

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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**

The Court has previously approved the Wood Class Stipulation of Settlement between Richard Wood, on behalf of the Class, and Defendants City of Lancaster, Palmdale Water District, Phelan Piñon Hills Community Services District, and Rosamond Community Services District (collectively, “Settling Parties”), in the case *Richard Wood v. Los Angeles County Waterworks District No. 40 et al.*, Los Angeles Superior Court Case Number BC391869 (“Wood Class Action”). The Settling Parties have stipulated to payment of attorneys’ fees to class counsel in the total amount of \$719,892.29, and costs of suit totaling \$17,037.71, and additionally that the Settling Defendants shall pay the costs of disseminating Class notice. The Settling Parties have agreed that the City of Lancaster will not be responsible for payment of attorneys’ fees and costs. The allocation agreed to by the Settling Parties is as follows:

<u>Defendant</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Palmdale Water District	\$576,798.94	\$13,651.46	\$590,450.40
Phelan Piñon Hills CSD	\$35,193.80	\$832.95	\$36,026.75
Rosamond CSD	\$107,899.55	\$2,553.73	\$110,453.28

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

The Court has independently evaluated the stipulation for payment of attorneys’ fees and has determined the agreed upon amount is fair and reasonable. The hourly rate of \$550 is reasonable, as are the claimed number of hours as set forth in the Declarations of Daniel M. O’Leary and Michael D. McLachlan, and billing statements attached thereto as Exhibits 1 and 2, respectively. The Settling Parties have allocated the attorneys’ fees and costs in approximate relation to the Defendants relative groundwater extractions over

1 a period of six years. The Court reserves to the Non-Settling Defendants the right to
2 challenge this allocation should it arise with respect to their payment of attorneys' fees or
3 costs at some future date.

4 Given the stipulated amount of attorneys' fees, and the finding that this lodestar
5 amount is reasonable, the Court does not need to evaluate the question of a fee
6 enhancement. The rights of all parties are reserved with respect to any future motion for
7 attorneys' fees and costs filed by the Wood Class in this action.

8
9 The Wood Class' motion is GRANTED. Settling Defendants shall pay the
10 stipulated amount of attorneys' fees, in the amounts agreed by each the Settling
11 Defendants, totaling \$719,892.29, and costs of suit totaling \$17,037.71, as well as the
12 costs of disseminating class notice.

13 IT IS SO ORDERED.

14
15
16 Dated: _____

Judge of the Superior Court