

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF PLACER

3 TONY and DONNA WOOD and TED and

4 CHERI ALLEGRA,

5 Plaintiffs,

6 vs. Case No. SCV 16896

7 HIDDEN LAKES ESTATES HOMEOWNERS

8 ASSOCIATION, et. al.,

9 Defendants.

10 _____/

11 DONNA WOOD and CHERI ALLEGRA,

12 Plaintiffs,

13 vs. Case No. SCV 14042

14 HIDDEN LAKES ESTATES HOMEOWNERS

15 ASSOCIATION, et. al.,

16 Defendants.

17 _____/

18

19 Deposition of

20 GEOFF CAMPBELL

21 Thursday, July 7, 2005, 1:30 p.m.

22

23 Reported by:

24 TOBIE STERLING

25 CSR No. 4019

CERTIFIED COPY

HLE EXHIBIT 54

1 this as a diagram.

2 A. Okay.

3 Q. And I will represent to you that this is
4 Mr. Wood's house.

5 A. Correct.

6 Q. And I'm pointing to a figure that depicts square
7 boxes up towards the bottom of the diagram near where the
8 term Jon Way is written. The other end of the picture is
9 the border that gets closer to the lake, the top of the
10 paper.

11 Could you draw in there where your 30 to 40 feet
12 would be on that where you saw -- or just circle the boggy
13 area, if you could.

14 Okay. Mr. Campbell has put a circle around the
15 area closest to the top of the page.

16 MR. PETERSON: Would you mind initialling that,
17 too, so we know later it's your note? Thanks.

18 Q. BY MR. JONES: Could you tell me what occurred,
19 what -- did you and Mr. Wood, after your meeting, your
20 first meeting, agree to another meeting, or what -- how did
21 the conversation go from there?

22 A. What I did was I, was I took measurements and,
23 and generated a proposal based on lineal footage of a, of
24 a, of a French drain and sump pump system. There was
25 already electrical on the site or close to it, to the

1 Q. Do you remember the name of the two crew members?

2 A. No, I do not.

3 Q. So let me go back, then. On 4/24, I understand
4 that you, Arthur Guillen and two crew members arrived at
5 the property?

6 A. That's correct.

7 Q. And what happened next?

8 A. Oh, I'm sure we went out to the back yard to the,
9 to the area in which we were proceeding with, which I think
10 Tony's phasing of importance had kind of changed and, and
11 the more immediate problem became the bogginess, the
12 wetness of the yard. And, and so I think, I believe we
13 started on that first, which I lined out the guys on where
14 the French drain went.

15 If I may, the proposal for the said work that was
16 started reads:

17 Install 35 lineal feet of one-foot wide by
18 two-foot deep French drain wrapped with filter
19 fabric and top-dressed with inch and a half rock.
20 Install two two-by-two drainage -- I'm sorry.
21 Install one two-by-two foot drainage sump area.
22 Install one one-third horsepower sump pump with
23 float activator and inch and a half discharge.
24 Tie discharge into existing drainage system.
25 And the total was \$2,050. And so I'm sure I

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1 lined them out where that, where that French drain was to
2 go, where the sump pump was to go or the pit be dug for the
3 sump pump, sump area; where the electrical was for them to
4 relocate to the, to the sump area.

5 Q. Okay. And when you say lined out, you created a
6 map?

7 A. Painted on the ground.

8 Q. Oh, you painted on the ground?

9 A. Correct.

10 Q. Okay. Do you know if you ever created a, a map
11 of these locations?

12 A. I did not, no.

13 Q. Okay. Prior to your beginning work, did Mr. Wood
14 provide you with any documents regarding the back yard or
15 maps or --

16 A. I don't believe so, no.

17 Q. Okay. You mentioned that your design tied into
18 an existing drain?

19 A. What it, what it did is Mr. Wood, up in the front
20 of the property near his -- near the house location in the
21 back yard had existing drainage running out to the front,
22 and I had -- he, he instructed me that he wanted the sump
23 pump discharge connected to that because that already went
24 to the front yard. So for me to go all the way to the
25 front yard was not cost effective, so to tie into that, and

1 that's what was done.

2 Q. Okay. Let me just ask the questions so maybe you
3 you understand. The French drain, you designed -- I'm
4 sorry. You've indicated some dimensions related to the
5 French drain.

6 A. Correct.

7 Q. Okay. And you said the -- what, what was the
8 depth that the French drain was put in at that point?

9 A. At the, at the sump area, which as I've indicated
10 before on the plot map is, is the, is the lower end of the
11 yard, lower side of the yard. That sump was two-foot deep
12 from surface to bottom. And so at the beginning of the
13 French drain, it was two-by-two. As it got further up the
14 property line, then it was deeper.

15 Q. Okay. Did the French drain meet the sump pump,
16 then?

17 A. At -- yes, meets the sump area.

18 Q. I understand. So there's no pipes between the
19 French drain and the sump pump?

20 A. Correct.

21 Q. Okay. I'd like to enter this as the next
22 exhibit. It's a picture of what appears to be a drainage
23 grill.

24 (Exhibit 4 was marked.)

25 Q. Now, Mr. Campbell, is -- does that depict -- does

1 the picture I've just entered as an exhibit depict part of
2 your French drain or cut from this picture?

3 A. No, it does not.

4 Q. Okay. Can you identify what this is?

5 A. What that is is a -- I believe it's a 12-inch
6 catch basin. Yes, it is, a 12-inch catch basin with a
7 12-inch plastic grate on top.

8 Q. Is that something that you installed, or do you
9 know?

10 A. Yes, it is. I -- it was installed by myself,
11 yes, my company.

12 Q. Okay. I'd like to enter another photograph next
13 exhibit, please, which is number 5.

14 (Exhibit 5 was marked.)

15 Q. Mr. Campbell, do you recognize this photograph,
16 the picture within this photograph?

17 A. Yes, I do.

18 Q. Sorry. And is that same drain that we just
19 discussed in this picture?

20 A. Yes.

21 Q. Now, is the French drain discernible in this
22 picture?

23 A. No, it is not.

24 Q. Okay. Is it your -- is the French drain located
25 beyond the borders of this picture, or is it underground

1 within this picture?

2 A. It's underground within this picture, probably.

3 Q. Okay. Would I expect to see the top of the sump
4 pump, or was that also underground, completely underground?

5 A. The -- there is, there is a cover, a lid on the
6 sump pump, and that is out of this picture. I would assume
7 that it is just off to the, looking at the picture, the
8 right-hand side in the shade area.

9 Q. Okay. Mr. Campbell, does this picture depict the
10 yard after you had performed your repair? Is this after
11 phase -- the first work that you did on the property?

12 A. Yes, considerably afterwards.

13 Q. Considerably afterwards. Okay. Then if I'm
14 jumping too far ahead, let's go back to the initial.
15 During your first phase of work, let's call it, when you
16 worked in the boggy area?

17 A. Um-hmm.

18 Q. Okay. How did the yard look different from this
19 picture after you completed that first phase?

20 MR. PETERSON: I'm sorry. The question was after
21 completion of the first phase?

22 MR. JONES: Correct.

23 Q. BY MR. JONES: The first phase I'm talking about,
24 you said that Mr. Wood wanted you to address the boggy
25 area?

1 A. Correct.

2 Q. And you had a French drain, sump pump put in, and
3 you tied into this some drainage system towards the front
4 of Mr. Wood's --

5 A. House, right.

6 Q. At the completion, when you felt that that
7 portion had been completed, how did the yard look different
8 than this particular photograph? You mentioned this looked
9 substantially later.

10 A. Yeah, yeah. I'm not, I'm not exactly how much
11 later, but even -- I mean it was a month or two later, at
12 least. I can't remember exactly when the other phases
13 were, were started, but this is, this is, this is at some
14 point after the irrigation drainage phase was done.

15 Q. Okay. Is, is there more irrigation -- was the
16 irrigation drainage phase all done within what you're
17 considering to be the first phase?

18 A. No.

19 Q. Okay. So --

20 A. No. The irrigation drainage was part of phase
21 two or three. And how it looks different is to me it was
22 much improved, but I'm biased because I designed the
23 drainage system. So I mean at this point, to me it, it
24 looks like the boggiess is gone.

25 Q. Okay. So do you believe that after you put in

1 the French drain the bogginess was gone?

2 MR. PETERSON: Calls for speculation.

3 THE WITNESS: I would say that the situation had
4 improved.

5 Q. BY MR. JONES: Okay. Let's --

6 A. And let me, let me just add one other thing that
7 was told Mr. Wood when the whole thing started is that my,
8 my recommendations are just that, a recommendation. On my
9 experience this, this should take care of your problem. I
10 don't know how bad your problem is; but from, from what I
11 can see and from what I've done in the past, this should
12 help.

13 Q. Okay. Did, did you use only your design for
14 this, the sump pump, or was there any additional designs
15 given to you by Mr. Wood?

16 A. At, at some point, and I'm not sure if it was
17 before I started my work or after, I think he had, had a --
18 called an engineer or a hydrologist or somebody. And I,
19 and I did meet with them at some point. I, I can't
20 remember for sure if it was before we started work or after
21 we started work. But as far as there being a drawn plan or
22 plan of action or -- no, I don't believe there was. The
23 design was, was mine.

24 Q. Okay. The drainage pipe that ran from the sump
25 pump area?

1 -- and I'm going to go back and refer to another exhibit we
2 had.

3 A. Okay.

4 Q. This is going to be Exhibit 2. This is the
5 exhibit that is a map of the boundaries of property where
6 you drew a circle around it indicating the boggy area.

7 A. Correct.

8 Q. Does the picture which is Exhibit 5 generally
9 depict that area on this side of the swimming pool?

10 A. Yes.

11 Q. Okay.

12 A. Half of it. Half to two thirds of it. The --
13 it, it, it indicates the boggy area, yes.

14 Q. Okay. And you indicated that the boggy area went
15 up to within feet of this pool, within ten feet of this
16 concrete, what appears to be a concrete decking around the
17 pool?

18 A. To basically the concrete area, which if you look
19 at it, 10 feet close to the pool.

20 Q. Okay. Can you describe -- at the end of this
21 first phase, it was -- you had put in the French drain?

22 A. Correct.

23 Q. Did you use heavy machinery for that?

24 A. No.

25 Q. How was it prepared, the French drain?

1 A. Oh, it was dug by hand.

2 Q. Okay. Did you bring in soil for any reason
3 during this first phase?

4 A. No.

5 Q. Any dirt?

6 A. No.

7 Q. No compounds. Did anything leave the property
8 during this first phase?

9 A. Probably not. The soil spoils -- I believe the
10 spoils from the French drain or French drain into -- it's
11 a, is a trench where you take out the dirt and you fill the
12 entire trench with rock and with a perforated pipe and a,
13 and a filter fabric. So, so there was spoils. I would
14 assume that they were left in the boggy area, in the, in
15 the scope of work in the area that was boggy.

16 Q. Okay. After the French drain was completed, did
17 you start another phase on the property, and could you
18 describe what that phase was?

19 A. The next phase was a, was a demo phase, where we
20 removed the existing turf and a few scrubby plants that
21 were within the back yard. After the -- the next phase
22 after that was an irrigation drainage phase, where turf --
23 the existing irrigation system was, was abandoned and a
24 new, entirely new system was installed, new pipe, new
25 heads, new valves. That would have been phase two.

1 Phase three would have been any kind of mow
2 strips or bender boards that went in. And then a site prep
3 phase, which would entail the, the rototilling and grading
4 of the, of the soil. And then finally a installation of
5 sod.

6 Q. Okay. Could you describe to me how the sod was
7 removed at the start of this phase two, if I understand
8 correctly?

9 A. With a sod cutter, which removes -- which is a
10 mechanical machine operated by one person, that cuts
11 approximately a 16-inch swath of sod out. Approximately a
12 half inch to an inch of soil is removed in that process.

13 Q. And was the sod removed from the entire rear of
14 the house?

15 A. Yes.

16 Q. The next task, if I understand correctly, was the
17 removal of the irrigation pipe that was there?

18 A. No. It was not removed. It was abandoned.

19 Q. Okay. Could you explain?

20 A. Basically just left as is. If there was any
21 heads or anything on the surface, those were unscrewed and
22 thrown away. New trenches were dug, new pipes were
23 installed, new heads were placed.

24 Q. Okay. In Exhibit 5, there's pictures of purple
25 flags. Are they related to this process in any way?

1 order. In other words, the posts were rotted. The wood
2 was rotted. It was kind of falling apart. I think, I
3 think we -- I think we turned it into a gentle slope from
4 the, from the fence down to the flat area.

5 Q. Okay.

6 A. But I'm not sure. I'm trying to remember.

7 Q. Do you recall if you -- then did you extend the
8 area of grass farther back towards the --

9 A. No.

10 Q. -- fence?

11 A. No, because base -- basically all it did was it
12 was tit for tat. The, the turf was always on the flat area
13 of the yard, and then there was a retaining wall. And all
14 we did was take out the dilapidated retaining wall and, and
15 angle that grade off down to the flat area.

16 Q. Okay. So --

17 A. Instead of it being terraced per se, it was, it
18 was -- a slope was put on it.

19 Q. Okay. Does this picture -- am I correct in to
20 say that this picture is the status of the yard after the
21 processes we've spoken about so far? You got the French
22 drain. You got the abandoned old system, and you have your
23 new watering system in. Is this --

24 A. That's correct and the header board is in.

25 Q. And can you explain to me what the header board

1 Q. And it is dated?

2 A. 8/16/03.

3 Q. And this invoice is for the, the header which
4 you've described, the site prep and lawn. And could you
5 read this third item on there?

6 A. Installation of drain tiles per Martha, 10 man
7 hours at \$25 and \$100 in material.

8 Q. Can you explain to me what that is?

9 A. What that is is I believe Martha was a, a
10 contractor of Mr. Wood's. I'm not sure if she was the
11 hydrologist or a engineer. And at, at, at one point, must
12 have been some, sometime between 7/29 or at some point
13 during this process, this -- the later end of this process,
14 whether it be July or August, that, that Mr. Wood got her
15 involved. And she came out and basically wanted some holes
16 dug with a post hole digger.

17 And then, as you can see referenced in Exhibit 5,
18 there's a green three-inch piece of pipe sticking up, and I
19 believe, I believe you can see two or three of them.
20 There's one in the turf area. Then there's another one in
21 what is now the playground area, and I believe you can see
22 even another one down the side yard. Those were -- the way
23 I understood them, the reasoning for them was they were
24 trying to measure the level of water, ground water, as we
25 moved towards the house, closer to the house. Because at

1 this, at this point I think Mr. Wood saw that, that, that
2 maybe the complete -- that the drainage -- that the sump
3 area had not controlled all of it and that he was looking
4 to see the -- find the extent of, of the water saturation
5 further into the yard.

6 And so she had us dig these, these post holes,
7 basically, and I believe they were two-feet deep and, you
8 know, six, six or eight inches around, maybe. And then I
9 believe drain rock and the -- and these green pipes with a
10 cap on 'em were placed in those holes and then filled with
11 some rock. And the reason being was to see how, how the
12 water level in those pipes went up or down, varied.

13 Q. Okay. And so --

14 A. And so, and so basically that last item is my
15 labor to dig those holes and install those, those pipes in
16 those holes.

17 Q. And that which you've just described is known as
18 a drain tile?

19 A. That's what I called 'em.

20 Q. Okay. And here, site prep and lawn, it appears
21 you invoiced Mr. Wood. So am I correct, then, that you
22 were invoiced by the company that did the --

23 A. No, I was not.

24 Q. Is this for -- what are you billing for when you
25 say site prep and lawn here?

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REPORTER'S CERTIFICATE

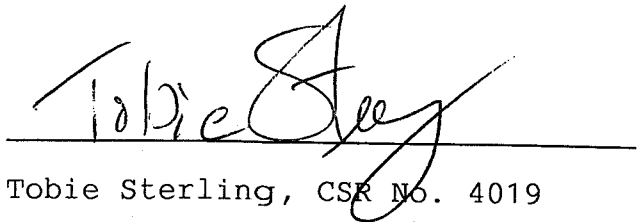
I certify that the witness in the foregoing deposition,

GEOFF CAMPBELL

was by me duly sworn to testify the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein named; that the testimony of said witness was reported by me, a duly certified shorthand reporter and a disinterested person, and was thereafter transcribed into typewriting, to the best of my ability.

I further certify that I am not of counsel for attorney for either or any of the parties to said deposition, nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of July 2004.



Tobie Sterling, CSR No. 4019
Certified Shorthand Reporter
State of California