



**DLA Piper LLP (US)**  
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July 22, 2010

David A. King  
Presiding Officer and Vice-Chairman  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

**Re: Shipyard Sediment Site Cleanup Project and Tentative Cleanup and Abatement  
Order No. R9-2010-0002**

Dear Presiding Officer King:

Pursuant to the Final Discovery Plan in the above titled matter, designated party BAE Systems respectfully requests the issuance of the enclosed deposition subpoenas for the following individuals.

1. Ed Kimura, Water Committee, San Diego Sierra Club
2. Katie Zeeman, Toxicologist, United States Fish and Wildlife Service

We request you issue these subpoenas at your earliest convenience. We have proposed dates in the deposition notices but will work with the witnesses to accommodate scheduling to the extent practicable given the discovery deadline.

Very truly yours,

**DLA Piper LLP (US)**

A handwritten signature in black ink, appearing to read 'Matthew B. Dart', written over a horizontal line.

Matthew B. Dart  
Associate

Admitted to practice in California

MBD:nwn  
Enclosure

WEST22079837.1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

<b>IN THE MATTER OF:</b> <b>TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R9-2010-0002</b>	<b>SUBPOENA DUCES TECUM TO ED KIMURA</b>
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TO: ED KIMURA

YOU ARE COMMANDED to appear at the place, date and time specified below, or any subsequent place, date and time set by the Presiding Officer for Prehearing Proceedings ("Presiding Officer"), to testify at the taking of a deposition in the above-referenced matter. This subpoena shall remain in effect until you are granted leave to depart by the Presiding Officer.

YOU ARE ALSO COMMANDED to produce and permit inspection and copying of the documents identified in Attachment A to the Deposition Subpoena addressed to you at the place, date, and time specified below.

You have been subpoenaed by BAE Systems San Diego Ship Repair Inc. ("BAE"), a designated party in the aforementioned proceedings. BAE is represented by DLA Piper LLP (US), 401 B Street, Suite 1700, San Diego, California, 92101. Inquiries concerning the mechanics of the scheduled deposition should be directed to the attorneys listed on the deposition notice directed to you.

PLACE: DLA PIPER LLP  
401 B STREET, SUITE 1700  
SAN DIEGO, CA 92101

DATE: August 18, 2010

TIME: 9:30 a.m.

DATED: \_\_\_\_\_, 2010 REGIONAL WATER QUALITY CONTROL BOARD

By \_\_\_\_\_  
David A. King  
Presiding Officer for Prehearing Proceedings  
San Diego Regional Water Quality Control Board

1 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

2 SAN DIEGO REGION

3 **IN THE MATTER OF:**  
4 **TENTATIVE CLEANUP AND**  
5 **ABATEMENT ORDER NO. R9-2010-0002**

**SUBPOENA DUCES TECUM TO**  
**KATIE ZEEMAN**

6 TO: KATIE ZEEMAN

7 YOU ARE COMMANDED to appear at the place, date and time specified below, or any  
8 subsequent place, date and time set by the Presiding Officer for Prehearing Proceedings  
9 (“Presiding Officer”), to testify at the taking of a deposition in the above-referenced matter. This  
10 subpoena shall remain in effect until you are granted leave to depart by the Presiding Officer.

11 YOU ARE ALSO COMMANDED to produce and permit inspection and copying of the  
12 documents identified in Attachment A to the Deposition Subpoena addressed to you at the place,  
13 date, and time specified below.

14 You have been subpoenaed by BAE Systems San Diego Ship Repair Inc. (“BAE”), a  
15 designated party in the aforementioned proceedings. BAE is represented by DLA Piper LLP  
16 (US), 401 B Street, Suite 1700, San Diego, California, 92101. Inquiries concerning the  
17 mechanics of the scheduled deposition should be directed to the attorneys listed on the deposition  
18 notice directed to you.

19 PLACE: DLA PIPER LLP  
20 401 B STREET, SUITE 1700  
21 SAN DIEGO, CA 92101

22 DATE: August 19, 2010

23 TIME: 9:30 a.m.

24 DATED: \_\_\_\_\_, 2010 REGIONAL WATER QUALITY CONTROL BOARD

25  
26 By \_\_\_\_\_  
27 David A. King  
28 Presiding Officer for Prehearing Proceedings  
San Diego Regional Water Quality Control Board