

Honorable Adam Torem

BEFORE THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION

In Re the Complaint of:

MIKE and GLENDA BECK,

Complainant,

v.

CRISTALINA WATER COMPANY,

Respondent.

DOCKET UW-132268

RESPONDENT'S WITNESS LIST AND
EXHIBIT LIST

(Evidentiary Hearing Set for Wednesday,
May 21, 2014, at 9:30 am)

TO: THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION;

AND TO: MIKE AND GLENDA BECK, Complainants;

AND TO: BARRY C. KOMBOL, attorney for Complainants.

NOW COMES respondent Cristalina Water Company, by and through its attorneys, Preg O'Donnell & Gillett, PLLC, and herein discloses the following possible witnesses and exhibits based on the information reasonably available at this time. Respondent reserves the right to supplement these initial disclosures as additional discovery, investigation, and analysis may warrant.

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I. LAY WITNESSES

- 1. Maria Lindberg
Cristalina, LLC
Post Office Box 4055
Bellingham, Washington 98227
(360) 296-7318

Ms. Lindberg is the current manager at Cristalina LLC. Ms. Lindberg will testify regarding Cristalina’s provision of water to the Becks, its billing history with the Becks, the fact that the Becks failed to pay for water service for several years, that the Becks repeatedly threatened her water operators with physical harm, that the payments the Becks represent were not negotiated by Cristalina, and not credited, were, in fact, never received by Cristalina. Ms. Lindberg will explain her understanding of the Beck’s account, what payments were received and how they were credited by Cristalina. She will discuss her understanding of Cristalina’s limited right under the law to negotiate with the Becks. She will also testify regarding the accounting provided by the UTC, through its agent, Mr. Elliot, and why the amount calculated by Mr. Elliot owing by the Becks to Cristalina is inadequate.

- 2. Tonya Farmer
Cristalina, LLC
Post Office Box 4055
Bellingham, Washington 98227
(360) 296-7318

Ms. Farmer is the bookkeeper at Cristalina LLC. Ms. Farmer, an accountant and a lawyer, will testify regarding her reconciliation of the Beck’s account with Cristalina. She will review Cristalina’s billing history and the Beck’s payment history, allowing her to perform an accurate accounting in accordance with standard accounting practices of applying the most recent payment to the oldest applicable invoice, leading her to a reasonable conclusion for what the Becks currently owe to Cristalina, and how that differs from Steve Elliot’s accounting.

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PREG O'DONNELL & GILLETT PLLC

By /s/ Eric P. Gillett
Eric P. Gillett, WSBA #23691
Attorneys for Respondent Cristalina Water
Company

1 **DECLARATION OF SERVICE**

2 The undersigned declares under penalty of perjury under the laws of the State of
3 Washington that on this day the undersigned caused to be served in the manner indicated
4 below a copy of the foregoing document directed to the following individuals:

5 **Counsel for Claimant Mike and Glenda Beck:**

6 Barry C. Kombol, Esq.
7 Rainier Legal Center, Inc., P.S.
8 Post Office Box 100
9 31615 Third Avenue
10 Black Diamond, WA 98010-0100

- 9 **Via Messenger**
- 10 **Via Facsimile – (360) 886-2868**
- 11 **Via U.S. Mail, postage prepaid**
- 12 **Via Overnight Mail, postage prepaid**
- 13 **Via Email - rainierlegal@yahoo.com, with recipient’s approval**

14 DATED at Seattle, Washington, this 25th day of April, 2014.

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17 Holly Simmelink
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