1 2 3	Michael D. McLachlan, Bar No. 181705 LAW OFFICES OF MICHAEL D. McLACH 10490 Santa Monica Boulevard Los Angeles, California 90025 Phone: (310) 954-8270; Fax: (310) 954-8271	
4 5 6	Daniel M. O'Leary, Bar No. 175128 LAW OFFICE OF DANIEL M. O'LEARY 10490 Santa Monica Boulevard Los Angeles, California 90025 Phone: (310) 481-2020; Fax: (310) 481-0049	
7 8 9 10 11 12 13 14	Attorneys for Plaintiff and the Class  Eric L. Garner, Bar No. 130665  Eric.Garner@bbklaw.com  Jeffrey V. Dunn, Bar No. 131926  Jeffrey.Dunn@bbklaw.com  BEST BEST & KRIEGER LLP  3750 University Avenue, Suite 400  P.O. Box 1028  Riverside, California 92502  Phone: (951) 686-1450 Fax: (951) 686-3083  Attorneys for Defendant Los Angeles County	
	SUPERIOR COURT FOR TH	IE STATE OF CALIFORNIA
15	SUPERIOR COURT FOR THE COUNTY OF I	
15 16 17		
16	COUNTY OF I Coordination Proceeding	LOS ANGELES  Judicial Council Coordination
16 17 18 19 20	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly	Judicial Council Coordination Proceeding No. 4408 (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar) Case No.: BC 391869
16 17 18 19 20 21	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF
16 17 18 19 20	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,  Plaintiff,	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D.
16 17 18 19 20 21 22	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT
16 17 18 19 20 21 22 23	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,  Plaintiff,  V.	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT  Date: May 24, 2011 Time: 9:00 a.m.
16 17 18 19 20 21 22 23 24	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,  Plaintiff,  v.  LOS ANGELES COUNTY	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT  Date: May 24, 2011
16 17 18 19 20 21 22 23 24 25	COUNTY OF I Coordination Proceeding Special Title (Rule 1550(b))  ANTELOPE VALLEY GROUNDWATER CASES  RICHARD A. WOOD, an individual, on behalf of himself and all others similarly situated,  Plaintiff,  v.  LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; et al.	Judicial Council Coordination Proceeding No. 4408  (Santa Clara Case No. 1-05-CV-049053, Honorable Jack Komar)  Case No.: BC 391869  DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT  Date: May 24, 2011 Time: 9:00 a.m.

DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT

2

3

5

4

6

7

8 9

10

11 12

13

14

15 16

17

18

19

20

21 22

23

24 25

26

27

28

I, Michael D. McLachlan, declare:

1. I make this declaration of my own personal knowledge, except where stated on information and belief, and if called to testify in Court on these matters, I could do so competently.

- 2. I am co-counsel of record of record for Plaintiff Richard Wood and the Class, and am duly licensed to practice law in California. I make this declaration in support of the joint motion for preliminary approval of the settlement agreement.
- 3. This action has been litigated vigorously on behalf of the Class for three years. There has been extensive discovery, depositions, trial testimony, and class counsel have reviewed thousands of pages of evidence, deposition transcripts, and expert witness reports, in addition to conducting extensive legal research and analysis regarding all of the relevant legal claims of the Class and the Settling Defendants.
- 4. The Settlement Agreement was negotiated at arm's-length over more than two years. Settlement negotiations commenced formally in February of 2009, and continued until April of 2011, ultimately resulting in the attached Settlement Agreement. These negotiations included two separate mediations with Justice Ronald Robie, and literally hundreds of meetings, phone calls, e-mails.
- 5. No attorneys' fees or costs were agreed upon and those issues had no bearing whatsoever on the relief for the Class.
- 6. Attached as Exhibit F is a true and correct copy of the Settlement Agreement approved and executed by all parties to the Small Pumper Class Action.
- 7. Attached as Exhibit G is a true and correct copy of the proposed notice to the class.

1	8. Attached as Exhibit H is a true and correct copy of the proposed summary
2	notice to the class, to be published in local newspapers as set forth in the Settlement
3	Agreement.
4	I declare under penalty of perjury under the laws of the State of California that the
5	foregoing is true and correct. Executed this 2 <sup>nd</sup> day of May, 2011, at Los Angeles,
6	California.
7	
8	
9	Michael D. McLachlan
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26 27	
28	3

## PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the

2

1

3

4

5

7

8

10

11

12 13

14

15 16

17

18

19

20

21 22

23

24

25

26

27

28

On May 2, 2011, I caused the foregoing document(s) described as **DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT** to be served on the parties in this action, as follows:

age of 18 and am not a party to the within action. My business address is 10490 Santa

Monica Blvd., Los Angeles, California 90025.

- (X) (BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa Clara County Superior Court website: <a href="www.scefiling.org">www.scefiling.org</a> regarding the Antelope Valley Groundwater matter.
- ( ) (BY U.S. MAIL) I am readily familiar with the firm's practice of collection and processing of documents for mailing. Under that practice, the above-referenced document(s) were placed in sealed envelope(s) addressed to the parties as noted above, with postage thereon fully prepaid and deposited such envelope(s) with the United States Postal Service on the same date at Los Angeles, California, addressed to:
- ( ) (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other overnight delivery service, for delivery on the next business day. Each copy was enclosed in an envelope or package designed by the express service carrier; deposited in a facility regularly maintained by the express service carrier or delivered to a courier or driver authorized to receive documents on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying service list.
- ( ) (BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of facsimile transmission of documents. It is transmitted to the recipient on the same day in the ordinary course of business.
- (X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ( ) (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

//s//

Michael McLachlan