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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ANTELOPE VALLEY GROUNDWATER CASES This Pleading Relates to Included Action: REBECCA LEE WILLIS, on behalf of herself and all others similarly situated, Plaintiff, vs. LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; CITY OF LANCASTER; CITY OF LOS ANGELES; CITY OF PALMDALE; PALMDALE WATER DISTRICT; LITTLEROCK CREEK IRRIGATION DISTRICT; PALM RANCH IRRIGATION DISTRICT; QUARTZ HILL WATER DISTRICT; ANTELOPE VALLEY WATER CO.; ROSAMOND COMMUNITY SERVICE DISTRICT; and DOES 1 through 1,000; Defendants.	JUDICIAL COUNCIL COORDINATION PROCEEDING NO. 4408 CASE NO. BC 364553 **PLAINTIFF'S SUBMISSION OF RECENT AUTHORITY RELEVANT TO MOTION FOR AN AWARD OF ATTORNEYS' FEES** Date: March 22, 2011 Time: 10:00 a.m. Dept: 15 (CCW) Judge: Hon. Jack Komar Coordination Trial Judge

Plaintiff respectively brings to the Court's attention the recent Court of Appeal decision, *In re Tobacco Cases I,* 2011 WL 1238248 (4th Dist. April 5, 2011), a copy of which is submitted

herewith. The Court of Appeal's discussion at page 6 directly supports Plaintiff's argument that the standard for determining whether plaintiff is a prevailing party for purposes of her fee application brought under Section 1021.5 of the Code of Civil Procedure differs from the standard applicable to cases brought under Civil Code Section 1717. In the context of a private attorney general fee application, "'plaintiffs may be considered "prevailing parties" for attorney's fee purposes if they succeed on *any significant issue* in litigation which achieves *some of the benefit* the parties sought in bringing suit.'" *Id.*, quoting *Graciano v. Robinson Ford Sales, Inc.* (2006) 144 Cal. App. 4th 140, 153.

Dated: April 6, 2011

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