

**EXHIBIT 10**

**Narinder Singh Deposition Excerpts**

- Pages 21, 23-25, 27, 31-32, 47-48 from the deposition testimony of Narinder Singh, taken March 16, 2011.

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1 A. El Monte Gas.  
 2 Q. Has that name changed over the years?  
 3 A. It was ARCO gas station, it was under El Monte  
 4 Gas. And then in '99 after we put in new tanks and all  
 5 that, we opened back up -- it was closed down for two  
 6 years, then we opened back up in 2000 as Exxon.  
 7 Q. Is it an Exxon station at the current time?  
 8 A. Right now? No.  
 9 Q. What did it change to after Exxon?  
 10 A. Valero.  
 11 Q. Approximately when did that change?  
 12 A. In August -- August last year.  
 13 Q. Is it currently a Valero station?  
 14 A. Yes, sir.  
 15 Q. Are you the owner of that station?  
 16 A. Yes, sir.  
 17 Q. Okay. Beside that station in Selma and the one  
 18 at 4594 East Tulare, have you been affiliated with any  
 19 other stations?  
 20 A. No, sir.  
 21 Q. Can you describe for us any school or education  
 22 you have had after high school?  
 23 A. Well, I was in India, you know, I went to  
 24 school in India. And I didn't finish any college. I  
 25 went to college, but I never finished.

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1 Q. Did you have any particular course of study in  
 2 college?  
 3 A. No.  
 4 Q. How about after you came to the United States,  
 5 did you have any college?  
 6 A. No, sir.  
 7 Q. So if we talk about "the station" for  
 8 shorthand, can we agree --  
 9 A. Yes.  
 10 Q. -- that we are talking about 4594 East Tulare  
 11 here in Fresno?  
 12 A. Yes.  
 13 Q. If I ever ask something about the Selma one,  
 14 I'll -- I will try -- I will specify that so we are  
 15 clear, but otherwise I will be asking you about the  
 16 Fresno station.  
 17 A. Yes, sir.  
 18 Q. Can you tell us what year you first became  
 19 affiliated with the Fresno station?  
 20 A. 1994. We leased that station and we own  
 21 inside, and the gas was owned by El Monte Gas. El Monte  
 22 Gas, Mr. Don Doyle bought that station from, I believe,  
 23 Beacon Oil Company.  
 24 Q. When you say, "We owned the inside," are you --  
 25 are you meaning that you owned the building?

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1 A. Convenience store.  
 2 Q. When you say the gas was owned by El Monte, are  
 3 you referring to the underground storage tanks?  
 4 A. Yeah, the gasoline, you know, gasoline part was  
 5 on commission and they owned that part.  
 6 Q. Okay. So just to clarify, when you say the  
 7 gasoline part, that would be underground storage  
 8 tanks --  
 9 A. Yes, sir.  
 10 Q. -- piping --  
 11 A. Yes, sir.  
 12 Q. Just a second. Just a second. You are  
 13 anticipating where I am going. Just so we are --  
 14 A. Yes, sir. Yes, sir. Yes, sir.  
 15 Q. -- not talking at the same time.  
 16 A. Yes.  
 17 Q. So when you say the gasoline part, that would  
 18 be the underground storage tanks, the piping, and the  
 19 gas dispensers?  
 20 A. Yes, sir.  
 21 Q. Did you ever learn when Mr. Doyle bought the  
 22 station from Beacon?  
 23 A. In 1994. Same time I leased.  
 24 Q. Do you know who owned the land or the property  
 25 in 1994?

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1 A. Don Doyle bought the land and the property at  
 2 that time.  
 3 Q. Before he bought the station in 1994, do you  
 4 know what the station was branded?  
 5 A. ARCO.  
 6 Q. And at the time you started leasing the  
 7 station, what was it branded?  
 8 A. ARCO.  
 9 Q. When you say, "We leased the station," was that  
 10 you and your wife initially?  
 11 A. Me and my wife, and I have partners, Kirpal  
 12 Singh Sandhu. I am actually a silent partner. He run  
 13 that station.  
 14 Q. I am sorry. You said he was the silent  
 15 partner?  
 16 A. I am the silent partner.  
 17 Q. Oh, you are the silent partner?  
 18 A. Yeah.  
 19 Q. So from the station initially being branded  
 20 ARCO, did it later have another brand?  
 21 A. Yes.  
 22 Q. What was after ARCO?  
 23 A. After ARCO we went independent.  
 24 Q. What year did that occur?  
 25 A. That was in '99. We bought the property in '99

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1 from Mr. Doyle and replaced the tank and the piping.  
 2 Q. What was the station called starting in 1999?  
 3 A. Circle 6.  
 4 Q. Did it have another name after Circle 6?  
 5 A. It was Tulare Street ARCO before that when  
 6 Doyle had it, and we called Tulare Street ARCO.  
 7 Q. Is it on Tulare Avenue or Tulare Street?  
 8 A. Tulare Street.  
 9 Q. Okay. I am sorry. I think I said Tulare  
 10 Avenue earlier. Let me make a note of that. So it is  
 11 4594 East Tulare Street in Fresno?  
 12 A. Yes, sir.  
 13 Q. So when it was an ARCO it was called the Tulare  
 14 Street ARCO, starting in 1994?  
 15 A. Yes, sir.  
 16 Q. And then about 1999 it became Circle 6?  
 17 A. Yes, sir.  
 18 Q. And did it have a name after Circle 6?  
 19 A. We kept it Circle 6 where we did brand Exxon.  
 20 My best knowledge. I don't know exact year and the  
 21 date, but I believe in 2003 or 2002 we brand Exxon.  
 22 Q. When you say you brand Exxon, you started  
 23 selling Exxon branded gasoline?  
 24 A. Yes, sir.  
 25 Q. We might see some documents that say Exxon that

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1 might help refresh your recollection.  
 2 Let me -- let me go back to the brand names. I  
 3 was going to go through that next. When you first  
 4 bought the station in 1994, what brand of gasoline was  
 5 being delivered to you then?  
 6 A. It was ARCO. And we did not bought it, it was  
 7 leasing and just convenience store back in 1994.  
 8 Q. I am sorry. Okay. Correct. I am sorry. I  
 9 should say when you started operating the station in  
 10 1994.  
 11 A. Yes, sir.  
 12 Q. So it was, I am sorry, ARCO gasoline being  
 13 delivered to you then?  
 14 A. At that time, yes, sir.  
 15 Q. Was it ARCO gasoline up until the time you  
 16 switched to a Circle 6 name?  
 17 A. Yes, sir.  
 18 Q. When you switched to Circle 6 in about 1999,  
 19 what brand of gasoline was being delivered to you then?  
 20 A. Independent.  
 21 Q. Was there any predominant brand?  
 22 A. No.  
 23 Q. During the time you were Circle 6, before you  
 24 mentioned going to the Exxon brand, what jobbers were  
 25 delivering gas to the station?

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1 A. When it was Circle 6?  
 2 Q. Yes.  
 3 A. Oh, well, when it was ARCO.  
 4 Q. Well, starting with Circle 6. We can go back  
 5 to ARCO. Sorry.  
 6 A. Okay. Okay.  
 7 Q. We will go in time order. That's probably  
 8 easier.  
 9 A. Okay.  
 10 Q. Okay. When you started operating the station  
 11 in about 1994, what jobbers were delivering gasoline  
 12 then?  
 13 A. El Monte Gas.  
 14 Q. Was that the only one?  
 15 A. That was the only one. And they owned the gas  
 16 as well.  
 17 Q. And when you started with the Circle 6 name in  
 18 1999, who were any jobbers delivering gasoline then?  
 19 A. Yes, sir. We have a couple different jobbers,  
 20 which is -- one was, of course, El Monte Gas, Julien Oil  
 21 Company, and we had Boyett Petroleum. That's my best  
 22 knowledge at this moment.  
 23 Q. When El Monte Gas was delivering to the Circle  
 24 6, were they providing a particular brand?  
 25 A. No, we -- you know, no. It was independent.

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1 They pull wherever they pull from. And they always have  
 2 bill of lading and say where they pull from, but we  
 3 don't pay attention to it so I can't say, you know.  
 4 Q. Do you still have any bills of lading from the  
 5 time it was Circle 6 with unbranded gas?  
 6 A. Yes.  
 7 Q. You still have bills of lading in your  
 8 possession?  
 9 A. Well, you know, we have to go back so I can  
 10 find it, yes.  
 11 Q. Well, I think -- because that was the kind of  
 12 thing that we were looking for with the subpoena. So  
 13 can we talk to you after --  
 14 A. Yes.  
 15 Q. -- the deposition about trying to get copies of  
 16 that?  
 17 A. Yes.  
 18 Q. For Julien Oil, do you recall where they were  
 19 located, what city?  
 20 A. In Visalia.  
 21 Q. And then when you mentioned it was Circle 6 and  
 22 you switched to Exxon brand about 2002 or 2003, is it  
 23 correct that you started having deliveries of Exxon  
 24 brand gasoline at that point?  
 25 A. Yes.

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1 MS. KLEAVER: Objection; calls for speculation,  
 2 lacks foundation.  
 3 MR. EICKMEYER: Q. Now -- when she's done  
 4 talking now, you can answer.  
 5 A. Oh, okay.  
 6 Q. So, I am sorry, what was your answer?  
 7 A. Yes. What your question was again?  
 8 MR. EICKMEYER: Well, if we can get a  
 9 read-back.  
 10 (Record read)  
 11 THE WITNESS: Yes.  
 12 MR. EICKMEYER: Q. After the Circle 6 name on  
 13 the station, has it had another name?  
 14 A. No.  
 15 Q. So it's still Circle 6 at the present day?  
 16 A. Yes.  
 17 Q. Is it still Exxon brand gas being sold there to  
 18 the present day?  
 19 A. No, sir.  
 20 Q. When did that change?  
 21 A. That change in 2006.  
 22 Q. And what brand did that change to?  
 23 A. Valero.  
 24 Q. Is it still Valero gas being sold there to the  
 25 present day?

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1 A. Yes, sir.  
 2 Q. When the switch was made that you described to  
 3 Exxon brand in about 2002 or '3, who were the jobbers  
 4 delivering that Exxon gas?  
 5 A. It was Julien Oil Company.  
 6 Q. Was that the only one?  
 7 A. That was the only one. Yes, sir.  
 8 Q. After the change was made to Valero in about  
 9 2006, what jobbers were delivering gas to the station?  
 10 A. Still Julien Oil Company.  
 11 Q. Is that true to the present day?  
 12 A. Yes, sir.  
 13 Q. And it has only been Julien Oil during the  
 14 Valero years?  
 15 A. Yes, sir.  
 16 (Deposition Exhibit 2 marked for  
 17 identification)  
 18 MR. EICKMEYER: I will hand you what I have  
 19 marked as Exhibit 2. This is Fresno County Health  
 20 Services Agency, Bates FCDEH-FRESNO-020619.  
 21 Q. Do you recognize this page as having seen it  
 22 before?  
 23 A. This page, yeah.  
 24 Q. On the -- I will point -- on many of the  
 25 documents I will try and point you to a particular place

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1 just to make it faster. But if you ever want to stop  
 2 and read anything, we will be happy to take the time to  
 3 do that.  
 4 Where it says Business Owner about halfway  
 5 down, it looks like it says Narinder Singh, and is it  
 6 pronounced Kanta Singh?  
 7 A. Yes, that's my wife.  
 8 Q. And that's for the record, K-a-n-t-a?  
 9 A. Mm-hmm.  
 10 Q. I'm sorry. Can you say yes?  
 11 A. Yes, sir.  
 12 Q. You said -- I think you said "mm-hmm," so I am  
 13 just trying to clarify.  
 14 A. I'm sorry.  
 15 Q. So it is indicated here, do you recognize where  
 16 it says Owner, it looks like Kanta Singh is the  
 17 signature. Do you recognize that as your wife's  
 18 signature?  
 19 A. Yes, sir.  
 20 Q. Across from her signature, it looks like the  
 21 date is 5/25/95.  
 22 A. Yes, sir.  
 23 Q. Do you recognize -- I think you described it  
 24 was about 1994 when you had first leased the station?  
 25 A. Yes, sir.

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1 Q. It looks like it says Date of Business  
 2 Commencement here, 6/1/95.  
 3 A. Maybe it is '95. Maybe I am -- you know, make  
 4 mistake on that.  
 5 Q. Well, that's why I say, some of the  
 6 documents --  
 7 A. Yes.  
 8 Q. -- might help --  
 9 A. Yes, sir.  
 10 Q. -- refresh your memory.  
 11 A. Yes.  
 12 Q. At the time that you took over the station, was  
 13 there any change made of the underground storage tanks  
 14 at that point?  
 15 A. No, sir.  
 16 Q. Did you ever have any information when the  
 17 tanks that were there when you took over had originally  
 18 been installed?  
 19 A. No, sir.  
 20 (Deposition Exhibit 3 marked for  
 21 identification)  
 22 MR. EICKMEYER: I will show you what I have  
 23 marked as Exhibit 3. This is a Fresno County Health  
 24 Services Agency Environmental Health Application, Bates  
 25 FCDEH-FRESNO-020618.

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1 Q. Okay. So what you're saying -- so on -- on the  
 2 form they don't give you a box for mid-grade, so two of  
 3 these are marked premium but you are saying one was  
 4 premium and one was mid-grade?  
 5 A. Yes, sir. Yes, sir.  
 6 Q. And then the -- the other two were just  
 7 regular --  
 8 A. Yes, sir.  
 9 Q. -- unleaded?  
 10 A. Yes, sir.  
 11 Q. Is it correct, then, that all four of the tanks  
 12 at that point --  
 13 A. Yes, sir.  
 14 Q. Well, just a second -- that all four of the  
 15 tanks at that point didn't have any spill containment or  
 16 overfill prevention equipment?  
 17 A. Well, whatever is filled in this form is true  
 18 and correct.  
 19 Q. And the tanks indicated here in 1996 would have  
 20 been the same ones present when you started leasing the  
 21 station about 1994?  
 22 A. Yes, sir.  
 23 Q. And these four tanks would have been the same  
 24 ones that remained until the tank replacement --  
 25 MS. OSEROFF: It's a belated objection;

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1 misstates the record -- his testimony.  
 2 MR. EICKMEYER: Q. And these would have been  
 3 the same tanks that stayed present until they were  
 4 replaced later in about 1999?  
 5 A. Can you repeat that, please?  
 6 Q. Are these -- are these four tanks shown in this  
 7 exhibit the same tanks that remained at the station  
 8 until they were replaced in about 1999?  
 9 A. Yes, sir.  
 10 (Deposition Exhibit 6 marked for  
 11 identification)  
 12 MR. EICKMEYER: I am going to show you what I  
 13 have marked as Exhibit 6. This is titled Fresno County  
 14 Community Health Department, UST Monitoring/Emergency  
 15 Response Plan, Bates FCDEH-FRESNO-021158.  
 16 Q. Mr. Singh, do you recognize this page?  
 17 A. Yes, sir.  
 18 Q. Do you recognize Mr. Sandhu's signature at the  
 19 bottom of this page?  
 20 A. Yes, sir.  
 21 Q. Would the information on this page be accurate  
 22 as of the date it was filled out?  
 23 A. Yes, sir.  
 24 (Deposition Exhibit 7 marked for  
 25 identification)

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1 MR. EICKMEYER: I will hand you what I have  
 2 marked as Exhibit 7. This is entitled Fresno County  
 3 Health Services Agency, date June 22nd, 1998, Bates  
 4 RWQCB-FRESNO-017073.  
 5 Q. Mr. Singh, do you recognize this document?  
 6 A. Yes, sir.  
 7 Q. Is it correct that this is a cover letter  
 8 followed by the permit to operate the underground  
 9 storage tanks, expiring December 22nd, 1998?  
 10 A. Yes, sir.  
 11 Q. Did you see there is a list of numbered items  
 12 starting toward the bottom of the first page that  
 13 indicates that there are upgrade requirements no later  
 14 than December 22nd, 1998?  
 15 A. Yes, sir.  
 16 Q. And it has Items 1, 2, and then 3 on the next  
 17 page?  
 18 A. Yes.  
 19 Q. Do you recall if you took any action in  
 20 response to this letter indicating that the requirements  
 21 were coming into effect?  
 22 A. Absolutely.  
 23 Q. What did you do?  
 24 A. We closed the station the 22nd, December 22nd.  
 25 We didn't operate after that until we had new tanks.

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1 That's the time we bought the property and went back and  
 2 put new tanks and opened back up in May 2000 -- I  
 3 mean '99. The station was shut down December 22nd until  
 4 May of '99. I believe we opened in May or June,  
 5 something like that.  
 6 (Deposition Exhibit 8 marked for  
 7 identification)  
 8 MR. EICKMEYER: I want to show you what I have  
 9 marked as Exhibit 8. This is an Underground Storage  
 10 Tank Permit Application, Form A, Bates  
 11 RWQCB-FRESNO-017077 through 017078.  
 12 Q. Do you recall having seen this form before?  
 13 A. Yes, sir.  
 14 Q. Do you recognize Mr. Sandhu's signature at the  
 15 bottom?  
 16 A. Yes, sir.  
 17 Q. And would the information on this form have  
 18 been correct as of the date it was filled out?  
 19 A. Yes, sir.  
 20 (Deposition Exhibit 9 marked for  
 21 identification)  
 22 MR. EICKMEYER: I will hand you what I have  
 23 marked as Exhibit 9. This is a Certification Financial  
 24 Responsibility, Bates RWQCB-FRESNO-017079.  
 25 Q. Do you recognize Mr. Sandhu's signature at the