

EXHIBIT 9

Gary Singh Deposition Excerpts

- Pages 9-10 and 84 from the deposition testimony of Gary Singh, taken March 22, 2011.

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1 No. 3519 that was located at 4591 East Belmont in 2 Fresno. Did you operate that station for a period of 3 time? 4 A. No. When I -- when I purchased that place, it 5 was ARCO, not the Beacon. 6 Q. Okay. Did you operate a station -- a gas 7 station at that address, 4591 East Belmont in Fresno? 8 A. Yeah, I am still doing it. 9 Q. Okay. And when did you start operating it? 10 A. 2001. 11 Q. Okay. Do you recall the month? 12 A. In January. 13 Q. Okay. 14 A. I think January 10th. 15 Q. And you have been operating it continuously -- 16 A. Yes. 17 Q. -- since that time? 18 A. Yes. 19 Q. All right. And do you own the station? 20 A. I own -- I'm not own the property, but I own 21 the equipment and the building and everything. 22 Q. Okay. And do you own the underground storage 23 tanks? 24 A. Yes. 25 Q. And who owns the property?	1 A. Okay. 2 Q. We may refer back -- 3 A. Okay. 4 Q. -- to exhibits we have previously looked at 5 during the course of the day. Have you ever had your 6 deposition taken before? 7 A. No. 8 Q. Okay. I am going to go over some basic ground 9 rules so you understand how we will proceed today. 10 A. Yeah. 11 Q. You understand that you just took an oath to 12 tell the truth -- 13 A. Yes. 14 Q. -- and your testimony here is under penalty of 15 perjury as if we were in a court of law. 16 A. Okay. 17 Q. Okay. It is important that the court reporter 18 can clearly type your testimony and any questions or 19 objections that are made. So even if you know what I am 20 going to ask you, allow me to finish my question before 21 you give your answer. 22 Do you understand that? 23 A. Okay. Yes. 24 Q. Okay. And from time to time counsel in the 25 room or on the phone may object to the question being
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1 A. His name Melvin Armey. 2 MR. MASSEY: I have marked as Exhibit 1 a list 3 of service stations in Fresno. And I want to give it to 4 you and have you look at it and tell me if you have 5 worked at any of the other stations that are on this 6 list. 7 (Deposition Exhibit 1 marked for 8 identification) 9 THE WITNESS: That's the one we have, 319245 10 (sic), that's -- that's the one, we own it. 11 MR. MASSEY: Q. Okay. 12 A. Yes. 13 Q. And that's the third or fourth one on the list? 14 A. That's the third one. 15 Q. Okay. So the only one is the one that we are 16 here to talk about today? 17 A. Yes. 18 Q. Okay. And what do you call the station? 19 A. Now? ARCO Gas and Food. 20 Q. Okay. If I refer to it as "the station," will 21 you understand what I am talking about? 22 A. Yes. 23 Q. Okay. And for exhibits, you want to keep them 24 in front of you. You can just turn them over like that 25 and stack them.	1 asked. If you would wait until those objections are 2 made until you -- to give your answer, that will allow 3 the court reporter to make a clear record. 4 A. Okay. 5 Q. It is also important that you give verbal 6 responses. So if we were talking like a normal 7 conversation, you might nod your head to say yes or no, 8 but here you want to say yes or no, or otherwise give a 9 verbal response to questions. 10 Do you understand that? 11 A. Yes. 12 Q. You are doing great so far. 13 A. Thanks. 14 Q. It is also important that you understand my 15 questions. If you don't, just let me know and I will 16 restate or clarify. 17 A. Okay. 18 Q. We are entitled to your best recollection. 19 That includes if you have partial information, an 20 estimate of some type of information based on what you 21 know. I don't want you to guess if you have no 22 information. 23 A. Okay. 24 Q. I will draw the distinction this way: If I 25 asked you to estimate the size of this table, you could

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<p>1 and Groundwater Investigation dated April 6th, 2001, 2 Bates No. RWQCB-FRESNO-16620 through 16760. 3 (Deposition Exhibit 12 marked for 4 identification)</p> <p>5 MR. MASSEY: You were operating the station by 6 April 6th, 2001; is that correct?</p> <p>7 A. I think so, yeah.</p> <p>8 Q. Okay.</p> <p>9 A. I think 2001 or 2002. I think it is 2001 or 10 2002.</p> <p>11 Q. Okay.</p> <p>12 A. I am not pretty sure it was 2002 or 2001. I 13 have to look at the date. Okay. I am not sure it is 14 2001 or 2002, because it is in the paper, so --</p> <p>15 Q. Let's put this exhibit aside just for a second.</p> <p>16 A. Okay.</p> <p>17 Q. We are going to use it in a second. But I'll 18 mark as Exhibit 13 an Environmental Health Application 19 which is dated apparently January 9th, 2002.</p> <p>20 A. Yeah, so that's -- that's the date we probably 21 purchased, 2002, then.</p> <p>22 (Deposition Exhibit 13 marked for 23 identification)</p> <p>24 MR. MASSEY: And it has got Bates number 25 FCDEH-FRESNO-17647.</p>	<p>1 the gas stations?</p> <p>2 A. No, we were going to operate the gas station, 3 too, I think so, yeah. That's what we still doing since 4 that.</p> <p>5 Q. Okay. And that was your -- as you recall it, 6 that was the intention from the very beginning?</p> <p>7 A. Yeah, like it is.</p> <p>8 Q. Okay. Do you recall at any point in time that 9 Gas-O-Mat Corporation was to remain the underground 10 storage tank owner as is written here?</p> <p>11 A. I don't know. I am not sure because -- 12 whatever the paper say, so it might be this though.</p> <p>13 Q. Okay. It is your understanding that you bought 14 the buildings and the underground storage tank at the 15 same time to start operating the businesses?</p> <p>16 A. Yes, I think that's probably the agreement.</p> <p>17 Yeah.</p> <p>18 Q. All right. And then at that same time you 19 started leasing the property from Melvin Armey?</p> <p>20 A. Yeah, but I am not sure who is the owner of the 21 underground tanks and all that because we purchased 22 business from Valero, so I am not sure what comes with 23 it, you know, so -- because before that property owner 24 and Valero have the lease. I don't know how the lease 25 there work. So --</p>
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<p>1 Q. Have you seen this document before?</p> <p>2 A. Yeah, that's my handwriting.</p> <p>3 Q. Okay. Is that your signature on this document?</p> <p>4 A. Yes.</p> <p>5 Q. All right. And is this a true and correct copy 6 of the application that you filed on this date?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And it indicates at the bottom, about 9 three-quarters of the page down, ownership change, and 10 then business name change and billing address change. 11 Do you see that?</p> <p>12 A. Billing address? You are talking about right here?</p> <p>14 Q. Little bit up a few -- like three lines up from there.</p> <p>16 A. Yes, this is the ownership change -- yeah, food, gas only, yes.</p> <p>18 Q. Okay. It says for food only; is that right?</p> <p>19 A. For food only, yes.</p> <p>20 Q. Okay. And then it says, "Gas-O-Mat Corp. is to remain UST owner." Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Was there some point in your purchase of the equipment and starting operating the site that you 25 were going to just operate the mini-mart and not operate</p>	<p>1 Q. You recall you purchased everything from 2 Valero --</p> <p>3 A. Valero, yeah.</p> <p>4 Q. -- not from Gas-O-Mat?</p> <p>5 A. Yeah.</p> <p>6 Q. So not from Gas-O-Mat, from Valero?</p> <p>7 A. Yeah. From Beacon or Diamond Shamrock, 8 whatever, no Gas-O-Mat, yes.</p> <p>9 Q. Okay. Does this document refresh your 10 recollection as to the time frame of your taking over 11 the business?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And what time frame was that?</p> <p>14 A. I think we take over on the 10th.</p> <p>15 Q. Of what year?</p> <p>16 A. 2002. Yeah, before we fill up the application here.</p> <p>18 Q. Okay. So let's put that aside for now and let's look back at Exhibit 12, which we were just looking at. And if you would turn to Figure 2, which is 21 Bates Page 16633.</p> <p>22 A. 1663?</p> <p>23 Q. 1663. This map is similar to the one that we looked at earlier, correct?</p> <p>25 A. Yes.</p>