

Michael D. McLachlan, Bar No. 181705
LAW OFFICES OF MICHAEL D. McLACHLAN, APC
10490 Santa Monica Boulevard
Los Angeles, California 90025
Phone: (310) 954-8270
Fax: (310) 954-8271

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

Attorneys for Plaintiff and the Class

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

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.

Defendants.

Judicial Council Coordination
Proceeding No. 4408

(Honorable Jack Komar)

Case No.: BC 391869

**DECLARATION OF DANIEL M.
O'LEARY IN SUPPORT OF MOTION
FOR APPROVAL OF AWARD OF
ATTORNEY FEES AND COSTS**

I, Daniel O’Leary, declare:

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 graduated from University of California, San Diego with a degree in mathematics, and from U.C.L.A. School of Law in 1994. I have been a Plaintiff's contingent attorney for nearly twenty years, specializing in complex litigation.

4. As of October 6, 2013, my firms' costs of suit in this matter total \$5,412.66.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 17th day of November, 2013, at Los Angeles, California.

/s/

Daniel O'Leary

Exhibit 1

STATEMENT

Law Office of Daniel M. O'Leary
10490 Santa Monica Boulevard
Los Angeles, California 90025
310-481-2020/F:481-0049

DATE: NOVEMBER 17, 2013
STATEMENT # [100]

BILL
TO

COMMENTS

DATE	DESCRIPTION	HOURS	AMOUNT
06/26/08	Review Technical Committee Report, prepare for Fri. meeting	2.5	
06/27/08	Meeting at Kalfayan's office w/ Jeff Dunn and Joe Scalmini, travel to San Diego	10.5	
07/06/08	Review of Joint CMC Statement, revision of Phase II trial issues	0.7	
07/10/08	Review oppositions/responses to class certification motion	0.6	
07/24/08	Prepare for class certification hearing, review of transcript for July 21, 2008 hearing	0.4	
07/31/08	Review CMC	0.5	
08/01/08	Review CMO	0.5	
08/05/08	Review class certification motion, oppositions to class certification motion	1.5	
08/06/08	Draft ex parte for continuance of trial/adoption of Wood's CMO	2.5	
08/08/08	Review proposed CMOs, trial briefs, statements of facts, etc., in advance of August 11, 2008 hearing	7.5	
08/11/08	Meet with Richard Wood, prepare for (08/10) and attend hearing, August 11, 2008; review news articles from AV Press	5.5	
09/25/08	Attend Richard Rhone deposition in Ontario	6.0	
09/30/08	Review Lambe report, attend John Lambe deposition	4.0	
10/02/08	T/c with Richard Wood, review of trial briefs for Phase II trial, review of motions in limine for Phase II trial	2.9	
10/03/08	Preparation for Phase II trial	3.5	
10/06/08	Attend Phase II trial, review deposition transcripts	8.0	
10/07/08	Attend Phase II trial, review deposition transcripts	6.5	

10/08/08	Attend Phase II trial	4.0	
10/09/08	Attend Phase II trial	4.0	
10/14/08	T/c David Litt, Hewitt & Truszkowski (Roe 496)	0.3	
11/03/08	Attend Phase II trial	4.0	
11/11/08	Attend meeting with landowner counsel in Valencia, research in rem issues	5.5	
11/17/08	Review draft CMC	0.6	
11/18/08	Research re McCarran Amendment, review of memo on “will serve” letters	3.0	
11/19/08	Further research on McCarran Amendment; Draft CMC section on McCarran Amendment	1.4	
11/26/2008	Draft discovery to water purveyors	1.7	
12/30/08	Research re jury trial/drafting of brief for inclusion in CMC statement; preparation of CMC Statement for 01/09/09	5.5	
12/31/08	Read CMC statements from various parties with emphasis on jury trial arguments	0.8	
01/09/09	Hearing. on Jury Trial Motions/CMC for Phase III trial	3.0	
	Mtg. with Dunn/Garner/Moore/ Pffaefel	0.0	
01/13/09	Research re in rem vs. in personam jurisdiction, effect on class, issues of multiple parcel ownership	0.8	
02/05/09	TC (x3) Kim Updegraff	0.7	
02/06/09	Review legal cases re consolidation	0.9	
02/09/09	Review Tim Thompson declaration	0.2	
02/11/09	Review/comment on letter draft, McLachlan to Dunn	0.2	
02/18/09	Discussion/drafting email re settlement position	0.3	
02/21/09	Review opposition to motion for expert	0.8	
02/24/09	Drafting/editing reply brief re: expert	1.2	
03/19/09	Review material for 04/07 meeting, including Farm Bureau water committee powerpoint	0.4	
03/20/09	Discussion re: class settlement issues	0.3	
03/26/09	Work with McLachlan on draft letter on settlement position for Dunn	1.5	
04/08/09	Review of Dunn’s response to settlement demand, discussion with McLachlan	0.7	
04/30/09	Draft and finalize response to motion to decertify Wood class	2.9	
05/06/09	Correspondence with counsel re: small pumper class list; class notice issues; review M. Moore email re: allocation of court expert fees	1.7	
05/08/09	Draft motion to allocate expert fees; correspondence re: small pumper questionnaire	2.0	

05/19/09	Prepare and circulate stipulation regarding names of mutual water company shareholders	0.8	
05/21/09	Revise stipulation per comments	0.2	
05/22/09	Review oppositions to motion to allocate expert costs	0.5	
05/30/09	Review landowner's motion to dismiss first amended cross-complaint	0.3	
06/04/09	Draft, revise motion to disqualify, discussion with McLachlan re same; review correspondence from Lemieux & O'Neill	1.8	
06/09/09	Proof and finalize disqualification motion	1.3	
06/22/09	Correspondence from Lemieux & O'Neill re: conflict; motion to disqualify (0.5); correspondence re: comprehensiveness, McCarran Amendment issues (0.2)	0.7	
07/01/09	Analysis and drafting of reply brief on motion to disqualify sections, complete same	4.3	
07/06/09	Review mock-up of class website	0.8	
08/07/09	Draft and send letter to Dunn/Garner	0.4	
08/17/09	Travel to San Jose and return	9.5	
08/19/09	Draft mediation brief for Justice Robie	5.5	
08/20/09	Continue drafting mediation brief	6.0	
08/21/09	Finalize mediation brief	1.5	
08/26/09	Review Willis class mediation brief	0.1	
09/02/09	Travel to Sacramento for mediation with Justice Robie, return	15.0	
09/08/09	Review settlement framework received from M. Moore	0.6	
09/09/09	Emails between M. McLachlan and E. Garner re: prescription issues	0.3	
09/29/09	Review correspondence from Daniel Roberts re class notice	0.2	
10/09/09	Review e-mails re settlement agreement/principals' meetings	3.2	
	MISSING HEARINGS (PHONE AND IN PERSON)	0.0	
10/14/09	Review confidential email from M. Moore	0.1	
10/16/09	Correspondence with Kalfayan/Zlotnick re class issues	0.4	
10/21/09	Emails/meeting with M. McLachlan re: Markman email; class role in physical solution phase	0.8	
10/28/09	Email from M. Moore outlining terms of proposed settlement	0.3	
11/05/09	Review stipulation of settlement of Willis class	0.3	
11/12/09	Review of proposed Wood class opt-in letter	0.1	
12/29/09	Review of drafts of settlement agreement with PWS	4.0	
01/03/10	Further review/comment on settlement agreement	1.4	
01/05/10	Further review/comment on settlement agreement	0.3	

01/06/10	Research/meeting re: consolidation, effects of consolidation on class	1.4	
02/01/10	Further review/comment on settlement agreement	0.8	
02/03/10	Revise, proof brief on motion to consolidate	0.5	
02/05/10	Further review/comment on settlement agreement	0.2	
02/19/10	Review order of consolidation signed by Court	0.4	
02/22/10	Further review/comment on settlement agreement	0.3	
02/24/10	Review revised scope of work from Thompson/Entrix	0.2	
03/02/10	Draft CMC Statement for 03/22/10 CMC, including issues of expert witness work, class due process	1.4	
03/08/10	Attend CMC hearing, motions on disqualification, expert fees	3.5	
03/10/10	Begin drafting of writ petition on consolidation order	6.0	
03/12/10	Continue drafting of writ petition on consolidation order; review of procedural history of consolidation order and class notice	9.0	
03/15/10	Continue drafting writ petition, begin preparing tables and exhibits	12.0	
03/16/10	Continue drafting writ petition; conference call with Laura Fowler	9.0	
03/18/10	Review and revise writ petition	5.5	
03/19/10	Review and revise writ petition; correspondence with Laura Fowler	5.0	
03/22/10	Finalize writ petition, tables, exhibits for filing and service	3.5	
03/23/10	Emails with Tom Bunn	0.2	
03/25/10	Emails with PWS counsel re: Entrix bills and court order on bills	0.8	
03/26/10	TC Laura Fowler	1.3	
03/30/10	Correct proof of service of writ petition, file	0.2	
04/05/10	Review e-mails re: settlement meetings; documents received from Laura Fowler	1.3	
04/08/10	Research re: petition for review summary denial of writ petition	0.5	
04/09/10	Review e-mails re: settlement meetings; documents received from Laura Fowler	0.2	
04/21/10	Review e-mails re: settlement meetings; documents received from Laura Fowler	0.7	
04/22/10	Correspondence from Jim Waldo, meeting re same	3.5	
04/27/10	Review documents provided by William West; more documents provided by Laura Fowler	0.5	
05/07/10	Correspondence with Jim Waldo	0.1	

05/20/10	Meeting re: PWS settlement proposal; review of proposal, memo	1.3	
05/24/10	Correspondence from William West	0.1	
06/03/10	Review of letter posted by Jeff Dunn	0.1	
06/04/10	Discussion/correspondence re: Dunn letter	0.6	
06/07/10	Review of proposed response to Dunn letter	0.2	
06/08/10	Meeting regarding Robie mediation, potential responses	0.7	
06/30/10	Review of William West correspondence, update on settlement process	1.0	
07/01/10	Correspondence re: Waldo process and settlement accord; t/c with class rep	1.4	
07/06/10	Correspondence re: Waldo process and class issues	0.8	
07/12/10	Review of final version of accord; various technical documents	2.6	
07/16/10	Correspondence regarding expert depo fees and costs; review of Willis class stipulation of settlement	0.4	
07/29/10	Correspondence re: Waldo process	0.2	
08/03/10	Review of revised Wood class settlement agreement; correspondence from Laura Fowler	0.6	
08/10/10	Correspondence re: proposed settlement	0.3	
08/13/10	Conversation with McLachlan regarding Palmdale and Lancaster	0.3	
08/16/10	Review documents from William West	0.2	
08/18/10	Review documents from Laura Fowler	0.5	
08/27/10	Research/drafting regarding assessment-free exemptions for class pumping	1.5	
09/16/10	Review of Willis class motion for settlement	0.9	
10/14/10	Correspondence regarding court reporter proposal	0.3	
10/28/10	Review of documents sent by Laura Fowler	1.0	
11/17/10	Review of physical solution outline	0.4	
11/19/10	Review of letter from William West; correspondence with Willis counsel regarding single judgment issues; class settlement issues	1.3	
12/03/10	Review of motions in limine for Phase III	0.9	
12/16/10	Review/comment on new drafts of proposed settlement	0.5	
12/28/10	Phase III trial prep, motions in limine, expert deposition review	10.0	
12/29/10	Phase III trial prep	4.5	
01/04/11	Attend Phase III trial, day one	5.5	
01/05/11	Attend Phase III trial, day two	9.5	

01/10/11	Scalaminini deposition, day 1	4.5	
01/11/11	Scalaminini deposition, day 2	4.5	
01/12/11	Scalaminini deposition, day 3	4.5	
01/13/11	Scalaminini deposition, day 4	4.5	
01/17/11	Scalaminini deposition, day 5	4.5	
01/18/11	Scalaminini deposition, day 5	4.5	
01/19/11	Scalaminini deposition, day 6, meet with MDM re cross-exam	4.5	
01/20/11	Scalaminini deposition, day 7	4.5	
01/31/11	Phase III trial	7.5	
02/01/11	Phase III trial	7.5	
02/23/11	Review/comment on proposed stipulation of settlement	1.4	
02/25/11	Correspondence with D. Zlotnick on Willis fee motion	0.4	
03/02/11	Review correspondence from Warren Wellen re: settlement progress	0.3	
03/07/11	Review correspondence re: settlement agreement; confer with MDM re settlement agreement	0.6	
03/08/11	Review correspondence re: settlement agreement	0.3	
03/09/11	Review fee motion/oppositions re: Willis class settlement	2.2	
03/17/11	Conversation with M. McLachlan re memo received from Bill Brunick	0.1	
03/29/11	Correspondence regarding settlement agreement, proposed judgment	0.6	
03/30/11	Conversation with M. McLachlan re: D40's position on settlement, renewal of expert motion	0.3	
04/08/11	Review documents/powerpoint slides received from Steven Dassler; review redline draft of proposed settlement agreement	1.4	
04/11/11	Meet with MDM re preliminary approval motion, comment on BBK draft	1.1	
04/25/11	Review/revise letter to Judge Komar	0.2	
04/26/11	Review proposed judgment forwarded by W. Wellen	0.3	
05/02/11	Review draft of motion for preliminary approval, review E. Garner declaration; summary notice; various exhibits	1.8	
05/06/11	Review order on Willis class fee application and tentative decision from Phase 3 trial	0.2	
05/12/11	Review opposition documents to motion for preliminary approval, summarize	1.4	
06/16/11	Meet with MDM re preliminary approval motion, discuss options re court expert, class decert	0.6	

06/20/11	Review proposed statement of decision Phase III trial, objections to same; Review revised class settlement agreement, further review of objections to statement of decision	2.6	
07/07/11	Draft motion for order authorizing expert work	3.1	
07/08/11	Further drafting of motion for expert work	1.0	
07/14/11	Review further revised draft settlement agreement	0.4	
07/25/11	Review/revise letter to Justice Robie	0.3	
08/05/11	Review/revise letter to Justice Robie	0.5	
08/29/11	Review mediation submissions, meeting with McLachlan, e-mails with Richard Wood; research re: class decertification	4.5	
08/31/11	Attend mediation in Sacramento	10.0	
09/02/11	Review of pumping submissions forwarded by T. Bunn	0.6	
09/07/11	Emails re: single family residential water use, review of D40 data and Scalmini testimony from Phase III deposition	1.1	
09/13/11	Review of AV United billing enclosure	0.1	
09/15/11	Review of Palmdale Water District data on single family residential use, correspondence with McLachlan and Wood	0.4	
01/13/12	Proof and finalize motion for expert authorization	0.7	
02/02/12	Review letter and attachments from B. Brunick	0.3	
02/17/12	Read order from court of appeal on Willis class fee appeal	0.2	
02/27/12	Review of water allocation spreadsheets	0.5	
04/03/12	Review of allocation resulting from Justice Robie mediation	0.5	
04/13/12	Review proposed stipulated judgment	1.2	
04/27/12	Review proposed physical solution document from R. Zimmer; comments from various parties to same	0.8	
05/02/12	Telephonic status conference	1.4	
08/09/12	TC Brian Martin, attorney for Sorrento West Properties	0.4	
08/16/12	Emails with McLachlan re: class claims against overlying landowners	0.3	
09/18/12	Review of email from Justice Robie, conversation with McLachlan	0.2	
10/08/12	Review of CMC statement of federal government	0.3	
10/10/12	Review master document from drafting committee	1.1	
10/23/12	Review/comment on letter from McLachlan to Fife	0.1	
11/16/12	Review of settlement points forwarded by Tom Bunn	0.2	
12/10/12	TCW counsel for Cal-Golf	0.3	
12/11/12	Prepare for and attend trial setting conference (courtcall)	4.2	
12/14/12	Attend trial conference (telephonic, BB& K); review correspondence with T. Thompson	1.1	

[illegible]