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Attorneys for Plaintiff

RECEIVED
VENTURA SUPERIOR COURT
JAN 08 2008

VENTURA
SUPERIOR COURT
FILED

JAN 10 2008

MICHAEL D. PLANET
Executive Officer and Clerk
Deputy
BY: _____
DENISE M. LUGO

SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

THE PEOPLE OF THE STATE OF CALIFORNIA)	56-2008-00310564-CU-MC-VTA
)	
Plaintiff,)	[PROPOSED] FINAL
)	JUDGMENT AND
vs.)	PERMANENT INJUNCTION
)	
VINTAGE PRODUCTION CALIFORNIA, LLC, a)	
Delaware limited liability company, and OCCIDENTAL)	
OIL AND GAS HOLDING CORPORATION, a)	
California corporation,)	
)	
Defendants.)	

Pursuant to stipulation between the parties herein, Plaintiff, the People of the State of California, through its attorney of record, Gregory D. Totten, District Attorney of the County of Ventura, by Laurel McWaters, Deputy District Attorney, and Defendants Vintage Production California, LLC through its attorney Barbara A. Zimmermann, Esq., and Occidental Oil and Gas Holding Corporation through its attorney Michael Preston, Esq. (hereinafter referred to as "Defendants"), have agreed that they desire to resolve this action and all issues raised by the complaint on file in this case, without litigation.

Accordingly, Plaintiff and Defendants have further stipulated that this Final Judgment and Permanent Injunction may be entered without taking any evidence, and without the trial or adjudication of any issue of law or fact. The parties have waived their rights of appeal and have approved this Final Judgment and Permanent Injunction as to form and content. Nothing in this

1 judgment shall be construed as an admission by Defendants of any fact, issue of law or violation of
2 law, nor shall compliance with the judgment constitute or be construed as an admission by
3 Defendants of any fact, issue of law or violation of law.

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

5 1. The above-entitled Court has jurisdiction of the subject matter and the parties hereto.

6 2. The injunctive provisions of this Final Judgment and Permanent Injunction shall be
7 applicable to Vintage Production California, LLC, a Delaware limited liability company and
8 Occidental Oil and Gas Holding Corporation, a California corporation, and their successors and
9 assigns. Defendants shall inform their officers, directors, agents and employees who are responsible
10 for managing and /or supervising matters covered by the injunctive provisions in this Final Judgment
11 and Permanent Injunction of the terms and conditions of this Final Judgment and Permanent
12 Injunction.

13 3. Pursuant to section 5650.1 of the Fish and Game Code, Defendants are permanently
14 enjoined and restrained from violating section 5650 of the Fish and Game Code.

15 4. Pursuant to section 5650.1 of the Fish and Game Code, Defendants are ordered to
16 install a leak detection system on major oil and produced water transfer pipelines on the Grubb
17 Lease in Ventura County at a minimum cost of \$150,000, no later than October 31, 2008. The leak
18 detection system will monitor approximately 30,000 feet of pipeline continuously in real time for
19 anomalies, trigger alarms and provide automatic shut-in capabilities.

20 5. Pursuant to section 5650.1 of the Fish and Game Code, Defendants are ordered to pay
21 a civil penalty of One Hundred Fifty Thousand Dollars (\$150,000). Pursuant to subdivision (h) of
22 section 5650.1 of the Fish and Game Code, this amount will be apportioned as follows:

23 a. Fifty percent of said penalty (\$75,000) shall be distributed to the treasurer of
24 the County of Ventura for deposit in the Ventura County Fish and Wildlife Propagation Fund
25 established pursuant to section 13100 of the Fish and Game Code.

26 b. Fifty percent of said penalty (\$75,000) shall be distributed to the California
27 Department of Fish and Game for deposit in the Fish and Game Preservation Fund.

28 6. Defendants are ordered to pay One Hundred Nine Thousand, Two Hundred Forty
29 Eight Dollars (\$109,248) to the Fish and Wildlife Pollution Account for resources expended by the
30

1 California Department of Fish and Game in responding to, cleaning up and investigating the alleged
2 violations that are the subject of the complaint and Final Judgment herein.

3 7. Defendants are ordered to pay Ninety Eight Thousand Six Hundred Forty Dollars
4 (\$98,640) to the Fish and Wildlife Pollution Account for actual damages to fish, plant, and bird life
5 and their habitat (natural resource damages).

6 8. The civil penalties and investigative costs provided in paragraphs 5 through 7, above,
7 shall be paid by corporate, certified, cashier's or attorney's trust account check in the total amount of
8 Three Hundred Fifty Seven Thousand Eight Hundred and Eighty Eight Dollars (\$357,888) made
9 payable to the County of Ventura and delivered to the District Attorney at the time of entry of
10 judgment. The District Attorney shall distribute said funds as provided above.

11 9. On or before the filing of this Final Judgment and Permanent Injunction, Defendants
12 shall pay Three Hundred Twenty Dollars (\$320) to the Clerk of the Ventura County Superior Court,
13 for filing fees which would have been paid or deposited by Plaintiff upon filing the complaint but for
14 the exemption provided by Government Code section 6103, and which are due and payable within
15 45 days of collection pursuant to Government Code section 6103.5, subdivision (b).

16 10. This Final Judgment and Permanent Injunction shall have a res judicata effect and bar
17 any civil action by Plaintiff against Defendants under section 5650.1 of the Fish and Game Code
18 pertaining to the releases of crude oil, other petroleum products and produced water which are
19 alleged in the complaint.

20 11. In the event that any of the provisions of this Final Judgment and Permanent
21 Injunction are held by a court to be unenforceable, the validity of the enforceable portions shall not
22 be adversely affected.

23 12. The clerk shall be directed to enter this Final Judgment and Permanent Injunction
24 forthwith, and the Final Judgment and Permanent Injunction shall take effect immediately upon
25 entry hereof.

26
27 DATED: _____

28 _____
29 JUDGE OF THE SUPERIOR COURT
30