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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ANTELOPE VALLEY GROUNDWATER CASES

This Judgment Relates to Included Action:
RICHARD WOOD, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40, et al.

Defendants.

JUDICIAL COUNCIL

COORDINATION
PROCEEDING NO. 4408

Case No. BC391869

**[proposed] ORDER
GRANTING MOTION FOR
APPROVAL OF AWARD OF
ATTORNEY FEES AND
COSTS**

1 The Court has previously approved the Wood Class Stipulation of Settlement
2 between Richard Wood, on behalf of the Class, and Defendants City of Lancaster,
3 Palmdale Water District, Phelan Piñon Hills Community Services District, and Rosamond
4 Community Services District (collectively, “Settling Parties”). The Settling Parties have
5 stipulated to payment of attorneys’ fees to class counsel in the total amount of
6 \$719,892.29, and costs of suit totaling \$17,037.71. The Settling Parties have agreed that
7 the City of Lancaster will not be responsible for payment of attorneys’ fees and costs.

8 Plaintiff is entitled to an award of fees under Code of Civil Procedure section
9 1021.5. The Court has previously ruled that important rights have been involved in this
10 matter and that the litigation conferred significant benefits.

11 The Court has independently evaluated the stipulation for payment of attorneys’
12 fees and has determined the agreed upon amount is fair and reasonable. The hourly rate
13 of \$550 is reasonable, as are the claimed number of hours as set forth in the Declarations
14 of Daniel M. O’Leary and Michael D. McLachlan, and billing statements attached thereto
15 as Exhibits 1 and 2, respectively. The Settling Parties have allocated the attorneys’ fees
16 and costs in approximate relation to the Defendants relative groundwater extractions over
17 a period of six years. The Court does not find that allocation to be unreasonable, but
18 reserves to the Non-Settling Defendants the right to challenge this allocation should it
19 arise with respect to their payment of attorneys’ fees or costs at some future date.
20 However, on any such future motion for Wood Class attorneys’ and costs, the Court shall
21 allocate such fees and costs among the defendants, which allocation shall not be joint and
22 several.

23 Given the stipulated amount of attorneys’ fees, and the finding that this lodestar
24 amount is reasonable, the Court does not need to evaluate the question of a fee
25 enhancement, and reserves that question for any future fee motion for attorneys’ fees.
26 Except as otherwise set forth in other orders of the Court, the rights of the Non-Settling
27 Defendants are reserved with respect to any future motion for attorneys’ fees and costs
28 filed by the Wood Class.

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The Wood Class' motion is GRANTED. The stipulated amount of attorneys' fees, in the amounts agreed by each the Settling Defendants, totaling \$719,892.29, and costs of suit totaling \$17,037.71.

IT IS SO ORDERED.

Dated: _____

Judge of the Superior Court