

**Three-page Excerpt from 13 March 2012 Deposition
of Cal Am President Rob MacLean
by Monterey County District Attorney**

The deposition concerned the possible dual role played by Stephen Collins in the development of the Regional Desalination Project.

Rob MacLean is the President of Cal Am.

Stephanie Hulseley was an Assistant Monterey County District Attorney,
in charge of the case against Mr. Collins.

Tracy Spenser was a Monterey County District Attorney Investigator.

1 MacLean: Well, w—I don't know the exact date, but I—I think that, uh...it's—you
2 know, based on we've went back and looked at the invoices, we th—we think it was
3 probably July or August.

4 Spencer: Of, uh—

5 MacLean: Of—

6 Spencer: 2011?

7 MacLean:um...

8 Hulsey: Well—

9 Hardee: Two thousand—

10 Moore: No—

11 Hardee: It was two thousand—

12 Spencer: Ten?

13 Hulsey: It—it became—

14 MacLean: Uh, two thousand ten.

15 Moore: Right?

16 Hulsey: —became—well...

17 Hardee: Well, how did you become aware of it?

18 Mooze: *[clears throat]*

19 MacLean: At—at some point, I—I reviewed and saw one of the invoices, and that was
20 the first time that I knew, um—or that I had any knowledge that Steve was being paid by
21 RMC—

22 Hardee: And how was—

23 MacLean: —through the Marina Coast Water District.

24 Hardee: And how was this brought to your attention?

25 MacLean: Well, we were receiving the invoices from Marina Coast as part of the, um,
26 reimbursement agreement.

27 Hardee: Mm hm.

1 **MacLean:** And so they had to give us those invoices to get payment from us. And so
2 that—that happened, and when, uh—when I looked at one of the invoices, and I did not
3 catch it the first time, but I think it might have been the second or third invoice, I noticed it,
4 and, uh, that's when I first became aware of it.

5 **Spencer:** And is it n—is it normal for you to personally review the invoices [...2...] 11:17
6 that come in?

7 **MacLean:** Um, not—not generally. I mean, I generally don't—I try to have other
8 people do that stuff. But, given the—I guess, the magnitude of this project, and, um, that I
9 was directly involved in—in, uh, you know, some of the meetings and all of that, um, I
10 did—I think I was the approver—the final approver of the invoices.

11 **Spencer:** And—and when you say “the invoices,” does that, um, include more than just
12 the work that Steve Collins was doing? Or was that th-the invoices that were specific to
13 Steve Collins? Or—or both?

14 **MacLean:** No, we—w—I mean, it was like one—we got one invoice from Monter—
15 uh, from the Resources Agency with their stack of stuff. And one invoice from Marina
16 Coast with their, uh, stuff. So it—you know, that was the invoice that—that I—that I would
17 have reviewed—the—the Marina Coast Water District invoice.

18 **Spencer:** And you said on the second or third invoice, um, that that caught your
19 attention.

20 **MacLean:** Mm hm.

21 **Spencer:** And what was it that was—that concerned you about the invoices?

22 **MacLean:** Well, that—that, uh—that Steve, uh, was—was working for, uh, RMC and,
23 uh—I mean, under the direction of, um, Marina Coast was something that I wasn't aware of.

24 0:12:35

25 **Spencer:** And did you then have any conversations with Jim Heitzman or with any
26 other, um—

27 **MacLean:** Yes.

28 **Spencer:** —persons at Marina Coast?

1 MacLean: Yes.

2 Spencer: Can you tell me about that?

3 MacLean: Um, well, I think, when—when I saw that, I-I was curious as to, you know,
4 what—what was this. And so I, um—my recollection is that I called Jim. Now, I don't
5 know...one—one hundred percent if that's accurate. But, um, and, uh, you know, at that
6 point, Jim and I were talking...probably like a couple times a day. Um, and so, you know, I
7 just asked him what—what, uh—what's—what's up with this invoice. And he said, uh, uh,
8 we've decided to—to reverse those out. And, uh—and uh, I said, Okay, that's—that's fine.

9 Spencer: Just specific to Steve Collins?

10 MacLean: Mm hm. Yeah. And, um—and, uh, it was—you know, that was part of a
11 conversation where I think we'd discussed a bunch of other things, and I didn't—I didn't
12 inquire any further and—

13 Spencer: But at that point you said you'd seen a couple of invoices. Does that mean
14 that Cal-Am had already paid Marina Coast for that—for that work, including the work
15 Steve Collins had done?

16 MacLean: Yes. Yes.

17 Spencer: Okay. And were you ultimately reimbursed by Marina Coast for that?

18 MacLean: Yes.

19 Spencer: And, um, do you have any documentation that you could provide us about,
20 uh, showing that you made payment, and then also that you were reimbursed?

21 MacLean: I'm sure—

22 Spencer: Is that something we can—

23 MacLean: I'm sure we do. Yeah.

24 Moore: Do you want that? Yes—

25 Hulsey: That would be great.

26 Moore: We do have.

27 Hulsey: That will be great.

28 Spencer: That'd be great—yeah.