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7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF LOS ANGELES**
9

10 **ANTELOPE VALLEY**
11 **GROUNDWATER CASES**

) JUDICIAL COUNCIL COORDINATION
) PROCEEDING NO. 4408
)

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

) CASE NO. BC 364553
)
)

15 Plaintiff,

16 vs.

) **[PROPOSED] AMENDMENT TO FINAL**
) **JUDGMENT APPROVING CLASS**
) **ACTION SETTLEMENT TO ADD**
) **PROVISION RE ATTORNEYS FEES AND**
) **COSTS**

17 LOS ANGELES COUNTY WATERWORKS)
18 DISTRICT NO. 40; CITY OF LANCASTER;)
19 CITY OF LOS ANGELES; CITY OF
20 PALMDALE; PALMDALE WATER
21 DISTRICT; LITTLEROCK CREEK
22 IRRIGATION DISTRICT; PALM RANCH
23 IRRIGATION DISTRICT; QUARTZ HILL
24 WATER DISTRICT; ANTELOPE VALLEY
25 WATER CO.; ROSAMOND COMMUNITY
26 SERVICE DISTRICT; and DOES 1 through
27 1,000;

) Date: September 22, 2011
) Time: 9:00 a.m.
) Place: Telephonic

28 Defendants.

) Judge: Hon. Jack Komar
) Coordination Trial Judge
)

23 **WHEREAS**, by Order dated May 4, 2011, this Court awarded attorneys' fees to Class
24 Counsel in the amount of \$1,839,494 and costs in the amount of \$65,057.68 pursuant to Civil
25 Code Section 1021.5; and
26

27 **WHEREAS**, on May 13, 2011, this Court entered Final Judgment Approving [the] Willis
28 Class Action Settlement in the form that the settling parties had previously agreed upon; and

1 WHEREAS, no party has sought reconsideration of or appealed either the Fee Order or
2 the Final Judgment; and

3 WHEREAS, on September 7, 2011, the Court entered an order awarding supplemental
4 fees to Class Counsel in the amount of \$160,662.50; and

5 WHEREAS, certain Defendants have now either paid or agreed to pay Class Counsel's
6 fees in the cumulative amount of \$826,828.26; and

7
8 WHEREAS, the Final Judgment expressly provides that "[w]ithout affecting the finality
9 of this Judgment, the Court hereby reserves and retains jurisdiction over this Settlement,
10 including the administration and consummation of the Settlement, . . ." ¶ 20. The Final
11 Judgment further provides that the "court retains jurisdiction to consider an application by
12 Plaintiff and Class Counsel for an award of attorneys' fees and reimbursement of costs . . . and
13 the Court retains jurisdiction to enter such further Orders." ¶ 21; and

14 WHEREAS, Defendant Los Angeles County Waterworks District No. 40 has asked the
15 Court to amend its prior judgment so that Defendants may pay the fee award under the
16 provisions provided by Government Code Section 965 et seq.

17
18 NOW, THEREFORE, upon consideration of the foregoing facts and the Stipulation of the
19 Settling Parties, the Court enters the following Amendment To Final Judgment Approving Class
20 Action Settlement To Add Provision Re Attorneys Fees And Costs:

21 1. The May 13, 2011 Judgment entered by this Court shall be and hereby is
22 amended effective as of the date hereof to award Plaintiff's Counsel fees and costs as against
23 Defendants LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; LITTLEROCK
24 CREEK IRRIGATION DISTRICT; PALM RANCH IRRIGATION DISTRICT; DESERT
25 LAKES COMMUNITY SERVICES DISTRICT; NORTH EDWARDS WATER DISTRICT;
26 and CALIFORNIA WATER SERVICE COMPANY in the total amount of \$1,238,385.92
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1 (representing the Court's May 4, 2011 award of \$1,904,551.68, plus the Court's September 7,
2 2011 award of \$160,662.50 less the sum of \$826,828.26 that certain other defendants have paid
3 or agreed to pay).

4 2. The Defendants may pay this judgment, plus interest, in installments, as provided
5 by Government Code Section 970.6, upon satisfaction of the conditions established by that
6 statute.

7
8 3. This Amendment to Final Judgment shall not affect the finality of the Court's
9 May 13, 2011 Final Judgment.

10 4. In the event of any appeal by Defendants or any of them from this Amendment to
11 Final Judgment, Class Counsel shall not be estopped from arguing that the May 4, 2011 Fee
12 Order was and is final and no longer appealable.

13 SO ORDERED:

14
15 Date: September __, 2011

Judge of the Superior Court