

E-Filed 11/1/2010

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 7

8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 ALISAL WATER CORPORATION, et al.,
 15 Defendants.


Case No. C97-20099 JF(EAI)
**ORDER EXTENDING RECEIVERSHIP
 FOR LIMITED PURPOSE**
[No Hearing Requested]

17 Based upon the *Ex Parte* Application For Entry of Order Extending Receivership filed by
 18 John W. Richardson, Receiver appointed in the above-referenced case ("Receiver") and good
 19 cause appearing, and good cause appearing therefor, it is

20 ORDERED as follows:

- 21 1. The Receiver's *Ex Parte* Application is approved.
- 22 2. The Receivership is extended to and including March 31, 2011 for the limited
- 23 purpose, as stated in the Court's Order (1) Extending Receivership for Limited Purpose; and (2)
- 24 Addressing Matters Heard on October 2, 2009, a copy of which is attached as **Exhibit A.**

26 DATED: 11/1/2010 _____

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 UNITED STATES DISTRICT COURT JUDGE

28 301197338.1

E-filed 10/29/2009

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

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12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 ALISAL WATER CORPORATION, et al.,
16 Defendants.

Case Number C 97-20099 JF (HRL)
ORDER¹ (1) EXTENDING
RECEIVERSHIP FOR LIMITED
PURPOSE; AND (2) ADDRESSING
MATTERS HEARD ON OCTOBER 2,
2009
[re: docket entries 906, 909, 910]

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22 On October 2, 2009, the Court conducted a hearing addressing: (1) Defendants' ex parte
23 applications for an order directing the Receiver to take certain actions and terminating the
24 receivership; (2) the Receiver's motion for contempt; and (3) the County of Monterey's request
25 that the receivership be maintained. For the reasons stated on the record, the Court orders as
26 follows:
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28 ¹ This disposition is not designated for publication in the official reports.

- 1 (1) the transfer of the San Jerardo water system is approved;
- 2 (2) the \$23,500 in trust funds held by Defendants' counsel, Gary Varga, shall be
3 applied to the receivership fees and expenses previously approved by the Court²;
- 4 (3) all remaining outstanding receivership fees and expenses previously approved by
5 the Court shall be paid from the \$100,000 in funds held by the Receiver;
- 6 (4) the parties shall meet and confer with respect to any additional receivership fees
7 and expenses, and such fees and expenses shall be submitted for Court approval
8 only if the parties cannot agree with respect to payment of such fees and expenses;
- 9 (5) the Receiver's motion for contempt is denied;
- 10 (6) the receivership is extended until November 1, 2010 for the limited purpose of
11 ensuring that the monthly shortfall with respect to San Jerardo's operation costs is
12 paid³; and
- 13 (7) the Receiver is authorized to expend up to \$2,000 per month of receivership
14 funds, without further Court approval, to cover the shortfall with respect to San
15 Jerardo's operation costs.

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17 IT IS SO ORDERED.

18 DATED: October 29, 2009

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20 JEREMY FOGEL
21 United States District Judge

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26 ² This order applies to any additional funds that may have been deposited in the trust
27 account since the hearing.

28 ³ As discussed at the hearing, the operations costs to which the Court refers do not include
the filtration costs, which will continue to be covered by the County of Monterey.

1 This Order was served on the following persons:

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