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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 MICHAEL D.
MCLACHLAN IN SUPPORT OF
MOTION FOR FINAL APPROVAL
OF CLASS SETTLEMENT**

Date: August 3, 2015
Time: 10:00 a.m.
Room: 222

1 **DECLARATION OF MICHAEL D. MCLACHLAN**

2

3 I, Michael D. McLachlan, declare:

4 1. I make this declaration of my own personal knowledge, except where

5 stated on information and belief, and if called to testify in Court on these matters,

6 I could do so competently.

7 2. I am co-counsel of record of record for Plaintiff Richard Wood and

8 the Class, and am duly licensed to practice law in California. I make this

9 declaration in support of the motion for final approval of the settlement

10 agreement.

11 3. This action has been litigated vigorously on behalf of the Class for

12 nearly eight years. There has been extensive discovery, depositions, trial

13 testimony, and class counsel have reviewed thousands of pages of evidence,

14 deposition transcripts, and expert witness reports, in addition to conducting

15 extensive legal research and analysis regarding all of the relevant legal claims of

16 the Class and the Settling Defendants.

17 4. The Settlement Agreement was negotiated at arm's-length and was

18 part of settlement discussion spanning over four years. After some global

19 settlement discussions in 2008, settlement negotiations commenced formally

20 with all defendants in February of 2009, and have continued more or less

21 continuously. The negotiations resulted in a partial settlement with three public

22 water suppliers, which the Court approved in January 2014. Efforts to resolve

23 the Wood Class' remaining claims continued and, ultimately, resulted in this

24 settlement, as reflected in the attached Settlement Agreement.

25 5. Attached as Exhibit 1 is a true and correct copy of the Settlement

26 Agreement approved and executed by all parties to the Small Pumper Class

27 Action. I do not attach the voluminous Stipulation for Entry of Judgment and

28 Physical Solution, or the Proposed Judgment of Physical Solution. The Second

1 Amended Stipulation for Entry of Judgment and Physical Solution is the
2 operative global settlement document, and was filed on July 9, 2015, with a
3 modified Exhibit 4 (Dkt. No. 10,106). The Proposed Judgment of Physical
4 Solution was filed on March 4, 2015 (Dkt. No. 9,623). It remains the same other
5 than the modified Exhibit 4.

6 6. Plaintiffs' counsel and counsel for the Settling Defendants retained
7 Garden City Group, LLC to act as class administrator. I worked with Garden City
8 Group to update the class list from the one used in 2013. The specifics of the
9 updating are contained in the Declaration of Jennifer M. Keough, filed on June 4,
10 2015. On April 3, 2015, the mailed notice approved by this Court was sent to
11 4,310 class members.

12 7. Pursuant to Paragraph 5 of the Order Granting Preliminary Approval
13 to this settlement, any party wishing to object to the settlement had to do so in
14 writing as of May 15 2015. I did not receive any objections, nor did the
15 administrator report receiving any.

16 I declare under penalty of perjury under the laws of the State of California
17 that the foregoing is true and correct. Executed this 9th day of July 2015, at Los
18 Angeles, California.

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22 _____
Michael D. McLachlan
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