

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ex rel.  
RICHARD WILSON and CHRIS MARANTO,

Plaintiffs,

v.

MAXXAM INC., et al.

Defendants.

No. C 06-7497 CW

ORDER CONCERNING  
DEPOSITIONS OF CDF  
OFFICIALS

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As stated at the final pre-trial conference, Defendants may take up to three depositions of California Department of Forestry (CDF) officials before the start of trial. Each deposition is limited to four hours in length and may only address the issue of Defendants' disclosures to the CDF in connection with the following allegations of fraud: 1) improper use of data from the Scotia Tree Farm; 2) improper use of hardwood sprouting routines; 3) improper linear programming methods; 4) reduction of the "regime trigger condition for regime code 301" to "120 basal area"; and 5) clear-cutting in violation of environmental constraints. Plaintiffs have agreed to abandon their allegations of: 1) use of

1 an inflated starting inventory for yield modeling; 2) failure to  
2 implement intensive management techniques that were described in  
3 the SYP; and 3) improper reliance on "no-harvest areas." The  
4 depositions therefore may not address these matters.

5 This order resolves Defendants' motion for reconsideration  
6 (Docket No. 253) of the Court's order granting in part and denying  
7 in part their motion to exclude Plaintiffs' new fraud allegations.

8 IT IS SO ORDERED.

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10 Dated: 4/23/09



11 CLAUDIA WILKEN  
12 United States District Judge

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