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8 Consulting Attorney for Plaintiff and the Class

9 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 ANTELOPE VALLEY GROUNDWATER CASES

12 This Pleading Relates to Included Action:
13 REBECCA LEE WILLIS, on behalf of herself and all
14 others similarly situated,

15 Plaintiff,

16 v.

17 LOS ANGELES COUNTY WATERWORKS
18 DISTRICT NO. 40; CITY OF LANCASTER; CITY
19 OF LOS ANGELES; CITY OF PALMDALE;
20 PALMDALE WATER DISTRICT; LITTLEROCK
21 CREEK IRRIGATION DISTRICT; PALM RANCH
22 IRRIGATION DISTRICT; PALM RANCH
23 IRRIGATION DISTRICT; QUARTZ HILL WATER
24 DISTRICT; ANTELOPE VALLEY WATER CO.;
25 ROSAMOND COMMUNITY SERVICES
26 DISTRICT; and DOES 1 through 1,000;

27 Defendants.

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 364553

**DECLARATION OF GREGORY L.
JAMES IN SUPPORT OF MOTION FOR
AN AWARD OF ATTORNEY'S FEES,
REIMBURSEMENT OF EXPENSES,
AND CLASS REPRESENTATIVE
INCENTIVE AWARD FILED BY
KRAUSE, KALFAYAN, BENINK &
SLAVENS LLP**

Date: February 24, 2001

Time: 10:00 a.m.

Department: 1

Judge: Honorable Jack Komar

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2
3 **I, GREGORY L. JAMES declare:**

4 1. The facts set forth in this declaration are based on my personal knowledge and if called as a
5 witness, I could and would competently testify thereto under oath. As to those matters that reflect and
6 opinion, they reflect my personal opinion and judgment upon the matter.

7 2. This Declaration is made in support of the Plaintiff's Motion for an Award of Attorney's Fees,
8 Reimbursement of Expenses and Class Representative Incentive Award filed by Krause, Kalfayan,
9 Benink & Slavens LLP, attorneys for the Plaintiff.

10 3. Since April 4, 2008, I have served as consulting attorney, primarily on water law issues involved
11 in this litigation, to Krause, Kalfayan, Benink & Slavens LLP, attorneys for the Plaintiff Class.

12 4. I am an attorney admitted to practice before all courts of the State of California, the United States
13 Supreme Court, the Ninth Circuit Court of Appeals, the Federal District Court for the Central District of
14 California, the Federal District Court for the Eastern District of California and the Federal District Court
15 for the Southern District of California.

16 5. My office is located in Crowley Lake, California where my practice includes representation of
17 public agencies, individuals and organizations.

18 6. I am a 1972 graduate of the University of California, Los Angeles School of Law.

19 7. Since 1977, a large part of my practice has been devoted to water rights and water resources law.

20 8. While I have been involved in a number of activities in this litigation, including factual and legal
21 investigations, document preparation, discovery issues and communications with counsel, the vast
22 majority of my time was expended on water law issues.

23 9. The summary attached hereto as Exhibit 5 is a detailed account of the amount of time spent by me
24 on this litigation. The account is based upon time summaries taken from daily time sheets that I have
25 maintained since commencing work on this litigation on April 4 2008. Time expended on this litigation
26 was tracked in increments of one-tenth of an hour. Based upon the information contained in the daily time
27 summaries, I have spent 293.60 hours on this litigation.
28

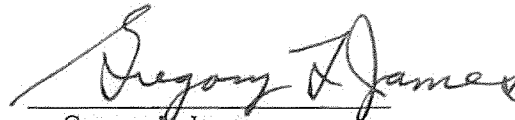
1 10. As also detailed in Exhibit 5, I have has incurred a total of \$654.25 in expenses in connection
2 with this litigation. The expenses incurred are reflected on my books and records which are an
3 accurate recordation of the expenses incurred.

4 11. Krause, Kalfayan, Benink & Slavens' ability to recover the reasonable value of their services is
5 contingent upon this Court awarding a fully compensatory fee award based upon their Motion for an
6 Award of Attorney's Fees, Reimbursement of Expenses and Class Representative Incentive Award.
7 Consequently, the financial arrangements between me and Krause, Kalfayan, Benink & Slavens are
8 primarily contingent. In accepting work in this litigation, I understood that Krause, Kalfayan, Benink &
9 Slavens had limited financial resources to pay the costs and fees associated with this litigation. Krause,
10 Kalfayan, Benink & Slavens' ability to pay the reasonable market value of my services is contingent upon
11 this Court awarding a fully compensatory fee award based upon Plaintiff's Motion for an Award of
12 Attorney's Fees, Reimbursement of Expenses and Class Representative Incentive Award.

13 12. I was aware that, due to Krause, Kalfayan, Benink & Slavens' limited ability to pay, the only way
14 that I would be fairly compensated for my work on this litigation was to achieve a successful result in the
15 litigation that conferred a substantial public benefit. Thus, I recognized in accepting work on this
16 litigation that there was a risk of sustaining financial losses if the Plaintiff Class did not prevail. Despite
17 the risk involved in accepting work on this litigation, I decided to accept the work because of the public
18 interest nature of the litigation and the importance of the issues in the litigation.

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct in all respects and that if called as a witness, I could and would competently testify
21 thereto.

22 Executed this 23rd day of January 2011 at Crowley Lake, California.

23
24 
25 Gregory L. James