PRESERVE RECOLLECTIONS OF THOSE WHO
7 RESPONDED TO THE LACHMAN FIRE.

8 WHAT I SEE IN THESE SEVEN REQUESTS THAT
9 HAVE MULTI -- SORT OF MULTI-CATEGORIES REQUESTED ARE
10 DOCUMENT REQUESTS THAT GO BEYOND THIS ATTEMPT TO
11 MEMORIALIZE, TO PRESERVE RECOLLECTIONS.

12 SO I GUESS WHAT WE'RE GOING TO DO IS,
13 WE'RE GOING TO GO THROUGH EACH ONE. OKAY.

14 SO THE FIRST REQUEST IS TO PRODUCE ALL
15 COMMUNICATIONS, WHICH INCLUDES TEXT MESSAGES, E-MAILS,
16 INSTANT MESSAGING PLATFORMS OR OTHER WRITTEN
17 COMMUNICATION MEDIUMS RELATING TO THE LACHMAN FIRE FOR
18 EACH OF THE LAFD FIREFIGHTERS WHO RESPONDED TO THE
19 LACHMAN FIRE AND WERE INVOLVED IN THE MOP UP.

20 SO, FIRST OF ALL, THE CATEGORY OF
21 FIREFIGHTERS GOES WELL BEYOND THE 12. SO AT THE VERY
22 LEAST, THIS NEEDS TO BE LIMITED TO THE 12 THAT YOU'RE
23 GOING TO DEPOSE.

24 IT MAKES SENSE TO ME THAT, IN DEPOSING
25 THESE RESPONDERS TO THE LACHMAN FIRE, YOU WOULD WANT
26 THESE COMMUNICATIONS. AND LIMITING THOSE
27 COMMUNICATIONS TO 12, PRESUMABLY, WILL DECREASE THE
28 LENGTH OF TIME IT SHOULD TAKE FOR THE CITY OR WHOMEVER

1 TO OBTAIN THESE COMMUNICATIONS.

2 MR. BEHLE: IF IT'S HELPFUL, YOUR HONOR,
3 MR. ROBERTSON REMINDED ME THAT WHAT WE'RE REALLY
4 FOCUSED ON FOR PURPOSES OF THESE 12 IS WHAT THE GRAND
5 JURY SUBPOENAED. AND WE THINK THAT HAS ALREADY BEEN
6 GATHERED OR IS BEING GATHERED. SO THE BURDEN ON THE
7 CITY SHOULD BE GREATLY REDUCED, I WOULD THINK.

8 THE COURT: I DID SEE A REFERENCE TO THAT IN
9 THE JOINT REPORT. I OF COURSE DON'T KNOW WHAT IT IS
10 WAS PRODUCED OR IS BEING GATHERED TO PRODUCE IN
11 CONNECTION WITH A PROCEEDING THAT'S SUPPOSED TO BE
12 SECRET UNDER RULE 6. OKAY. SO IT MAKES SENSE TO ME,
13 BUT IF YOU KNOW WHAT WAS ASKED FOR AND WHAT IS BEING
14 PRODUCED, TELL ME, OR ARE YOU MAKING ASSUMPTIONS, SOME
15 OF WHICH MAY BE VERY MUCH BASED IN COMMON SENSE?

16 MR. BEHLE: WE DON'T KNOW WHAT'S BEEN
17 PRODUCED, BUT WE UNDERSTOOD FROM THE CITY THAT THEY'RE
18 GATHERING THOSE RECORDS IN RESPONSE TO THE SUBPOENA.

19 THE COURT: OKAY. CATEGORY 2, "PRODUCE ALL
20 RADIO COMMUNICATION RECORDINGS, INCLUDING BUT NOT TO
21 THE LAFD'S GENESIS SYSTEM FROM LAFD FIREFIGHTERS
22 RELATING TO THE LACHMAN FIRE." AGAIN, IT GOES BEYOND
23 THE 12 THAT YOU HAVE AGREED THAT WILL BE DEPOSED. SO
24 THAT NEEDS TO BE LIMITED TO THE 12.

25 NUMBER 3, "PRODUCE ALL COMMUNICATIONS
26 WITH ANY REPRESENTATIVE OF CALIFORNIA STATE PARKS,
27 INCLUDING AN AGENCY REPRESENTATIVE RESOURCE ADVISER
28 CONCERNING THE LACHMAN FIRE."

1 TELL ME WHAT YOU'RE GETTING AT HERE
2 BECAUSE THIS SEEMS TO ME TO GO BEYOND THE 12 THAT YOU
3 HAVE AGREED UPON, OR DOES THIS HAVE TO DO WITH A
4 SEPARATE 3?

5 MR. BEHLE: WELL, IT'S COMMUNICATIONS BETWEEN
6 THE LAFD AND WE THINK INCLUDING THE 12 THAT WE'VE
7 IDENTIFIED AND REPRESENTATIVES OF THE STATE. SO WE'RE
8 TRYING TO STAY FOCUSED ON THE TIME PERIOD BETWEEN
9 JANUARY 1 AND JANUARY 6TH.

10 WE KNOW WHO WAS PRESENT NOW BASED ON THE
11 PRODUCTION FROM THE STATE. SO WE'VE GOT THREE PEOPLE
12 THAT COMMUNICATED. AND WE HAVE SOME RECORDINGS THAT
13 THEY PRODUCED YESTERDAY BETWEEN STATE REPRESENTATIVES
14 AND LAFD. SO WE THINK WE CAN NARROW THAT CATEGORY DOWN
15 TO THE 12 AND THOSE FROM THE STATE THAT WE KNOW WERE
16 PRESENT ON SITE.

17 THE COURT: OKAY. THAT'S WHAT I WAS GETTING
18 AT EARLIER, IS, YOU KNOW, THE PRODUCTION THAT -- HAS
19 THE PRODUCTION THAT YOU RECEIVED YESTERDAY CHANGED THE
20 WAY IN WHICH THESE ARE DRAFTED?

21 AND THE ANSWER SOUNDS LIKE IT IS. I
22 MEAN, THEY'RE OVERBROAD IN THEIR CURRENT FORM.

23 SO YOU COULD -- YOU'RE GOING TO NARROW
24 NUMBER 3 TO THE 12 PLUS THE 3. I'M SORRY I'M TALKING
25 ABOUT THESE TWO GROUPS IN TERMS OF 12 AND 3, BUT IT
26 SORT OF SEEMS LIKE THE MOST SIMPLE WAY TO GO ABOUT THIS
27 AT THIS POINT.

28 MR. BEHLE: CORRECT. YES.

1 THE COURT: NUMBER 4, "ALL DOCUMENTS INCLUDING
2 THE INCIDENT ACTION PLAN AND INCIDENT MANAGEMENT TEAM
3 LIAISON OFFICER NOTES FOR THE LACHMAN FIRE WHICH
4 IDENTIFIES ANY REPRESENTATIVE."

5 THAT'S NOW MOOT; CORRECT?

6 MR. BEHLE: WELL, WE'VE GOT THE REPORT THAT
7 THEY PRODUCED, YES, YESTERDAY.

8 THE COURT: AND YOU HAVE THE IDENTIFICATION OF
9 THE PERSON?

10 MR. BEHLE: WE DO.

11 THE COURT: SO NUMBER 4 IS ROOT.

12 5, "IDENTIFY ALL FIREFIGHTERS WHO
13 RESPONDED TO THE 911 CALL FOR REPORTS OF SMOKE COMING
14 FROM 100 SPLIT ROCK FIRE ROAD AND TEMESCAL FIRE ROAD AT
15 APPROXIMATELY 11:51 ON JANUARY 3RD."

16 DO YOU HAVE THAT LIST OF FIREFIGHTERS?

17 MR. BEHLE: I THINK WE HAVE IT. HOLD ON.

18 MR. ROBERTSON IS SAYING WE DO NOT HAVE
19 THE LIST OF JANUARY 3 WHO RESPONDED ON THAT DAY.

20 THE COURT: YOU CAN GO AHEAD AND TALK IF IT'S
21 EASIER THAN GETTING UP AND WALKING OVER TO THE LECTERN.

22 MR. ROBERTSON: ALEX ROBERTSON, YOUR HONOR.

23 I STAND CORRECTED. THE CITY DID PRODUCE
24 THAT LIST OF FIREFIGHTERS FROM STATION 23 THAT
25 RESPONDED.

26 THE COURT: OKAY. SO THAT'S -- NUMBER 5 IS
27 MOOT.

28 NUMBER 6, "IDENTIFY ANY OTHER 911 CALLS

1 FOR REPORTS OF SMOKE SHOWING FROM THE VICINITY OF THE
2 LACHMAN FIRE BURN SCAR BETWEEN JANUARY 1 AND JANUARY 7
3 AND PRODUCE AN UNREDACTED VERSION OF THE INCIDENT
4 DETAILS FOR INCIDENT NUMBER 695."

5 AND IT SAYS, "SEE ATTACHED," BUT I DON'T
6 THINK THERE WAS AN ATTACHMENT.

7 MR. ROBERTSON: YOUR HONOR, THE ONLY ITEM ON
8 THAT INCIDENT REPORT THAT WAS REDACTED WAS THE CELL
9 PHONE NUMBER AND IDENTITY OF THE 911 CALLER. AND THAT
10 WOULD BE HELPFUL FOR US TO IDENTIFY WHO ACTUALLY SAW
11 THE SMOKE AND REPORTED IT ON JANUARY 3RD.

12 THE COURT: OKAY. SO YOU'RE SAYING THAT
13 THERE -- THAT YOU DO HAVE AN INCIDENT REPORT OR YOU DO
14 NOT?

15 MR. ROBERTSON: WE DO HAVE AN INCIDENT REPORT
16 FOR 911 FOR JANUARY 3RD.

17 WE'RE ASKING THE CITY IF ANY OTHER 911
18 CALLS WERE PLACED BETWEEN JANUARY 3 AND THE MORNING OF
19 JANUARY 7TH REPORTING SMOKE SHOWING AS WELL.

20 THE COURT: OKAY.

21 MR. ROBERTSON: AND THE ANSWER IS EITHER "YES"
22 OR "NO." AND, IF "YES," WE WOULD LIKE A COPY.

23 THE COURT: RIGHT. OKAY. THAT SEEMS LIKE A
24 REASONABLE REQUEST AND DOESN'T SEEM TO BE OVERLY
25 BURDENSOME.

26 THE LAST ONE, NUMBER 7, "IDENTIFY THE
27 REPRESENTATIVE FROM CALIFORNIA STATE PARK SHOWN IN THE
28 PHOTO."

1 THAT ONE IS MOOT; CORRECT?

2 MR. BEHLE: CORRECT.

3 THE COURT: SO, ESSENTIALLY, WHAT WE HAVE NOW,
4 NOW THAT THE STATE HAS MADE THAT PRODUCTION, IS 3 -- 1,
5 2 AND 3 AND 6, WHICH TO ME SEEMS REASONABLE AND MAKES
6 SENSE GIVEN THE NATURE OF THE TESTIMONY THAT THE COURT
7 ANTICIPATES YOU WILL HEAR FROM THESE 12 FIREFIGHTERS
8 AND THESE THREE OTHERS.

9 MR. LEVIN, NOW THAT THE LIST HAS BEEN
10 NARROWED TO SOME EXTENT NOT ONLY IN TERMS OF THE
11 REQUESTS, BUT ALSO IN TERMS OF THE BREADTH OF THE
12 REQUEST, MORE SPECIFICALLY THEY'RE CURRENTLY WRITTEN
13 AS -- FOR EACH OF THE LAFD FIREFIGHTERS WHO RESPONDED
14 DURING THAT SIX-DAY PERIOD AND NOW IT IS LIMITED TO THE
15 12.

16 SO GIVEN THOSE LIMITATIONS, DID YOU WANT
17 TO SAY ANYTHING ELSE?

18 MR. LEVIN: LET ME JUST MAKE A COUPLE OF
19 CLARIFICATIONS, YOUR HONOR, BECAUSE I UNDERSTAND AND
20 APPRECIATE THE LIMITATIONS.

21 SO WE CAN GO OUT AND TRY TO FIND
22 CUSTODIAL E-MAILS AND SO FORTH FOR THE 12 FROM --
23 PARTICULARLY I WANT TO BE CLEAR ABOUT, FROM PHONES OVER
24 WHICH WE HAVE CUSTODY AND CONTROL. TO THE EXTENT
25 PEOPLE ARE SENDING --

26 THE COURT: MOVE THAT MICROPHONE TOWARDS YOU,
27 PLEASE.

28 MR. LEVIN: WE CAN GO SEARCH. I JUST WANT TO

1 BE CLEAR GIVEN WHAT'S BEEN IN THE NEWSPAPERS WHICH I
2 UNDERSTAND -- LOOK TO ME FROM READING THE NEWSPAPER
3 LIKE THERE ARE PRIVATE TEXT MESSAGES TO NON-EMPLOYEES
4 AND SO FORTH. THOSE MAY BE -- WE MAY NOT HAVE ACCESS
5 TO THAT, BUT WE WILL DO OUR BEST TO GET THE TEXTS AND
6 THE E-MAILS FOR THE 12.

7 I WANT TO -- MY UNDERSTANDING -- AND
8 SOMEONE WILL JUMP UP AND CORRECT ME IF I SAY THIS
9 WRONG. BUT MY UNDERSTANDING IS, EACH FIREFIGHTER DOES
10 NOT HAVE HIS OR HER OWN RADIO. THERE IS RADIO TRAFFIC
11 THAT GETS REPORTED. SO WE CAN LOOK INTO GETTING THAT,
12 BUT THAT'S NOT A PERSON SPECIFIC THING THAT IS ON A
13 CHANNEL AND SO FORTH. BUT WE CAN LOOK -- WE CAN WORK
14 ON THAT WITH THEM.

15 AND THE LAST THING I WOULD SAY IS, 911
16 CALLS, WE -- I'M NOT AWARE OF ANY RESPONSE TO ANY 911
17 CALL OTHER THAN THE ONES WE'VE BEEN TALKING FROM THE
18 FIRE DEPARTMENT. WE CAN CERTAINLY INQUIRE ON THE FIRE
19 DEPARTMENT SIDE. WE CAN MAKE AN EFFORT TO LOOK ON THE
20 911 SIDE, BUT THE CITY GETS THOUSANDS OF 911 CALLS
21 CITY-WIDE. AND THERE IS NOT -- THEY'RE NOT
22 ELECTRONICALLY SORTED INTO CATEGORIES. IT IS A MASSIVE
23 REPOSITORY OF EVERYTHING YOU CAN IMAGINE FROM A CITY OF
24 MILLIONS OF PEOPLE. SO IT IS NOT A SMALL THING JUST TO
25 SAY, DID SOMEBODY ELSE CALL 911?

26 I WILL SAY, WE CAN LOOK AT IT FROM THE
27 FIRE DEPARTMENT SIDE AND SEE WERE THERE ANY OTHER CALLS
28 THAT PEOPLE WENT OUT ON AND SO FORTH, AND WE CAN WORK

1 AT IT FROM THAT DIRECTION. AND I THINK THAT WOULD GET
2 THEM WHAT THEY NEED.

3 THE COURT: OKAY. THAT MAKES SENSE IN TERMS
4 OF THE SORT OF PLATFORMS THAT YOU'RE -- THAT YOU HAVE
5 CUSTODY AND CONTROL OF OR OVER, IN ADDITION TO THE WAY
6 IN WHICH THE INFORMATION IS STORED WITHIN THOSE
7 PLATFORMS.

8 SOME OF THIS -- YOU KNOW, 1 THROUGH 3,
9 PRESUMABLY, ARE GOING TO BE MUCH EASIER FOR THE CITY TO
10 COMPLY WITH.

11 MR. LEVIN: WE CAN -- WE WILL COMPLY WITH
12 THEM, YOUR HONOR.

13 AND I WILL SAY, COMMUNICATIONS WITH STATE
14 PARKS, WE WILL -- WE CAN LOOK AT THESE 12 CUSTODIANS.
15 I THINK, FRANKLY, THE BETTER PLACE TO GO FOR THAT IS
16 THE STATE PARKS. BUT IF THERE'S SOMETHING IN THERE
17 THAT'S RESPONSIVE, WE'LL PRODUCE IT.

18 THE COURT: OKAY. AND CERTAINLY I'M NOW GOING
19 TO TURN TO MR. LAKE AND ASK YOU THE SAME QUESTION THAT
20 I ASKED MR. LEVIN A MOMENT OR SO AGO.

21 NOW THAT THE COURT HAS LIMITED THE
22 DOCUMENT REQUESTS, IS THERE ANYTHING ELSE YOU WANT TO
23 SAY?

24 MR. LAKE: YEAH, IF I COULD JUST DO IT
25 BRIEFLY. THANK YOU, YOUR HONOR.

26 FIRST OFF, WE DON'T HAVE AUTHORITY TO
27 STIPULATE TO THE DEPOSITIONS; BUT CERTAINLY, IF THE
28 COURT ORDERS IT, WE'RE GOING TO COMPLY.

1 AND, SECONDLY, IN TERMS OF KIND OF THE
2 PROCEDURAL ASPECT OF HOW WE'RE GOING TO DO THIS, UNDER
3 THE CODE OF COURSE, ALL OF THE PARTIES HAVE AN
4 OPPORTUNITY TO ASK QUESTIONS AS WELL, WHICH WOULD
5 INCLUDE US. AND I'M JUST THINKING LOGISTICALLY RIGHT
6 NOW WE WOULD BE COMPLETELY IN THE DARK AS FAR AS HOW TO
7 ASK ANY QUESTIONS OF L.A. FIRE. SO I WOULD PROPOSE --
8 I MEAN, THERE'S -- IT SOUNDS LIKE A LOT OF DOCUMENTS
9 THAT HAVE BEEN PRODUCED TO THEM, BUT NOT TO US. SO I
10 GUESS I WOULD THROW OUT THERE AS A PRACTICAL MATTER
11 THAT THE L.A. FOLKS PRODUCE EVERYTHING THEY PRODUCED TO
12 THE PLAINTIFFS TO US, AND VICE VERSA THAT WE SHOULD
13 PRODUCE WHAT WE'VE GIVEN THEM TO THEM AS WELL. SO THAT
14 WAY I THINK IT WOULD BE MORE EFFECTIVE AND EFFICIENT
15 QUESTIONING THE WITNESSES. AND IT'S NOT REALLY
16 IMPOSING ANYTHING MORE THAN WHAT'S ALREADY BEEN DONE.

17 OTHER THAN THAT -- AND I JUST WANT TO ADD
18 THAT, IN THE INTERIM SINCE I THINK EIGHT DAYS AGO LAST
19 TIME, THERE HAVE BEEN NEW PUBLIC RECORDS ACT REQUESTS
20 FROM THE OTHER SIDE. SO I'M NOT SURE OF THE TIMING OF
21 RESPONSE. MS. KASRAEE IS, AGAIN, WORKING ON THOSE. SO
22 THERE MAY BE ADDITIONAL DOCUMENTS COMING.

23 THE COURT: OKAY. I'M GOING TO WORK ON THE
24 LOGISTICS IN A MINUTE, WHICH I THINK IS THE FIRST PART
25 OF YOUR RESPONSE. OKAY.

26 MR. BEHLE?

27 MR. BEHLE: THANK YOU, YOUR HONOR.

28 I THINK IT WOULD BE HELPFUL FOR US TO

1 IDENTIFY BY NAME THE STATE PARK REPRESENTATIVES. AND
2 MR. ROBERTSON POINTED OUT TO ME THAT THERE WERE TWO
3 THAT WERE TOGETHER AND HIKE UP TO THE LACHMAN BURN
4 SCAR ON JANUARY 3. SO THERE'S ACTUALLY A TOTAL OF FOUR
5 NAMES, DAVID GUNN, G-U-N-N, AND GREG URBAN WERE
6 TOGETHER AND HIKE UP TO THE LACHMAN BURN SCAR AND TOOK
7 PHOTOGRAPHS ON JANUARY 3.

8 THE INDIVIDUAL DEPICTED IN THE PHOTOGRAPH
9 WHICH WE SUBMITTED TO THE COURT IS SOMEONE NAMED "JOHN
10 OTA," O-T-A.

11 AND THEN, LASTLY, WE BELIEVE, BASED ON
12 THE RECORDINGS THAT WE RECEIVED YESTERDAY, THAT THE
13 FIRST PERSON FROM STATE PARKS TO RESPOND TO THE LACHMAN
14 FIRE ON BEHALF OF THE STATE PARK DEPARTMENT WAS CHRISTY
15 ARAUJO, A-R-A-U-J-O.

16 SO IN TOTAL THAT WOULD BE FOUR, MR. OTA,
17 MS. ARAUJO, MR. GUNN AND MR. URBAN.

18 THE COURT: OKAY.

19 MR. LAKE: YOUR HONOR, IF I MAY JUST INTERJECT
20 FOR CLARIFICATION JUST SO THERE'S NO CONFUSION GOING
21 FORWARD?

22 SO SERGEANT ARAUJO, WHICH I MAY BE
23 MISPRONOUNCING, BUT CORRECTLY IN THE DISPATCH, SHE DID
24 RESPOND, BUT SHE RESPONDED TO WHAT I THINK THEY CALL
25 "INCIDENT COMMAND," WHICH WAS AT STATION 23 IN THE
26 PALISADES. SO OUR UNDERSTANDING IS SHE DIDN'T ACTUALLY
27 GO UP THERE. WE'RE CERTAINLY -- IF THE COURT WANTS HER
28 DEPOSED, IF THEY WANT TO DEPOSE HER, WE'LL DO IT. BUT

1 I JUST WANT TO MAKE SURE THAT -- OUR UNDERSTANDING, SHE
2 DIDN'T ACTUALLY GO UP TO THE AREA. SHE WAS AT STATION
3 23 TO PROVIDE -- AND THERE'S A PROCEDURE THAT THEY
4 APPARENTLY UNDERGO. THERE'S A FIRE ON STATE
5 PROPERTY --

6 MR. BEHLE: SO PERHAPS IT WOULD BE HELPFUL FOR
7 THE STATE TO IDENTIFY WHO DID GO UP THERE ON THE 1ST.
8 APPARENTLY, THERE WAS SOMEONE THERE OTHER THAN
9 MS. ARAUJO. THAT WOULD BE SOMEONE WE'D WANT TO TALK
10 WITH THAT WAS THERE JANUARY 1 IN THE EARLY MORNING
11 HOURS.

12 THE COURT: OKAY. SO I'M LOOKING AT PAGE 10
13 OF THE JOINT REPORT. IT SAYS, "HOWEVER, THE STATE HAS
14 PRODUCED AN UNREDACTED VERSION OF THE INCIDENT DETAIL
15 REPORT WHICH INDICATES THAT PARK RANGER SERGEANT
16 CHRISTY ARAUJO WAS DISPATCHED TO THE LACHMAN FIRE ON
17 JANUARY 1ST AND THAT SHE PREPARED A WRITTEN REPORT AND
18 TOOK PHOTOGRAPHS." THAT SEEMS TO BE DIFFERENT THAN
19 WHAT YOU'RE SAYING, MR. LAKE, IF I'M UNDERSTANDING YOU
20 AND WHAT THIS SAYS.

21 MR. LAKE: I'M SORRY, WHERE ARE YOU --

22 THE COURT: PAGE 10 STARTING ON LINE 16,
23 "HOWEVER."

24 MR. LAKE: OKAY. THAT'S THE STATE -- I'M
25 SORRY, THAT IS THE PLAINTIFF'S STATEMENT.

26 YES. SO, YES, WE DID PRODUCE UNDRAFTED
27 VERSION OF THE INCIDENT DETAIL REPORT AND THEN ALSO A
28 TWO-PAGE REPORT BY SERGEANT ARAUJO WITH -- I THINK

1 THERE WERE TWO OR THREE PHOTOS.

2 THE COURT: WELL, SO HERE'S -- LET ME TRY TO
3 BE A LITTLE BIT MORE SPECIFIC.

4 IT SEEMS TO ME, FROM READING THIS
5 ASSERTION BY THE PLAINTIFF'S COUNSEL, THAT THE INCIDENT
6 DETAIL REPORT INDICATES THAT SERGEANT ARAUJO WAS
7 DISPATCHED TO THE LACHMAN FIRE. SO THAT SOUNDS
8 DIFFERENT THAN WHAT YOU JUST SAID ABOUT SERGEANT ARAUJO
9 GOING TO, QUOTE, "INCIDENT COMMAND PALISADES STATION
10 23."

11 MR. LAKE: JUST TO CLARIFY, WE'LL PRODUCE HER
12 FOR DEPOSITION IF THE COURT -- IF THEY WANT HER AND
13 YOUR HONOR ORDERS US TO DO IT. I JUST WANT TO MAKE
14 SURE THAT, WHEN WE GET THERE AND IT TURNS OUT THAT SHE
15 SAYS, "I DIDN'T GO UP THERE. I WAS AT STATION 23,"
16 THAT IT DOESN'T -- YA'LL DON'T COME BACK TO ME AND SAY,
17 "YOU JUST WASTED OUR TIME." THAT'S MY UNDERSTANDING.

18 THE COURT: THAT'S THE LEAST OF OUR PROBLEM
19 THOUGH; RIGHT?

20 OKAY. SO I DON'T REALLY KNOW WHAT TO DO
21 WITH THIS SEEMING DISCREPANCY.

22 MR. BEHLE: IF THERE'S ANOTHER INDIVIDUAL THAT
23 THE STATE CAN IDENTIFY THAT PHYSICALLY WENT UP TO THE
24 LACHMAN FIRE ON THE 1ST THAT THEY CAN IDENTIFY BY NAME,
25 THEN WE WOULD ADD THAT PERSON TO THE LIST.

26 WE DIDN'T SEE FROM THE RECORDS THAT WERE
27 PRODUCED YESTERDAY THAT THE IDENTITY OF SUCH A PERSON
28 OTHER THAN SERGEANT ARAUJO --

1 MR. BOYLE: KEVIN BOYLE FOR THE PLAINTIFFS.

2 IF THE COURT WOULD JUST ORDER THE STATE
3 TO GIVE US A LIST OF ALL OF THE STATE REPRESENTATIVES
4 WHO RESPONDED TO THE LACHMAN FIRE AS THE CITY DID, THEN
5 I THINK WE WOULD HAVE OUR LIST OF NAMES. BUT THEY HAVE
6 NOT -- THEY HAVE PRODUCED SOME DOCUMENTS THROUGH CPRA
7 THE DAY BEFORE THIS HEARING, BUT THEY HAVE NOT GIVEN US
8 A LIST OF NAMES.

9 THE COURT: AND REMIND ME BECAUSE I'VE LOST
10 THIS, HOW DID YOU KNOW OR BELIEVE THAT SOMEBODY FROM
11 STATE PARKS WENT UP THERE?

12 MR. BEHLE: WE RECEIVED THE AUDIO RECORDINGS
13 WHERE THE CALLS WERE PLACED FROM LAFD AND THEY ASKED
14 FOR A STATE PARK REPRESENTATIVE TO COME IN. WE THEN
15 GOT A RECORDING OF STATE PARK'S DISPATCH SPEAKING WITH
16 MS. ARAUJO -- SERGEANT ARAUJO BY PHONE. AND SHE SAYS,
17 "I'M ON MY WAY UP THERE." SO, BY ALL INDICATIONS, SHE
18 WAS THE ONE THAT RESPONDED.

19 BUT I AGREE, IF WE CAN GET A LIST OF
20 EVERYBODY WHO RESPONDED AND CAN USE THAT LIST TO
21 IDENTIFY WHO PHYSICALLY WENT UP THERE ON THE 1ST -- IT
22 SOUNDED LIKE SERGEANT ARAUJO; BUT, IF IT WASN'T, WE
23 WOULD WANT TO KNOW WHO IT IS. AND A LIST WOULD BE THE
24 EASIEST WAY TO DO THAT.

25 MR. BOYLE: YOUR HONOR, WITH ALL DUE RESPECT
26 TO THE STATE, THEY'RE NOT GOING TO DO ANYTHING AND GIVE
27 US ANYTHING UNLESS YOU ORDER THEM DIRECTLY TO DO THAT.
28 LOS ANGELES HEARD WHAT YOU SAID LAST WEEK AND GAVE US

1 THE LIST. WE NARROWED IT DOWN. I DON'T THINK MR. LAKE
2 IS GOING TO BE AUTHORIZED TO TELL US A LIST OF NAMES
3 UNLESS YOU ORDER THEM TO.

4 THE COURT: MR. LAKE, DID YOU WANT TO RESPOND
5 TO THE REQUEST BY PLAINTIFF'S COUNSEL FOR THE COURT TO
6 ORDER THE STATE TO LIST ALL STATE REPRESENTATIVES WHO
7 RESPONDED TO THE LACHMAN FIRE ON JANUARY 1ST?

8 MR. LAKE: WELL, YES.

9 MR. BOYLE'S STATEMENT HE JUST MADE IS
10 CONTRADICTED BY THE FACT THAT, AS PART OF THE MEET AND
11 CONFER, NOT PER ORDER, WE JUST PRODUCED HUNDREDS OF
12 PAGES OF DOCUMENTS AND THEY DO HAVE -- IN THOSE
13 DOCUMENTS, ONE OF THEM CORRECTLY INCLUDED DAVID GUNN
14 AND GREG URBAN. THEY ALSO HAD JOHN OTA.

15 IF WE REALLY WANT TO CUT TO THE CHASE, I
16 HAVE AN UNDERSTANDING, AND I'M NOT POSITIVE, THAT THERE
17 WAS ANOTHER INDIVIDUAL NAMED NOA RISCHE, N-O-A,
18 R-I-S-C-H-E. AND I -- IT'S MY -- I COULD BE WRONG.
19 THERE'S -- ONE OF THE NEWER CPRA REQUESTS DOES SPECIFY
20 HER BY NAME. I COULD BE WRONG ON THAT. I'M NOT SURE,
21 WHICH -- OKAY. THAT'S MY UNDERSTANDING AND THAT WOULD
22 COMPLETE THE --

23 MR. BOYLE: THAT'S CORRECT. I BELIEVE I
24 SERVED A CPRA FOR NOA RISCHE, BUT I WAS JUST SHOOTING
25 IN THE DARK. AND SO I GOT LUCKY WITH THAT ONE, 1 OUT
26 OF 50.

27 BUT THE PROBLEM IS, THEY PRODUCED SOME
28 DOCUMENTS PER THE CPRA, WHICH THEY HAD TO DO. IT'S NOT

1 LIKE THEY DID SOME GENEROUS THING, RIGHT. AND THEN WE
2 DO NOT KNOW IF THERE ARE STATE PARK REPRESENTATIVES
3 THAT RESPONDED THAT AREN'T IN THOSE DOCUMENTS.

4 SO IT WOULD SEEM TO ME, IF THE STATE
5 WOULD JUST DO WHAT THEY THE CITY DID AND TELL US WHO
6 THEIR PERSONNEL WERE, WE COULD AVOID A LOT OF TIME.

7 THE COURT: I UNDERSTAND.

8 OKAY. SO THE COURT IS INCLINED TO MAKE
9 THE FOLLOWING ORDER:

10 THAT THE CITY AND THE STATE, THAT'S
11 PROBABLY MORE ACCURATELY CHARACTERIZED AS THE CITY
12 AND/OR THE STATE, ARE ORDERED TO PRODUCE DOCUMENTS IN
13 RESPONSE TO DOCUMENT REQUESTS NUMBER 1, 2 AND 3 THAT
14 APPEAR ON PAGE 4 OF THE STATUS CONFERENCE REPORT THAT I
15 BELIEVE WAS FILED ON OR ABOUT NOVEMBER 24TH, 2025 WITH
16 THE FOLLOWING LIMITATION:

17 THEY ARE TO BE PRODUCED WITH REGARD TO
18 THE 12 FIREFIGHTERS THAT THE PARTIES HAVE AGREED WILL
19 BE DEPOSED AS OPPOSED TO THE WAY IN WHICH THEY'RE
20 CURRENTLY WRITTEN, WHICH IS SOME DERIVATION OF EACH OF
21 THE LAFD FIREFIGHTERS WHO RESPONDED TO THE LACHMAN
22 FIRE. OKAY. SO THAT TAKES CARE OF 1 THROUGH 3.

23 NUMBER 4 IS MOOT GIVEN THE DOCUMENTS THAT
24 WERE PRODUCED.

25 NUMBER 5 IS MOOT, WHICH BRINGS US TO
26 NUMBER 7.

27 THE COURT ORDERS THAT THE CITY PROVIDE
28 DOCUMENTS IN RESPONSE TO NUMBER 6 UNDERSTANDING, AS

1 MR. LEVIN POINTED OUT -- MR. LEVIN POINTED OUT THAT THE
2 CITY WILL DO -- WILL RESPOND TO THE EXTENT THAT IT HAS
3 THESE THINGS WITHIN ITS CUSTODY AND CONTROL.

4 AND THEN, FINALLY, THE COURT ORDERS --

5 MR. LEVIN: YOUR HONOR, THERE'S A CUSTODY AND
6 CONTROL ISSUE ON THAT ONE. THERE IS A BURDEN ISSUE.
7 WHAT I'M TRYING TO AVOID, JUST TO BE CLEAR, IS, THERE
8 IS A REPOSITORY OF EVERY SINGLE 911 CALL THE CITY
9 RECEIVES. AND I DON'T THINK IT'S REASONABLE TO HAVE
10 SOMEONE HAVE TO LISTEN INDIVIDUALLY TO EVERY CALL TO
11 TRY TO FIGURE OUT WAS THERE SOMEONE WHO MENTIONED
12 SOMETHING ABOUT THE LACHMAN FIRE AT THIS POINT IN TIME.
13 IT IS A HUGE VOLUME OF CALLS, AS YOU CAN IMAGINE
14 CITY-WIDE. AND THERE'S ALSO HIGHLY, HIGHLY SENSITIVE
15 INFORMATION ON MANY OF THOSE CALLS ABOUT MEDICAL ISSUES
16 AND SO FORTH.

17 WHAT I'M SUGGESTING IS, AT LEAST FOR NOW,
18 WE START BY LOOKING. WE WILL SEARCH THE FIRE
19 DEPARTMENT RECORDS TO SEE IF THE FIRE DEPARTMENT
20 RECEIVED ANY 911 NOTIFICATION TO SAY THERE IS A CONCERN
21 ABOUT SMOKE TO WHICH THEY WOULD THEN RESPOND OR DO
22 WHATEVER THEY DO. BUT I THINK THAT TO US IS A
23 REASONABLE WAY BECAUSE THEN WE CAN FOCUS ON --
24 GEOGRAPHICALLY ON CERTAIN STATIONS IN THE PALISADES.
25 WE CAN FOCUS ON FIRE DEPARTMENTS AS OPPOSED TO THE
26 OTHER AGENCIES THAT RESPOND TO 911, POLICE AND SO
27 FORTH. AND I THINK THAT WILL GET THEM WHAT THEY NEED.

28 THE COURT: RIGHT. SO YOU'RE SAYING, IN THAT

1 WAY, THERE WILL BE A WAY TO FOCUS THE SEARCH SO THAT
2 YOU DON'T GET, YOU KNOW, A 911 CALL FROM, YOU KNOW, 20
3 MILES AWAY ABOUT A CAT STUCK IN A TREE.

4 MR. LEVIN: CORRECT.

5 THE COURT: DOES THAT MAKE SENSE TO YOU,
6 MR. BEHLE, ESPECIALLY IF YOU WANT TO DO THESE
7 DEPOSITIONS SOONER RATHER THAN LATER?

8 MR. BEHLE: IT DOES.

9 AND BEFORE WE MOVE ON, WE REALIZE THAT
10 THE COURT HAS BEEN GOING THROUGH THE LIST OF DOCUMENTS
11 THAT'S DIRECTED TO THE CITY. ON THE NEXT PAGE OF THE
12 REPORT, THERE'S A LIST FROM THE STATE WHICH INCLUDES AS
13 NUMBER ONE THE LIST OF THE STATE PARK REPS THAT
14 RESPONDED.

15 THE COURT: YOU MEAN NUMBER 7 AT -- WAIT.

16 OH, OKAY. WELL, I HAVEN'T GOTTEN THERE
17 YET.

18 MR. BEHLE: OKAY.

19 THE COURT: AS I SAID, WE'RE BRUTE FORCING.
20 WE'RE GOING THROUGH EACH ONE OF THESE BECAUSE I DON'T
21 WANT TO CAUSE ANY MORE CONFUSION ABOUT WHAT THE COURT
22 HAS ORDERED.

23 OKAY. SO I'M GOING TO ASK SOMEBODY TO
24 DRAFT THE ORDER. SO THINK ABOUT WHO SHOULD DO THAT AND
25 THINK ABOUT WHAT HAS BEEN SAID IN TERMS OF LIMITING OR
26 FOCUSING ON THE SEARCH BY THE CITY TO NUMBER 6. OKAY?

27 MR. BEHLE: WE'LL DRAFT THIS ON BEHALF OF THE
28 PLAINTIFF AND WORK WITH MR. LEVIN AND COME UP WITH AN

1 ACCEPTABLE ORDER.

2 THE COURT: WHAT ABOUT THIS INCIDENT DETAILS
3 FORCE NUMBER 695, WHICH WAS "SEE ATTACHED" WHICH I
4 DON'T THINK I GOT, WHAT IS THAT?

5 TOP OF PAGE 5 OF THE REST OF REQUEST
6 NUMBER 6?

7 MR. ROBERTSON: THE ONLY ITEM THAT WAS
8 REDACTED WAS THE IDENTITY OF THE 911 CALLER. MY
9 UNDERSTANDING IS THAT THE CITY, IN RESPONSE TO A CPRA
10 REQUEST, ALWAYS REDACTS THAT. BUT THROUGH REGULAR
11 DISCOVERY AND LITIGATION PROCESS, IT'S NOT REDACTED
12 INFORMATION. SO WE'RE JUST ASKING THAT THEY PROVIDE US
13 WITH THAT UNREDACTED VERSION OF THAT INCIDENT LOG.

14 THE COURT: THAT SEEMS REASONABLE.

15 MR. LEVIN?

16 MR. LEVIN: IT IS AN INDIVIDUAL CITIZEN 911
17 CALLER'S CELL PHONE. IT'S OBVIOUSLY REDACTED IN THE
18 CPRA BECAUSE IT'S PRIVATE INFORMATION. IT SEEMS TO ME
19 TANGENTIALLY RELEVANT. SO I'M NOT SURE THAT IT'S --
20 THE PRIVACY INTERESTS ARE OUTWEIGHED BY THE NEED FOR
21 IT. IF THERE IS A COURT ORDER, WE'LL PRODUCE IT UNDER
22 THE PROTECTIVE ORDER. I DON'T THINK THAT AN INDIVIDUAL
23 911 CALLER'S NAME SHOULD BE IN THE PUBLIC RECORD OR
24 THEIR CELL PHONE. BUT I'M JUST NOT REALLY SEEING A
25 NEED FOR IT AT THIS POINT IN TIME.

26 WHAT ARE THEY GOING TO DO, SHOW UP AT THE
27 PERSON'S HOUSE AND TRY TO INTERVIEW THEM? IT SEEMS
28 LIKE A LITTLE INVASIVE.

1 THE COURT: THEY MAY TRY TO INTERVIEW THE
2 PERSON. I DON'T KNOW IF THEY'RE GOING TO SHOW UP AT
3 THE PERSON'S HOUSE, BUT THEY'LL DO WHAT THEY'RE GOING
4 TO DO.

5 SO YOU'RE ORDERED TO PRODUCE, IN
6 UNREDACTED FORM, THE IDENTITY AND CONTACT INFORMATION
7 FOR THE CALLER PURSUANT TO THE PROTECTIVE ORDER.

8 OKAY. AND THEN NUMBER 7 ON THE TOP OF
9 PAGE 5 IS MOOT.

10 OKAY. NOW TO WHAT IS SET FORTH ON PAGES
11 7 AND 8 OF THE JOINT REPORT, MORE SPECIFICALLY LIST OF
12 WITNESSES AND DOCUMENTS REQUESTED FROM CALIFORNIA STATE
13 PARKS.

14 ALL RIGHT. SO I'M GOING TO GO THROUGH
15 THESE, AND I'M GOING TO ASK MR. BEHLE IF SOME OF THESE
16 OR ALL OF THEM ARE NOW MOOT AS A RESULT OF THE DOCUMENT
17 REQUEST. AND I AM MOST LIKELY GOING TO FIND THAT
18 THEY'RE OVERBROAD. BUT LET'S JUST DO WHAT WE JUST DID
19 WITH REGARD TO THE CITY DISCOVERY -- DOCUMENT
20 DISCOVERY.

21 "IDENTIFY ALL EMPLOYEES OF THE STATE OF
22 CALIFORNIA, INCLUDING CALIFORNIA STATE PARKS, WHO
23 RESPONDED TO THE LACHMAN FIRE."

24 I JUST MADE THAT ORDER; RIGHT?

25 MR. BOYLE: I THINK YOU NEED TO MAKE IT. I
26 THINK YOU NEED TO LOOK RIGHT AT MR. LAKE AND SAY IT.

27 THE COURT: WELL, IT'S GOING TO BE
28 MEMORIALIZED IN AN ORDER THAT THE COURT IS GOING TO

1 REVIEW AND SIGN. ALL RIGHT.

2 MR. LAKE: WE'VE ALSO ORDERED A COPY OF THE
3 TRANSCRIPT AND WE'LL PROVIDE IT TO EVERYONE ELSE.

4 THE COURT: GREAT.

5 MR. BOYLE: SO THE COURT IS ORDERING THAT THE
6 STATE PRODUCE A LIST OF PEOPLE FROM THE STATE WHO
7 RESPONDED TO THE LACHMAN FIRE ON JANUARY 1 THROUGH
8 JANUARY 6?

9 THE COURT: ON JANUARY 1 THROUGH JANUARY 6.

10 MR. LAKE: THAT'S NOT WHAT THE REQUEST SAYS.

11 THE COURT: I JUST MADE THE ORDER ABOUT THREE
12 MINUTES AGO BEFORE I GOT TO THE REQUEST BASED UPON
13 MR. BOYLE'S REQUEST TO THE COURT.

14 MR. BOYLE: WHICH MR. LAKE'S QUESTION JUST
15 PROVED THE NEED FOR THAT. THANK YOU FOR THAT, YOUR
16 HONOR.

17 I THINK THAT SHOULD INCLUDE WITH
18 RESPONDING TO THE LACHMAN FIRE WHETHER IT BE BY GOING
19 TO AN LAFD HEADQUARTERS OR THE ACTUAL LACHMAN FIRE AREA
20 ITSELF BECAUSE, APPARENTLY, THERE'S NOW A DIFFERENCE.
21 MR. LAKE EARLIER SAID THAT THIS MS. ARAUJO RESPONDED TO
22 THE FIRE, BUT SHE RESPONDED TO DEPARTMENT 23, AND THERE
23 COULD HAVE BEEN IMPORTANT COMMUNICATIONS THAT SHE GAVE
24 AT DEPARTMENT 23 IF SHE DID NOT IN FACT GO TO THE
25 SCENE. SO I JUST WANT TO MAKE CLEAR THAT THAT ORDER
26 ABOUT STATE PERSONNEL RESPONDING TO THE LACHMAN FIRE
27 CAN BE EITHER AT THE LACHMAN FIRE GROUNDS OR DEPARTMENT
28 23 OR DEPARTMENT 69 OR WHEREVER ELSE THEY SEND PEOPLE

1 BECAUSE OF THE LACHMAN FIRE.

2 DOES THAT MAKE SENSE?

3 THE COURT: YEAH. I MEAN, I UNDERSTAND WHAT
4 YOU'RE SAYING. YOU'RE SAYING NOT TO THE EXACT LOCATION
5 OF THAT FIRE.

6 WITHOUT KNOWING MORE ABOUT WHAT
7 "RESPONDED TO" MEANS IN FIRE DEPARTMENTS SPEAK, I'M
8 JUST GOING TO LEAVE IT BE.

9 WHAT IF SOMEBODY WENT TO THE FIRE
10 DEPARTMENT IN, I DON'T KNOW, COMPTON OR SOMETHING TO BE
11 ON CALL FOR THE LACHMAN FIRE, IS THAT "RESPONDED TO"?

12 MR. ROBERTSON: YOUR HONOR, FOR THE LACHMAN
13 FIRE, THE INCIDENT COMMANDER DECIDED TO LOCATE THE
14 INCIDENT COMMAND POST FOR THE LACHMAN FIRE AT LAFD FIRE
15 STATION 23 IN THE PALISADES, WHICH IS COMMON. THEY
16 WANT TO BE SOMEWHAT DISTANCE AWAY FROM THE FIRE TO BE
17 ABLE TO COMMAND AND CONTROL THE FIRE. SO DECISIONS ARE
18 BEING MADE AT THAT INCIDENT COMMAND POST WHICH IS
19 SEPARATE FROM WHERE THE FIRE IS ACTUALLY BURNING UP ON
20 THE HILL.

21 SO I THINK WHAT MR. BOYLE IS ASKING IS
22 THAT, ANY STATE PARK EMPLOYEE WHO RESPONDED TO THE
23 LACHMAN FIRE INCIDENT, THAT INCLUDES THE COMMAND POST
24 OR ACTUALLY UP ON THE HILL WHERE THE FIRE SMOKE WAS
25 COMING FROM.

26 THE COURT: SO THE ORDER IS FOR THE STATE TO
27 PROVIDE A LIST OF ALL STATE REPRESENTATIVES WHO
28 RESPONDED TO THE LACHMAN FIRE INCIDENT ON JANUARY --

1 FROM JANUARY 1ST THROUGH JANUARY 6TH.

2 MR. ROBERTSON: THANK YOU.

3 THE COURT: GOING TO NUMBER 2, "IDENTIFY ALL
4 EMPLOYEES AT THE STATE OF CALIFORNIA WHO WERE PRESENT
5 IN THE AREA OF THE LACHMAN FIRE BURN SCAR." THAT TO ME
6 SEEMS REPETITIVE OR REDUNDANT OF THE ORDER I JUST MADE.
7 OKAY.

8 3, "PRODUCE ALL COMMUNICATIONS, INCLUDING
9 TEXT MESSAGES, E-MAILS, INSTANT MESSAGING PLATFORMS OR
10 OTHER WRITTEN COMMUNICATION MEDIUMS RELATED TO THE
11 LACHMAN FIRE FOR EACH EMPLOYEE WHO RESPONDED TO THE
12 LACHMAN FIRE AND WERE INVOLVED IN THE MOP UP."

13 SO THAT'S COMMUNICATIONS RELATED TO THE
14 PEOPLE THAT ARE GOING TO BE IDENTIFIED; CORRECT?

15 MR. BEHLE: CORRECT.

16 THE COURT: ALL RIGHT. SO NUMBER 3 IS
17 UNDERSTANDABLE AND I THINK REASONABLE AND PROPERLY
18 LIMITED.

19 MR. LAKE: SO, YOUR HONOR, YOU JUST A MOMENT
20 AGO HAD AN ORDER TALKING ABOUT PRODUCING NAMES FOR
21 JANUARY 1 THROUGH JANUARY 6. FOR SOME OF THESE
22 CATEGORIES, AS WE GO DOWN, LISTS 1 THROUGH 7. I THINK
23 THE MORE LOGICAL TIME FRAME WE'RE TALKING ABOUT IS 1
24 THROUGH 6. DO WE HAVE AN UNDERSTANDING THAT THAT'S
25 THE -- THE 7TH IS WHEN THE --

26 THE COURT: WELL, SORRY, I PROBABLY SAID THE
27 6TH, BUT I'M LOOKING AT THE CITY'S REQUESTS AND THOSE
28 ARE THROUGH THE 7TH.

1 MR. LEVIN: JUST TO BE CLEAR, YOUR HONOR, I
2 THINK WE HAVE AN AGREEMENT WITH THE PLAINTIFFS. I
3 THINK THEY MEANT UP UNTIL THE 7TH. THE 7TH -- THE
4 MORNING OF 7TH IS WHEN THE PALISADES FIRE STARTED. AND
5 I THINK WE HAVE AGREEMENT, AS OF YESTERDAY AT LEAST,
6 THAT ALL OF THIS DISCOVERY IS FOCUSED ON THE PERIOD
7 BEFORE APPROXIMATELY 10:30 A.M. ON THE 7TH WHEN THE
8 PALISADES FIRE BEGAN. SO I THINK THEY WERE USING THE
9 7TH AS A SHORTHAND, BUT IT IS NOT INCLUSIVE OF THE 7TH.

10 MR. ROBERTSON: YOUR HONOR, WE AGREED TO LIMIT
11 IT TO UP UNTIL 10:30 A.M. ON THE MORNING OF THE 7TH.

12 THE COURT: OKAY. YOU GOT THAT, MR. LAKE?

13 MR. LAKE: YES, THAT'S FINE.

14 THE COURT: NUMBER 4, "IDENTIFY CALIFORNIA
15 STATE PARKS AREA REPRESENTATIVE AND RESOURCE ADVISER
16 ASSIGNED TO THE LACHMAN FIRE."

17 DO YOU ALREADY HAVE THOSE PEOPLE
18 IDENTIFIED?

19 ARE THEY ONE OF THE FOUR, NO?

20 MR. BEHLE: WE'RE NOT SURE BECAUSE THEY'RE NOT
21 DESCRIBED AS SUCH. SO WHEN WE GET THE LIST -- IF WE
22 GET THE LIST THAT WAS ORDERED AND THE DESIGNATION OF
23 WHO THEY ARE, THAT WILL ANSWER THAT QUESTION.

24 THE COURT: OKAY. SO, MR. LAKE, DO YOU
25 UNDERSTAND THAT THE LIST ALSO MUST INCLUDE WHAT THEIR
26 JOB TITLE IS?

27 MR. LAKE: THAT'S FINE.

28 THE COURT: OKAY.

1 MR. LAKE: WE'LL INQUIRE TO CONFIRM WHAT THEIR
2 TITLES ARE.

3 MR. BOYLE: I THINK IF YOU JUST ORDER THE
4 STATE TO ANSWER 4 BECAUSE WE DON'T KNOW -- JUST THEIR
5 TITLE ALONE WITH THE STATE WON'T NECESSARILY TELL US IF
6 THEY WERE ASSIGNED THAT ROLE. THEIR PROTOCOLS REQUIRE
7 THAT SOMEBODY BE PUT IN THE ROLE. SO I THINK WE NEED
8 TO ACTUALLY HAVE THEM ANSWER 4 SEPARATELY. THANK YOU.

9 THE COURT: SO SOMEBODY MAY BE A SERGEANT LIKE
10 ARAUJO, BUT SHE MAY BE THE AREA REPRESENTATIVE AS WELL?

11 MR. BOYLE: EXACTLY.

12 THE COURT: OKAY. ALL RIGHT. SO I'M GOING TO
13 ORDER NUMBER 4 AS WRITTEN.

14 NUMBER 5, "PRODUCE ALL DOCUMENTS,
15 INCLUDING ICS 213 NOTES, TAKEN BY ANY CALIFORNIA STATE
16 PARKS AGENCY REPRESENTATIVE OR RESOURCE ADVISER
17 RELATING TO THE LACHMAN FIRE BETWEEN JANUARY 1 AND
18 JANUARY 7TH. ALSO, IDENTIFY THE CALIFORNIA STATE
19 PARK'S REP SHOWN IN THE ATTACHED PHOTO." WE HAVE DONE
20 THAT.

21 WHAT IS THE -- WHAT IS THE PURPOSE --
22 WHAT ARE YOU GETTING AT WITH REGARD TO THE FIRST PART
23 OF NUMBER 5, "ICS 213 NOTES," AND HAVE THEY BEEN
24 PRODUCED?

25 MR. ROBERTSON: FROM THE STATE PARK'S OWN
26 MANUAL, IT SAYS THAT WHENEVER ONE OF THE
27 REPRESENTATIVES GOES TO A WILDFIRE, THEY'RE REQUIRED TO
28 FILL OUT THIS FORM, ICS 213 FORM, WITH THEIR NOTES,

1 THEIR OBSERVATIONS.

2 YESTERDAY THE STATE PARKS PRODUCED A
3 WRITTEN REPORT, VERY BRIEF, PREPARED BY SERGEANT
4 ARAUJO, BUT WE DON'T KNOW IF THERE'S THESE OTHER NOTES.
5 THIS REPORT IS NOT A FORM ICS.

6 THE COURT: THAT'S NOT AN ICS 213?

7 MR. ROBERTSON: RIGHT.

8 THE COURT: MR. LAKE, I AM INCLINED TO ORDER
9 NUMBER 5.

10 WOULD YOU LIKE TO BE HEARD?

11 MR. LAKE: NO, IT'S FINE.

12 THE COURT: I LIKE THAT ANSWER, "NO, THAT'S
13 FINE." I'LL TAKE IT.

14 IT'S SORT OF LIKE MR. LEVIN, "MARGINALLY
15 RELEVANT." I'LL TAKE IT.

16 NUMBER 6, "PRODUCE ALL COMMUNICATIONS
17 WITH ANY REPRESENTATIVE OF LAFD CONCERNING" -- SO
18 THAT'S REDUNDANT OF NUMBER 3.

19 MR. ROBERTSON: SO IN THE DOCUMENTS THAT THE
20 STATE PRODUCED, DUMPED YESTERDAY MORNING ARE
21 REFERENCES -- MULTIPLE REFERENCES IN THEIR WILDFIRE
22 MANAGEMENT PLAN FOR TOPANGA STATE PARK. AND ONE OF THE
23 ATTACHMENTS ARE MAPS OF WHAT IS DESCRIBED AS "AVOIDANCE
24 AREAS." AND THE AVOIDANCE AREA IS DESCRIBED IN THEIR
25 PLAN AS, "WHERE NO HEAVY EQUIPMENT, VEHICLES OR
26 RETARDANT ARE ALLOWED AND ARE GROUPED TOGETHER AND
27 SHADED IN RED ON THE ATTACHED MAPS." NO MAPS WERE
28 ATTACHED. AND SO WE HAVE REPORTS THAT THE STATE PARK'S

1 REPRESENTATIVE THAT FIRST RESPONDED TO THE LACHMAN FIRE
2 MET WITH THE FIRE DEPARTMENT'S INCIDENT COMMANDER AND
3 SHOWED HIM MAPS OF AREAS THAT THE FIREFIGHTERS WERE NOT
4 ALLOWED TO GO INTO. THEY WERE RESTRICTED TO DO THE MOP
5 UP, WHICH IS RELEVANT TO OUR CLAIM THAT EMBERS REMAINED
6 AND IGNITED IN THE PALISADES FIRE. AND SO WE INTERPRET
7 COMMUNICATIONS SHOWING THE INCIDENT COMMANDER A MAP TO
8 BE INCLUDED IN THAT REQUEST. SO WE WOULD SPECIFICALLY
9 LIKE TO REQUEST THAT THE STATE PRODUCE THOSE MAPS THAT
10 ARE REFERENCED IN THIS REPORT THAT THEY DIDN'T ATTACH.

11 THE COURT: YOU THINK THAT FALLS WITHIN THE
12 WAY IN WHICH THIS IS DRAFTED, "ALL COMMUNICATIONS"?

13 MR. ROBERTSON: WELL, WE THINK SHOWING THE
14 INCIDENT COMMANDER A MAP AND SAYING, "HEY, DON'T SEND
15 YOUR GUYS IN HERE WITH HAND TOOLS AND EQUIPMENT" IS A
16 COMMUNICATION.

17 BUT TO THE EXTENT THAT IT'S NOT, WE'RE
18 MAKING THAT REQUEST TODAY BECAUSE WE DIDN'T GET THESE
19 DOCUMENTS UNTIL 10:00 A.M. YESTERDAY MORNING BEFORE WE
20 HAD TO FILE THIS REPORT.

21 THE COURT: WELL, JUST ASK FOR THE MAPS.

22 MR. ROBERTSON: THAT'S WHAT WE'RE DOING, YOUR
23 HONOR.

24 THE COURT: SO YOU'RE ORDERED TO PRODUCE THE
25 REFERENCED MAPS. SO THAT'S GOING TO BE ADDED TO THE
26 PROPOSED ORDER.

27 MR. ROBERTSON: THANK YOU.

28 THE COURT: NUMBER 7, "PRODUCE ALL DOCUMENTS

1 INCLUDING THE INCIDENT ACTION PLAN," WHICH YOU NOW
2 HAVE; CORRECT?

3 MR. BEHLE: CORRECT.

4 THE COURT: "AND INCIDENT MANAGEMENT TEAM
5 LIAISON OFFICER NOTES." THAT'S WHAT MR. ROBERTSON WAS
6 JUST REFERENCING, CORRECT --

7 MR. ROBERTSON: CORRECT.

8 THE COURT: -- FOR THE LACHMAN FIRE?

9 SO IT SOUNDS LIKE THAT'S MOOT.

10 MR. BEHLE: ANY HANDWRITTEN NOTES.

11 8, 9, 10 ARE MOOT.

12 THE COURT: 8, 9, 10 ARE MOOT. OKAY. I LIKE
13 THAT.

14 11, "PRODUCE ALL DPR 385 PUBLIC SAFETY
15 REPORTS, INCLUDING DPR 385A, PUBLIC SAFETY REPORTS
16 SUPPLEMENTAL, NATURAL HAZARDS, WILDFIRES REFERENCED IN
17 SECTION 0313.2.1.4 OF THE DPR OPERATIONS MANUAL NATURAL
18 RESOURCES."

19 WHAT'S THIS?

20 MR. ROBERTSON: AGAIN, THIS COMES STRAIGHT
21 FROM THEIR HANDBOOK. IT SAYS THAT, WHEN A
22 REPRESENTATIVE GOES TO A WILDFIRE, THEY HAVE TO
23 COMPLETE THESE REQUIRED FORMS. WE REQUESTED THEM IN A
24 CPRA REQUEST. WE GOT A LETTER YESTERDAY FROM THE STATE
25 PURPORTING TO PRODUCE THEM. UNFORTUNATELY, THESE
26 REPORTS WERE NOT INCLUDED IN THAT. IT APPEARS THAT THE
27 STATE JUST SIMPLY KEPT SENDING US THE SAME 228
28 DOCUMENTS IN RESPONSE TO EVERY CPRA REQUEST THAT WAS

1 OPEN. MY OFFICE RECEIVED THREE DUPLICATE RESPONSES
2 WITH THE SAME 228 DOCUMENTS THAT WEREN'T RESPONSIVE TO
3 THIS REQUEST. WE STILL NEED THESE REPORTS.

4 THE COURT: OKAY. SO A COUPLE OF QUESTIONS
5 FOR YOU. SO I'M FOCUSED ON THESE THREE OR FOUR STATE
6 PARK REPRESENTATIVES, THE TWO GUYS WHO HIKE UP THERE,
7 THE PERSON IN THE PHOTO AND SERGEANT ARAUJO.

8 MR. ROBERTSON: WE'RE NOW UP TO FIVE BECAUSE
9 MR. LAKE JUST DISCLOSED FOR THE FIRST TIME THIS NOA
10 PERSON.

11 THE COURT: OKAY. WHAT -- CONNECT FOR ME
12 THOSE FIVE PEOPLE AND THESE SAFETY REPORTS.

13 MR. ROBERTSON: ACCORDING TO THE STATE PARKS
14 MANUAL, ONE OR MORE OF THOSE FIVE PEOPLE SHOULD HAVE
15 COMPLETED THESE REPORTS.

16 THE COURT: OKAY. MS. KASRAEE, CAN YOU HEAR
17 ME?

18 MS. KASRAEE: I CAN, YOUR HONOR.

19 THE COURT: THANK YOU.

20 DO YOU -- A, HAVE YOU LOOKED AT AND HAVE
21 YOU PRODUCED THESE PUBLIC SAFETY REPORTS IN RESPONSE TO
22 A PUBLIC RECORDS ACT REQUEST?

23 MS. KASRAEE: SO I PRODUCED THE INCIDENT
24 REPORT WRITTEN BY CHRISTY ARAUJO, BUT WE DO NOT HAVE A
25 DPR 385 OR A DPR 385A. THEREFORE, I PRODUCED WHAT I
26 CONSIDERED TO BE POTENTIALLY RESPONSIVE YESTERDAY,
27 WHICH WAS THE INCIDENT REPORT, THE INCIDENT DETAIL
28 REPORT, AUDIO FROM DISPATCH AND THEN THE OTHER 228

1 RECORDS.

2 THE COURT: WHEN YOU SAY, "WE DO NOT HAVE," DO
3 YOU MEAN YOU AS AN ATTORNEY OR THE STATE DON'T HAVE
4 THESE OR YOUR CLIENT HAS NOT YET PRODUCED THESE TO YOU
5 OR THEY DON'T EXIST?

6 MS. KASRAEE: IT IS THE LATTER. THEY DO NOT
7 EXIST. WE DO NOT POSSESS A DPR 385 OR DPR 385A THAT'S
8 RESPONSIVE TO THE REQUEST.

9 MR. ROBERTSON: I'M NOT SURE I HEARD AN ANSWER
10 TO THE QUESTION. THEY DON'T EXIST OR THEY SIMPLY DON'T
11 HAVE THEIR HANDS ON THEM?

12 THE COURT: MS. KASRAEE, TO YOUR KNOWLEDGE,
13 THEY DO NOT EXIST; CORRECT?

14 MS. KASRAEE: THAT IS CORRECT, YOUR HONOR.

15 MR. ROBERTSON: WE'LL ACCEPT THAT
16 REPRESENTATION.

17 THE COURT: IN TERMS OF THE -- JUST TO MAKE
18 SURE I'M DOING MY BEST TO GET US ALL ON THE SAME PAGE.

19 IN TERMS OF THE STATE PARKS DOCUMENT
20 REQUESTS, I MADE THE ORDER WITH REGARD TO THE LIST OF
21 ALL STATE REPRESENTATIVES, AS WELL AS THEIR JOB TITLE,
22 WHO RESPONDED TO THE LACHMAN FIRE INCIDENT ON THE DATE
23 RANGE IN QUESTION.

24 NUMBER 3 WILL BE PRODUCED AS WELL.

25 NUMBER 4 WILL BE PRODUCED AS WELL.

26 NUMBER 5 MUST BE PRODUCED AS WELL.

27 THE MAPS THAT ARE REFERENCED MUST BE
28 PRODUCED.

1 NUMBER 7, "PRODUCE ALL DOCUMENTS,
2 INCLUDING THE INCIDENT ACTION PLAN," WHICH YOU HAVE,
3 "THE INCIDENT MANAGEMENT TEAM LIAISON OFFICER NOTES."

4 SO YOU'RE SAYING THAT YOU WANT ANY
5 HANDWRITTEN NOTES THERE AS OPPOSED TO THE NOTES THAT
6 ARE REFERENCED IN NUMBER 5?

7 MR. ROBERTSON: 7 THROUGH 10 ARE MOOT.

8 THE COURT: SO 7 IS MOOT AS WELL.

9 OKAY. AND THEN 11, YOU HAVE HEARD THAT
10 THEY DO NOT EXIST.

11 OKAY. SO GOING TO THE LOGISTICS OF THESE
12 DEPOSITIONS. OBVIOUSLY, THE PLAINTIFF'S COUNSEL AND
13 COUNSEL FOR THE CITY HAVE ALREADY AGREED TO CERTAIN
14 PARAMETERS FOR THE DEPOSITIONS. AND I'M GOING TO
15 ASSUME THAT MR. LAKE AGREES TO THOSE PARAMETERS AS
16 WELL. BUT, IF YOU DON'T, LET ME KNOW.

17 AND LET ME BE MORE SPECIFIC AS TO WHERE
18 I'M LOOKING WHEN I SAY "CERTAIN PARAMETERS." I'M
19 LOOKING AT THE BOTTOM OF PAGE 3 TO THE TOP OF PAGE 4.

20 MR. LAKE: YEAH, IT SAYS ONE ATTORNEY FOR THE
21 CITY, ONE ATTORNEY FOR THE STATE GETS TO -- MAY
22 QUESTION. THAT'S FINE WITH US.

23 THE COURT: OKAY. IN TERMS OF DOCUMENT
24 EXCHANGES, I ASSUME THAT ALL PARTIES WILL GET THE
25 DOCUMENTS. AND I'M GOING TO SOMETHING THAT I THINK
26 MR. LAKE WAS SAYING ABOUT HE DOESN'T HAVE THESE
27 DOCUMENTS, ET CETERA. YOU WILL TAKE CARE OF MAKING
28 SURE THAT EVERYBODY HAS THE DOCUMENTS THAT ARE

1 EXCHANGED.

2 I AM INCLINED TO LEAVE IT TO COUNSEL TO
3 DETERMINE THE TIMING BECAUSE, OBVIOUSLY, THERE ARE
4 THINGS THAT THE STATE AND THE CITY NEED TO DO IN ORDER
5 TO COMPLY WITH THE DOCUMENT REQUEST. AND I DON'T KNOW
6 THAT HAVING A CONVERSATION WITH ME TODAY ABOUT THAT
7 WOULD MOVE THE BALL FORWARD GIVEN THAT WE DON'T KNOW
8 HOW LONG IT'S GOING TO TAKE. OKAY?

9 MR. LAKE: YOUR HONOR, ONE CLARIFICATION?

10 YOU MENTIONED PRODUCTION OF DOCUMENTS IN
11 THOSE CATEGORIES THAT HAVE BEEN DISCUSSED RELATIVE TO
12 THE CITY AND TO US, BUT I ALSO MENTIONED -- BECAUSE
13 THERE'S BEEN A SERIES OF DOCUMENTS PURSUANT TO THE CPRA
14 TO THE CITY AND TO US. I JUST THINK IT WOULD BE
15 LOGICAL, AND I'M HOPEFUL THAT MR. LEVIN IS AGREEABLE,
16 JUST WHATEVER HAS BEEN PRODUCED SO FAR, THAT IT WOULD
17 BE HELPFUL FOR US TO GET A COPY OF THAT AS WELL. AND
18 WE WOULD BE AGREEABLE TO ALSO GIVE THEM A COPY.

19 MR. BEHLE: WE'LL MAKE SURE EVERYBODY HAS
20 EVERYTHING.

21 THE COURT: AND YOU'RE GOING TO DRAFT A
22 PROPOSED ORDER FOR US.

23 WHAT'S YOUR TIMING ON THAT?

24 MR. BEHLE: IMMEDIATELY. SO I'M GOING TO SAY
25 BY NEXT MONDAY, MAYBE SOONER.

26 THE COURT: OKAY. WELL, I WON'T BE HERE
27 TOMORROW. SO THERE'S NO SOONER THAN MONDAY.

28 IS THERE ANYTHING ELSE THAT ANYBODY WANTS

1 TO TALK ABOUT RELATED TO THIS FOCUSED SPECIFIC
2 DISCOVERY?

3 MR. BEHLE: I THINK IT WOULD BE HELPFUL. I
4 KNOW WE'RE GOING TO MEET AND CONFER ABOUT TIMING, BUT I
5 WANT TO PUT SOME PARAMETERS AND MAYBE WE CAN SET A
6 HEARING WITH THE COURT --

7 THE COURT: I'M GOING TO DO THAT BEFORE WE
8 ADJOURN.

9 MR. BEHLE: SO WE CAN JUST MAKE SURE WE'RE ON
10 TRACK, THINGS ARE HAPPENING.

11 THE COURT: THAT'S FINE.

12 MR. LEVIN: JUST ONE ADDENDUM ON THE
13 DOCUMENTS. WE'RE TOTALLY FINE WITH SHARING WHATEVER WE
14 PRODUCE WITH THE STATE AND THEN THE PLAINTIFFS. BUT,
15 OBVIOUSLY, TO THE EXTENT THE PLAINTIFFS SEEM TO HAVE
16 SOME DOCUMENTS THAT HAVE COME FROM THIRD PARTY SOURCES
17 OR WHATEVER, I THINK THOSE SHOULD BE PART OF THE
18 EXCHANGE TOO AND WHATEVER THEY HAVE THAT THEY ARE
19 INTENDING TO USE RELATIVE TO THE LACHMAN --

20 MR. LAKE: WE WOULD AGREE WITH THAT AS WELL.

21 MR. BOYLE: THAT'S FINE.

22 MR. BEHLE: NO, THAT'S FINE. WE'LL SHARE IT
23 WITH THEM.

24 THE COURT: OKAY. SO WE NEED A NEXT DATE.
25 BUT BEFORE WE NEED A NEXT DATE, I NEED TO GO BACK TO A
26 LOGISTICAL ISSUE THAT MR. BOYLE AND I TALKED ABOUT
27 DURING OUR HEARING LAST TIME, WHICH I THINK I GAVE YOU
28 BAD INFORMATION.

1 SO YOU ASKED ME A QUESTION ABOUT -- I
2 ASKED YOU -- YOU KNOW, YOU FILED THE PROPOSED MASTER
3 COMPLAINT AS AN ATTACHMENT TO A NOTICE OF FILING OF THE
4 COMPLAINT. AND YOU EXPLAINED, WELL, WE DID THAT
5 BECAUSE IT WAS THE ONLY WAY WE COULD GET IT FILED.

6 SO HERE'S THE ISSUE, WHICH I PROBABLY
7 WON'T EXPLAIN VERY WELL. YOU HAVE GOT, I DON'T KNOW,
8 30, 40, 50 DIFFERENT CASES, RIGHT, TO DO WITH THE
9 PALISADES FIRE, YOU COLLECTIVELY. AND, YOU KNOW,
10 THEY'RE GROUPED INTO WHATEVER GROUPINGS IN EACH
11 COMPLAINT.

12 IN ORDER FOR OUR ELECTRONIC CASE
13 MANAGEMENT SYSTEM TO BE ABLE TO KEEP TRACK OF WHICH
14 PARTIES ARE IN WHICH CASE, THERE NEEDS TO BE A
15 PROCEDURE ADOPTED - AND I'LL TELL YOU WHAT THEY'RE
16 DOING IN THE OTHER FIRE CASE - WHEREBY ANY ADOPTION OF
17 THE MASTER COMPLAINT HAS TO BE FILED IN EACH CASE.
18 OKAY. SO, IN OTHER WORDS, WE CAN'T JUST FILE
19 EVERYTHING IN GRIGSBY. MAKES SENSE SO FAR?

20 AND MAYBE I'M GETTING AHEAD OF OURSELVES,
21 BUT I THINK I SAID SOMETHING DIFFERENT TO YOU VIS-A-VIS
22 THE COLLOQUY WE HAD ABOUT A SUMMONS ISSUING. SO IT'S
23 NOT QUITE AS -- NOTHING IS AS EASY AS ONE WOULD THINK
24 IT COULD BE IN THIS ELECTRONIC AGE GIVEN THE -- OUR
25 CASE MANAGEMENT SYSTEM. BUT WE NEED TO KNOW WHO IS IN
26 EACH CASE. AND WHEN I SAY "WE," I MEAN OUR ELECTRONIC
27 CASE MANAGEMENT SYSTEM NEEDS TO BE ABLE TO IDENTIFY A
28 PARTICULAR PARTY, BE IT A PLAINTIFF OR A DEFENDANT, IN

1 ORDER TO ACCEPT THAT FILING ON BEHALF OF THAT PLAINTIFF
2 OR DEFENDANT.

3 MR. ROBERTSON: WE'RE DOING THAT IN THE EATON
4 FIRE CASE. SO THE NOTICE OF ADOPTIONS, THE SHORT FORM
5 COMPLAINTS ARE FILED IN THE INDIVIDUAL PLAINTIFF'S
6 CASE. AND WE HAVE SUBMITTED CMO NUMBER 2 TO TRY TO GET
7 THAT PROCESS LAUNCHED.

8 THE COURT: I DID SEE THAT WAS JUST SUBMITTED,
9 BUT IN THE LAST DAY OR SO?

10 MR. BEHLE: THE THIRD TIME I THINK IT WORKED.

11 MR. BOYLE: YOUR HONOR, WE FILED A NEW CASE
12 MANAGEMENT ORDER NUMBER 2 THAT CORRESPOND -- THAT HAS
13 THE SHORT FORM COMPLAINT AND NOTICE OF ADOPTION THAT
14 CORRESPONDS WITH THE NEW MASTER COMPLAINT WE LODGED
15 ALSO. ALL IT WAS DOING WAS CORRECTING -- WE HAD A TWO
16 PAL 34'S. SO IT WAS JUST A NUMERICAL -- WHAT I WAS
17 GOING TO PROPOSE, YOUR HONOR, IS THAT PERHAPS WE
18 PREPARE A PROPOSED ORDER FOR YOU WITH THE INPUT FROM
19 THE CITY AND THE STATE ABOUT HOW WE CAN, ONE, GET THE
20 MASTER COMPLAINT ON FILE -- BECAUSE I UNDERSTAND THE
21 COURT'S POINT ABOUT FILING -- YOU KNOW, RIGHT NOW
22 THERE'S 30 OR 40 CASES FILED, BUT THAT'S THE TIP --
23 THAT'S A PENGUIN ON THE TIP OF THE ICEBERG. SO THERE'S
24 GOING TO BE A LOT MORE. SO WHAT WE NEED TO DO IS JUST
25 GET THE MASTER COMPLAINT FILED. AND IT COULD JUST BE
26 THAT MAYBE IT DOESN'T HAVE TO BE FILED. MAYBE IT JUST
27 STAYS AS A LODGING. BUT I COULD PROPOSE -- MAKE --
28 CREATE A PROPOSED ORDER THAT SAYS -- THAT SIMPLY SAYS

1 THAT THE MASTER COMPLAINT THAT WAS LODGED ON 11/23 IS
2 DEEMED FILED OR IT IS THE OPERATIVE MASTER COMPLAINT,
3 THE END. IT DOESN'T EVEN NEED TO BE FILED, LET'S SAY.

4 THE COURT: I THINK YOU WANT IT TO BE FILED.

5 MR. BOYLE: OKAY.

6 MR. ROBERTSON: WE NEED TO GET THE SUMMONS
7 ISSUED TO THE NEWLY-ADDED DEFENDANT.

8 THE COURT: SO I SEE THIS PROPOSED CMO NUMBER
9 2 FILED YESTERDAY. SO I HAVEN'T HAD A CHANCE TO DIG
10 INTO IT YET.

11 OKAY. WELL, LET ME LOOK AT THAT, AND WE
12 CAN CONTINUE WITH THIS CONVERSATION THE NEXT TIME WE
13 MEET.

14 MR. BOYLE: THAT'S FINE.

15 YOUR HONOR, I KNOW MR. LEVIN HAD -- WE
16 DISCUSSED AN ISSUE BECAUSE THERE ARE SOME CASES THAT
17 HAVEN'T BEEN PROPERLY COORDINATED YET. AND HE WAS
18 HOPING THE CMO 2 COULD BE ENTERED BECAUSE THEN THEY CAN
19 USE THAT. SO I'M JUST TRYING TO THINK OF A WAY TO FAST
20 FORWARD.

21 EVERYONE AGREES WITH CMO NUMBER TWO.

22 THE COURT: IT'S STIPULATED TO?

23 MR. LEVIN: YES, YOUR HONOR.

24 THE COURT: I'LL LOOK AT IT THIS AFTERNOON.

25 OKAY.

26 MR. BOYLE: THANK YOU.

27 THE COURT: I JUST HAVE TO MAKE SURE IT'S
28 DOABLE FROM OUR SIDE.

1 MR. LEVIN: TO YOUR QUESTION YOU STARTED WITH,
2 CMO 2 INSTRUCTS PLAINTIFFS TO FILE THEIR NOTICE OF
3 ADOPTION OR SHORT FORM IN THEIR OWN CASE, WHICH I THINK
4 GOES TO YOUR FIRST QUESTION.

5 THE COURT: YES. OKAY. OKAY.

6 MR. BOYLE: YOUR HONOR, JUST TO ADD, I THINK
7 THAT THAT WAS GETTING CONFUSED A LITTLE BIT WITH JUST
8 THE -- WE WERE HAVING AN ISSUE FILING THE MASTER
9 COMPLAINT IN GRIGSBY, THE LEAD CASE. AND SO THAT'S WHY
10 WE MIGHT NEED A SPECIAL ORDER THAT JUST SAYS, "THE
11 MASTER COMPLAINT IS DEEMED FILED" BECAUSE IT'S
12 OBVIOUSLY FOR ALL OF THE CASES EVENTUALLY OR WHOEVER
13 ADOPTS IT OR -- BUT WE HAVE TO GET -- I THINK THE
14 CLERK'S OFFICE IS JUST NOT LETTING US FILE IT DIRECTLY.
15 SO WE'RE DOING THIS FUNKY LODGING THING.

16 THE COURT: OKAY.

17 MR. ROBERTSON: YOUR HONOR, WE APPRECIATE YOU
18 WANTING TO LOOK AT -- REVIEW CMO NUMBER 2, BUT THERE IS
19 SOME URGENCY IN GETTING IT ENTERED BECAUSE THE
20 SIX-MONTH DEADLINE FOR THE PLAINTIFFS WHO PRESENTED
21 GOVERNMENT CLAIMS TO THE PUBLIC ENTITY DEFENDANTS HAD
22 THEM REJECTED. THAT SIX-MONTH DEADLINE TO GETTING THE
23 ACTION ON FILE IS GOING TO RUN JANUARY 7TH OF 2026. WE
24 ANTICIPATE THERE COULD BE UP TO 10,000 PLAINTIFFS THAT
25 WILL NEED TO FILE THESE NOTICE OF ADOPTIONS OR SHORT
26 FORM COMPLAINTS. SO THE TIME IS GETTING SHORT FOR US
27 TO --

28 THE COURT: I PROMISE YOU I WILL LOOK AT IT AS

1 SOON AS YOU ALL LEAVE THIS COURTROOM. I WILL FOR SURE
2 DO IT BEFORE THE END OF THE DAY.

3 OKAY. AND THEN, MR. BOYLE, I AM LOOKING
4 AT THE ELECTRONIC FILE. AND YOU SAID YOU FILED A
5 CLEANED-UP VERSION. I DON'T THINK YOU USED THOSE
6 WORDS.

7 DO YOU KNOW WHAT THE DATE OF THAT FILING
8 WAS?

9 MR. BOYLE: I BELIEVE THE MOST RECENT
10 ITERATION OF CMO 2 AND THE LODGING OF THE MASTER
11 COMPLAINT CLEANED UP WAS YESTERDAY. AND MY OFFICE HAS
12 BEEN IN TOUCH WITH THE CLERK'S OFFICE, AND THEY'RE
13 APPARENTLY BACKLOGGED NOT JUST ON THIS CASE. SO IT
14 SHOULD SAY "PENDING" ON THERE. HOPEFULLY THEY JUST
15 ACCEPT THEM WITH NO FURTHER PROBLEMS, BUT THE --

16 THE COURT: YOU APPENDED THE MASTER COMPLAINT
17 TO CMO 2, IS THAT THE WAY IT WORKED?

18 MR. BOYLE: I THINK WE FILED A NOTICE OF
19 LODGING OF THE MASTER COMPLAINT AND THEN ALSO WE FILED
20 CMO 2. AND APPENDED TO THE CMO 2 WERE THE SHORT FORM
21 COMPLAINT AND THE NOTICE OF ADOPTION.

22 THE COURT: OKAY. CMO 2 WAS DEFINITELY FILED,
23 BUT A NEW NOTICE OF LODGING WAS NOT.

24 MR. BOYLE: OKAY.

25 THE COURT: RIGHT, TERESA?

26 SO THE LAST FILED DOCUMENT WAS YOUR CMO
27 2. AND THEN, BEFORE THAT, I'VE GOT A JOINT STATUS
28 REPORT AND THEN A BUNCH OF NOTICE OF RELATED CASES

1 FILINGS ON NOVEMBER 18TH. SO YOU MAY JUST WANT TO --

2 MR. BOYLE: I'LL CHECK THAT.

3 THE COURT: OKAY. WHEN DO YOU WANT TO
4 RECONVENE BETWEEN NOW AND DECEMBER 19TH?

5 MS. GHOSH: JOANNA GHOSH, LAWYERS FOR JUSTICE,
6 FOR THE CLASS PLAINTIFFS.

7 YES, SO WE FLAGGED IT IN OUR JOINT
8 REPORT. AFTER THE LAST HEARING, COUNSEL FOR DEFENDANT
9 MOUNTAINS RECREATION CONSERVATION AUTHORITY REACHED OUT
10 TO US SAYING THAT THEY WERE NOT ABLE TO APPEAR AT THE
11 LAST HEARING AND THAT THEY WERE TRYING TO FILE
12 DOCUMENTS UNDER THE GRIGSBY CASE, BUT THAT IT WAS
13 GETTING REJECTED. THIS IS THE ENTITY THAT OWNS THE
14 LAND WHERE THE LACHMAN FIRE BROKE OUT. SO I THINK IT'S
15 IMPORTANT THAT THEY'RE ABLE TO APPEAR IN THE GRIGSBY
16 CASE FOR HEARINGS AND TO FILE THINGS.

17 MY UNDERSTANDING IS, THEY ARE NAMED AS A
18 DEFENDANT IN THE MASTER COMPLAINT. SO ONCE THE
19 TECHNICAL ISSUES ABOUT THE MASTER COMPLAINT BEING FILED
20 AND THE SUMMONS BEING ISSUED, THEY'LL BE SERVED. BUT
21 IF I COULD JUST GET SOME INFORMATION TO SHARE WITH THEM
22 IN CASE THEY ALSO WEREN'T ABLE TO APPEAR TODAY.

23 MR. MORRISON: EDWARD MORRISON. I AM HERE.
24 THANK YOU.

25 THE COURT: THAT WAS PROGRESS; RIGHT? THANK
26 YOU.

27 OKAY. SO WHAT'S THE ANSWER TO THE
28 QUESTION ABOUT OUR NEXT STATUS CONFERENCE?

1 MR. ROBERTSON: WE PROPOSE DECEMBER 8TH, YOUR
2 HONOR.

3 MR. LEVIN: YOUR HONOR, THAT DATE WORKS. AND
4 THAT'S FINE IF THE COURT WANTS IT. I CAN PREDICT WHAT
5 WE WILL SAY ON THE 8TH, WHICH IS, WE'RE WORKING REALLY
6 HARD. WE HAVE PRODUCED SOME DOCUMENTS. WE HAVEN'T
7 PRODUCED THEM ALL. I'M --

8 THE COURT: YOU NEED A LITTLE MORE TIME THAN
9 THAT?

10 MR. LEVIN: TO BE IN A POSITION WHERE WE'VE
11 MADE A LITTLE MORE PROGRESS.

12 WE HAVE WORKED AT EVERY STEP TO MOVE
13 THINGS QUICKLY. WE'RE GOING TO KEEP DOING IT, BUT I
14 GUESS I WOULD SUGGEST SOMETIME THE NEXT WEEK, BUT
15 WHENEVER YOUR COURT WANTS US.

16 THE COURT: OKAY. HOW ABOUT DECEMBER 15TH AT
17 2:30?

18 MR. ROBERTSON: WORKS FOR PLAINTIFFS, YOUR
19 HONOR.

20 MR. LEVIN: THAT WORKS FOR THE CITY.

21 MR. LAKE: WORKS FOR US AS WELL.

22 THE COURT: WE WILL HAVE A FURTHER STATUS
23 CONFERENCE ON DECEMBER 15TH AT 2:30 IN THE AFTERNOON.

24 LET ME JUST CHECK ONE MORE CALENDAR.
25 YEAH, THAT SHOULD WORK. ALTHOUGH, I DO HAVE A MEETING
26 AT 4:00, SO WE NEED TO FINISH BY 4:00.

27 AND YOU'RE ORDERED TO FILE A JOINT REPORT
28 FIVE COURT DAYS IN ADVANCE.

1 IS THERE ANYTHING ELSE THAT ANYBODY WOULD
2 LIKE TO BRING UP WITH THE COURT TODAY?

3 MR. TAYBACK, YOU'RE GOING TO ASK ME ABOUT
4 THE OMNIBUS?

5 MR. TAYBACK: I'M STILL HERE, YES. I CAN GIVE
6 YOU A SHORT UPDATE AND THEN TELL YOU WHAT I THINK THE
7 UPSHOT IS.

8 WE DID IN FACT MEET AND CONFER. WHEN WE
9 SPOKE TO COUNSEL FOR THE CITY AND WE SPOKE TO COUNSEL
10 FOR THE STATE AND WE CORRESPONDED WITH COUNSEL FOR THE
11 COUNTY -- WE HAVEN'T BEEN ABLE TO COMMUNICATE WITH THEM
12 YET. THEY HAVEN'T REALLY RESPONDED TO US ON THE ISSUE
13 OF THE LATE CLAIMS THAT WE WOULD THEN WANT TO FILE AN
14 OMNIBUS PETITION FOR RELIEF FROM HAVING FILED A LATE
15 CLAIM UNDER THE GOVERNMENT CODE.

16 I BELIEVE OUR AGREEMENT AND WHAT WE'VE
17 PROPOSED TO THE COUNTY AND WE'VE AGREED TO WITH THE
18 CITY AND THE STATE IS, THEY HAVE UNTIL DECEMBER 5TH.
19 THEY'LL FIGURE OUT AND GET BACK TO US ON WHETHER
20 THEY'RE IN FACT DENYING THE LATE CLAIMS. I THINK
21 THERE'S A GREAT DEAL OF OPTIMISM AT LEAST WITH THE CITY
22 THAT THEY WILL PERMIT THE CLAIMS AND AVOID THE WHOLE
23 PETITION PROCESS. I THINK THE STATE IS STILL LOOKING
24 INTO IT. I THINK THEY'RE -- THEY'VE GOT TO COMMUNICATE
25 WITH THE OTHER SIDE OF THEIR OFFICE THERE IN TERMS OF
26 WHO PROCESSES LATE CLAIMS AND WHO CONSIDERS THEM.

27 AND THE COUNTY, WE'RE EXTENDING THAT SAME
28 OFFER TO AND I'M HOPEFUL THAT THEY WILL HEAR THAT AND

1 RESPOND.

2 THE POINT WILL BE THAT, IF THERE ARE ANY
3 LATE CLAIMS FOR WHICH WE THEN NEED TO PETITION THE
4 COURT FOR RELIEF FROM, WE FILE IT ON DECEMBER 8TH, THE
5 MONDAY AFTER THE DECEMBER 5TH DEADLINE. BUT I SHOULD
6 PROBABLY, IN ALL FAIRNESS, GIVE YOU A HEADS UP THAT,
7 EVEN WHEN WE FILE THAT PETITION, WE WILL BE ASKING THE
8 COURT TO EXPEDITE CONSIDERATION OF IT BECAUSE -- JUST
9 SO YOU KNOW THE REASON WHY WE WOULD BE DOING THIS,
10 THERE'S A STATUTE THAT EFFECTIVELY SUNSETS. IT PERMITS
11 SUCCESSORS IN INTEREST TO RECOVER EMOTIONAL DISTRESS
12 DAMAGES SHOULD THEY BE AWARDED PROVIDED THE CLAIM IS
13 FILED -- THE CASE IS FILED BY THE END OF THIS YEAR, BY
14 BEFORE JANUARY 1ST OF 2026. SO WE WOULD NEED TO
15 HAVE -- FOR ANY LATE CLAIMS THAT ARE NOT PERMITTED AND
16 WE HAVE TO SEEK JUDICIAL FORGIVENESS OF, WE HAVE TO
17 FILE THOSE CLAIMS BY THE END OF THIS YEAR IN ORDER FOR
18 THE POTENTIAL OF EMOTIONAL DISTRESS DAMAGES TO BE
19 RECOVERABLE BY A SUCCESSOR IN INTEREST SHOULD THE
20 ACTUAL PLAINTIFF PASS AWAY OR SOMETHING LIKE THAT. SO
21 THAT'S OUR EXIGENCY AND -- BUT I THINK WE CAN HOPEFULLY
22 WORK AROUND IT AND HOPEFULLY THE LATE CLAIMS WILL BE
23 PERMITTED AND THIS IS ALL MUCH ADO ABOUT NOTHING.

24 THE COURT: OKAY. BUT WHAT I'M HEARING FROM
25 YOU THOUGH IS THE EXIGENCY IS ON YOUR END?

26 MR. TAYBACK: IT IS.

27 THE COURT: IT'S NOT ON THE COURT'S END IN
28 TERMS OF HEARING THOSE THINGS; CORRECT?

1 MR. TAYBACK: IT'S ON BOTH BECAUSE WE NEED
2 TO -- BECAUSE IF WE DON'T GET THE COURT TO APPROVE --
3 AND, OBVIOUSLY, THE COURT DOESN'T HAVE TO APPROVE IT.
4 THE COURT CAN DECLINE AND THAT'S WHERE WE STAND. BUT
5 IF THE COURT APPROVES, WE NEED THAT DONE BEFORE THE END
6 OF YEAR BECAUSE WE CAN'T FILE THE CLAIMS UNDER THE --
7 WE CAN'T FILE TORT CLAIMS IF THEY'RE CLAIMS THAT HAVE
8 BEEN DISALLOWED BY --

9 THE COURT: OKAY. OKAY. SO IT'S KIND A
10 THREE-STEP PROCESS AND I'M THE SECOND STEP?

11 MR. TAYBACK: YES.

12 THE COURT: OKAY. SO HERE'S THE RUB, IS THAT
13 I AM SUPPOSED TO BE OUT THE LAST TWO WEEKS OF DECEMBER.
14 SO YOU'RE SAYING THAT YOU WON'T HAVE -- YOU WON'T KNOW
15 UNTIL DECEMBER 5TH WHAT YOU NEED TO DO?

16 MR. TAYBACK: CORRECT.

17 THE COURT: OKAY. AND THEN LET'S ASSUME YOU
18 LEARN THAT ON DECEMBER 5TH AND YOU FILE SOMETHING ON
19 DECEMBER 8TH, WHICH IS A MONDAY. YOU'RE SAYING THAT
20 THOSE -- THAT MOTION -- THE OMNIBUS MOTION NEEDS TO BE
21 HEARD BEFORE THE END -- THE CLOSE OF BUSINESS ON
22 DECEMBER 31ST?

23 MR. TAYBACK: YES.

24 THE COURT: OKAY. SO IN TERMS OF STATUTORY
25 BRIEFING, RIGHT, WHAT ARE WE TALKING ABOUT, 21 DAYS?

26 MR. TAYBACK: YEAH. WE WOULD SEEK AN ORDER
27 SHORTENING TIME.

28 THE COURT: I GUESS I'M COMING IN THE LAST

1 WEEK OF DECEMBER.

2 MR. TAYBACK: I WAS HOPING NOT TO MAKE THAT
3 HAPPEN, BUT --

4 MR. LAKE: YOUR HONOR, I THINK WE NEED TO BE
5 HEARD.

6 THE COURT: JUST A SECOND. IF YOU HAVE
7 LEARNED NOTHING ELSE, I WILL ALWAYS LET YOU BE HEARD.

8 OKAY. THEN YOU'LL GET A HEARING BEFORE
9 THE END OF THE YEAR. I MEAN, YOU'RE NOT COMPETING WITH
10 ANYONE ELSE BECAUSE I WAS SUPPOSED TO BE DARK THOSE
11 DAYS.

12 MR. TAYBACK: I UNDERSTAND. WE WILL DO
13 EVERYTHING WE CAN TO TRY TO AVOID THAT.

14 THE COURT: IT'S A GOOD THING I'M NOT GOING
15 ANYWHERE.

16 OKAY. MR. LAKE?

17 MR. LAKE: THANK YOU, YOUR HONOR.

18 SO I GUESS WE DID MEET AND CONFER
19 YESTERDAY. I DON'T THINK WE'RE ON THE SAME PAGE AS FAR
20 AS WHAT I WAS TRYING TO EXPLAIN AS FAR AS HOW -- AT
21 LEAST AS FAR AS THE STATE. SO BY STATUTE, DGS,
22 DEPARTMENT OF GOVERNMENTAL GENERAL SERVICES, HANDLES
23 CLAIMS AND LATE CLAIM APPLICATIONS. SO IT'S NOT BEFORE
24 US. I WORK IN DOJ. IT'S NOT FOR THE CLIENT AGENCY.
25 IT'S SPECIFIED BY STATUTE. THEY GO TO DGS. THEY MAKE
26 THE CALL.

27 NOW, BY WAY OF BACKGROUND ON THIS CASE,
28 ON OCCASION THE DGS -- IT'S CALLED THE "GOVERNMENT

1 CLAIMS UNIT." THEY WILL CONTACT US AND SEEK -- OR
2 REQUEST ABOUT WHETHER WE HAVE A RECOMMENDATION. AND,
3 IN THIS CASE, I DID RECEIVE A REQUEST. AND MY
4 RECOMMENDATION WAS -- UNDER THE CIRCUMSTANCES WAS TO
5 ALLOW THE LATE CLAIMS. AND I DISCUSSED THIS IN THE
6 LAST JOINT STATUS REPORT.

7 AND THEN WHEN WE HAD SOUGHT SOME KIND OF
8 CLARITY FROM THE FOLKS IN SACRAMENTO, THE DOJ HAS A
9 LIAISON THAT HAD CONTACTED DGS ABOUT THE STATUS. AND
10 WHAT WAS TOLD TO US WAS THERE'S ABOUT A HUNDRED LATE
11 CLAIM APPLICATIONS. THERE WAS A HANDFUL THAT HAD TO BE
12 REJECTED BECAUSE THEY DIDN'T SUBMIT THE FEE -- THE \$25
13 FEE. THAT'S JUST REQUIRED BY STATUTE. AND THEN THERE
14 WERE SOME THAT APPARENTLY THEY -- BECAUSE OF THE
15 OVERFLOW OR THE BACKLOG OF NUMBER OF LATE CLAIM
16 APPLICATIONS, THEY WEREN'T ABLE TO RESPOND WITHIN 45
17 DAYS. AND SO, BY OPERATION OF LAW, THOSE WERE REJECTED
18 SO -- AND THAT'S KIND OF -- THEN I GOT THE LETTER
19 AND -- FROM THE OTHER SIDE ON THIS, AND THEY INDICATED
20 THAT THEY HADN'T RECEIVED ANY RESPONSE AS TO ANY OF THE
21 LATE CLAIM APPLICATIONS, WHICH I FOUND TO BE KIND OF
22 ODD. BUT WHAT I SAID WAS -- IS THAT -- SO IN THE
23 LETTER THEY DID ATTACH A SHEET THAT DID APPEAR TO HAVE
24 A LIST OF ALL OF THE LATE CLAIM APPLICATIONS. AND WHAT
25 I TOLD THEM WAS, AGAIN, WE'RE NOT THE DECIDER ON THAT.
26 SO WHAT -- WE'RE GOING TO NEED TIME, AT LEAST A COUPLE
27 OF WEEKS. I MEAN, THE NORMAL COURSE WHEN EVEN OUR
28 OFFICE ASKS FOR CLAIM INFORMATION, THEY KIND OF US TELL

1 US, GET IN LINE. OBVIOUSLY, THIS IS A MORE IMPORTANT
2 CASE SO WE CAN EXPEDITE IT. BUT THE FIRST THING WE
3 WOULD NEED TO DO IS GET IN TOUCH. SO THEY GOT A LIST.
4 I MEAN, I DON'T KNOW HOW MANY, MAYBE A HUNDRED? WE
5 WOULD TO NEED TO GO TO THE DGS AND SAY, YOU KNOW, GIVE
6 US -- DID YOU RECEIVE THIS? WAS THERE A RESPONSE? WAS
7 THERE NOT A RESPONSE? AND THAT MIGHT REDUCE SOME OF
8 THE NEED FOR 946.6 PETITIONS FOR CLAIMS RELIEF. BUT
9 THEN WHAT I SAID ON TOP OF -- ONCE WE DETERMINE THAT,
10 IT WOULD SEEM LOGICAL -- AGAIN, MY RECOMMENDATION AS TO
11 PROBABLY WHY THEY SHOULD BE ALLOWED. AND IF FOR SOME
12 REASON THEY HAD TO BE REJECTED, THEY DIDN'T GET TO IT
13 IN TIME, IS THAT -- I PROPOSE THAT, ONCE WE HAVE A
14 DEFINITIVE LIST OF THE ONES THAT WOULD NEED A PETITION,
15 IS THAT WE HAVE A MEET AND CONFER AND BASICALLY THEY --
16 THE DOCUMENTS THEY SUBMITTED, I HAVEN'T HAD A CHANCE TO
17 LOOK AT THEM. BUT SOMEBODY IS GOING TO HAVE TO GO
18 THROUGH EACH ONE AND LOOK AT THE GROUNDS THEREFOR. WE
19 MAY BE ABLE TO BASICALLY AGREE TO NOT OPPOSE THE
20 MOTION. I THINK THERE STILL HAS BE AN ORDER PER SE.
21 IT'S NOT SOMETHING WE CAN SIMPLY STIPULATE TO, IS MY
22 UNDERSTANDING. AND SO THAT WOULD BE THE MOST LOGICAL
23 WAY TO HANDLE IT.

24 ABOUT TIMING, MY UNDERSTANDING -- AND I
25 HAVEN'T, FORTUNATELY, HAD TO DO A 946 PETITION IN A
26 WHILE. BUT MY UNDERSTANDING IS, IF THE PETITION RELIEF
27 IS GRANTED, THE TIMING OF THE CLAIM IS THEREBY ALLOWED
28 BY THE COURT. IF THEY GRANT THE RELIEF, IT REVERTS

1 BACK TO WHEN THE LATE CLAIM APPLICATION WAS SUBMITTED.
2 I COULD BE WRONG ON THAT. I'M CERTAINLY GOING TO HAVE
3 SOMEONE IN THE OFFICE DOUBLE CHECK THAT. SO THE TIMING
4 ISSUE MAY NOT BE AS DIRE AS IT APPEARS.

5 AND THEN JUST QUICKLY ON THE OMNIBUS TYPE
6 MANNER IN WHICH TO PRESENT IT, AGAIN, WE WOULD HAVE TO
7 LOOK ITO THAT, WHETHER THE STATUTE ACTUALLY AUTHORIZES
8 THAT. WE'RE ALL FOR EFFICIENCY, BUT THERE'S VERY
9 STRICT STATUTORY REQUIREMENTS ABOUT THE CLAIMS PROCESS.
10 BUT, AGAIN, THE BOTTOM LINE IS, IF WE HAVE TIME AND WE
11 HAVE AN OPPORTUNITY TO MEET AND CONFER, IT SEEMS
12 LOGICALLY WE COULD REDUCE THE NUMBER OF CASES THAT
13 WOULD HAVE TO BE FILED, THE PETITIONS.

14 THE COURT: OKAY. WELL, NO TIME LIKE THE
15 PRESENT, IS WHAT I HAVE TO SAY TO THAT.

16 GO AHEAD.

17 MR. TAYBACK: I'LL TALK TO HIM AND WE'LL SEE
18 IF WE CAN WORK IT OUT EITHER BY LAW OR BY STIPULATION
19 OR SOME OTHER WAY. WE WILL TRY TO FIGURE OUT A WAY TO
20 MAKE IT HAPPEN.

21 THE COURT: IF YOU CAN'T - AND WE ARE SORT OF
22 RUNNING HEADLONG INTO THIS BRICK WALL - YOU GOT TO LET
23 THE COURT KNOW BECAUSE I'VE GOT TO BRING STAFF BACK
24 THAT LAST WEEK, ET CETERA.

25 MR. TAYBACK: WE WILL BE HERE AND WE WILL LET
26 YOU KNOW.

27 THE COURT: OKAY. BUT I HAVE GREAT FAITH THAT
28 YOU'RE GOING TO WORK IT OUT GIVEN WHAT MR. LAKE JUST

1 SAID.

2 ANYTHING ELSE?

3 MR. BOYLE: ON THE FILING QUESTION, YOUR
4 HONOR, SO I DID CONFIRM THAT YESTERDAY THERE WAS A
5 NOTICE OF LODGING OF REVISED MASTER COMPLAINT FILED AND
6 ALSO REVISED CMO 2 FILED. THE COURT PROBABLY CAN'T SEE
7 THAT IN THE FILE BECAUSE IT'S STILL SAYING "PENDING."

8 THE COURT: IT HASN'T GOTTEN THROUGH THE --

9 MR. BOYLE: EXACTLY.

10 THE COURT: -- ELECTRONIC FILING MANAGER.

11 MR. BOYLE: NO COMPLAINTS. WE HAVE THE
12 BIGGEST COURT SYSTEM IN THE WORLD.

13 SO THEY ARE ON FILE. HOPEFULLY THEY WILL
14 BE ACCEPTED.

15 BUT JUST SO THE COURT KNOWS, THE PAPER --
16 THE COURTESY COPIES YOU WERE SERVED WITH ARE WHAT WAS
17 FILED YESTERDAY. SO THOSE ARE THE MOST CURRENT TO THE
18 EXTENT YOU'RE GOING TO BE LOOKING -- BECAUSE THE CMO 2
19 YOU'RE SEEING ON YOUR FILE WAS THE ORIGINAL CMO 2, NOT
20 THE REVISED ONE THAT WAS FILED YESTERDAY.

21 THE COURT: WELL, THE ONE I'M LOOKING AT
22 REFLECTS A FILING DATE OF YESTERDAY.

23 MR. BOYLE: SO IT MUST HAVE COME THROUGH AS WE
24 HAVE BEEN SITTING HERE.

25 THE COURT: ELECTRONICALLY RECEIVED 11/24/2025
26 6:53 P.M. THAT'S THE ONE THAT MR. ROBERTSON WANTS ME
27 TO LOOK AT?

28 MR. BOYLE: CORRECT.

1 THE COURT: OKAY.

2 MR. LEVIN: YOUR HONOR, IN THE EFFORT OF TIME
3 SAVING, I DON'T KNOW IF PLAINTIFF'S COUNSEL IS HERE,
4 BUT WE HAVE A STRAY CASE THAT IS SET FOR A STATUS
5 CONFERENCE ON THE 3RD OF DECEMBER. IT IS -- WHEN YOUR
6 HONOR TOOK OVER THE CASES, THERE WERE STATUS
7 CONFERENCES THAT WERE SET IN ALL OF THEM. ONE OF THEM
8 GOT LEFT BEHIND ON DECEMBER 3RD. THE PLAINTIFFS HAVE
9 FILED THE JOINT STATEMENT. TO JUMP AHEAD, THE COURT
10 MIGHT CONSIDER TAKING THAT STATUS CONFERENCE OFF
11 CALENDAR, BUT IT'S COMING UP NEXT WEEK OTHERWISE.

12 THE COURT: OKAY. IS THAT THE HUGHES FAMILY
13 TRUST OR IS IT HOFFMAN?

14 MR. LEVIN: HOFFMAN, 20231.

15 THE COURT: OKAY. SO DOES ANYBODY HAVE ANY
16 OBJECTION TO ME CONTINUING HOFFMAN TO THE 15TH?

17 MAKES MORE SENSE; RIGHT?

18 OKAY.

19 MR. LEVIN: IT DOES.

20 THE COURT: OKAY. SO 25STCV20231, HOFFMAN
21 VERSUS CITY OF LOS ANGELES, ET AL., THAT STATUS
22 CONFERENCE WILL BE CONTINUED TO DECEMBER 15TH AT 2:30.

23 DID SOMEONE WHO IS APPEARING REMOTELY
24 WANT TO BE HEARD?

25 MS. IRANI: YES, YOUR HONOR. TANAZ IRANI.
26 I'M APPEARING ON BEHALF OF ALISON MOCHIZUKI IN CASE
27 25STCV29265. WE WERE RELATED.

28 AND I JUST WANTED TO CLARIFY. I KNOW YOU

1 SAID MR. LAKE WAS GOING TO ENSURE THAT PRODUCTIONS WERE
2 SHARED WITH ALL OF THE PARTIES. I JUST WANTED TO ASK
3 IF THAT WOULD INCLUDE THE RELATED PARTIES AND
4 SPECIFICALLY OURS?

5 THE COURT: I ASSUMED.

6 MR. LEVIN: YOUR HONOR, IF I MAY?

7 IN EVERY COMPLEX LITIGATION THAT I'VE
8 EVER BEEN INVOLVED IN, WE PRODUCE TO THE PLAINTIFF
9 LIAISON COUNSEL, NOT TO EVERY SINGLE UNDERLYING. THAT
10 WOULD DEFEAT MANY OF THE BENEFITS OF COORDINATION.

11 THE COURT: YES. YES, THAT MAKES SENSE.

12 MR. LEVIN: THANK YOU, YOUR HONOR.

13 THE COURT: MS. IRANI, DOES THAT MAKE SENSE TO
14 YOU?

15 MS. IRANI: YES, THAT MAKES SENSE TO ME. I
16 JUST WANTED TO CLARIFY.

17 THE COURT: OKAY. AND THEN YOU'RE GOING TO
18 GET ME A PROPOSED ORDER ON MONDAY?

19 MR. ROBERTSON: MONDAY.

20 THE COURT: IF THERE'S NOTHING ELSE, I WISH
21 ALL OF YOU A RESTFUL, PEACEFUL THANKSGIVING. THANK YOU
22 VERY MUCH.

23 (END OF PROCEEDINGS AT 11:53 A.M.)
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[illegible]

I, Rachel Chase, declare:

I am a citizen of the United States, over 18 years of age, a resident of Orange County, California, and not a party to within action. My business address is 575 Anton Boulevard, Suite 635, Costa Mesa, California, 92626.

On December 1, 2025, I served a copy of the following document(s):

[PROPOSED] ORDER RE LIMITED DISCOVERY

on the interested parties in this action pursuant to the most recent Omnibus Service List by submitting an electronic version of the document(s) by file transfer protocol (FTP) to CASEANYWHERE through the upload feature at www.caseanywhere.com.

Executed on December 1, 2025, at Costa Mesa, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Rachel Chase
Rachel Chase, Paralegal