

Michael D. McLachlan (State Bar No. 181705)  
**McLACHLAN LAW, APC**  
2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, California 90254  
Telephone: (310) 954-8270  
Facsimile: (310) 954-8271  
*mike@mclachlan-law.com*

Daniel M. O'Leary (State Bar No. 175128)  
**LAW OFFICE OF DANIEL M. O'LEARY**  
2300 Westwood Boulevard, Suite 105  
Los Angeles, California 90064  
Telephone: (310) 481-2020  
Facsimile: (310) 481-0049  
*dan@danolearylaw.com*

Attorneys for Plaintiff Richard Wood 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

Lead Case No. BC 325201

Case No.: BC 391869

**DECLARATION OF MICHAEL  
MCLACHLAN IN SUPPORT OF  
MOTIONS FOR ATTORNEYS'  
FEES**

1 **DECLARATION OF MICHAEL MCLACHLAN**

2 I, Michael McLachlan, declare:

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

6 **QUALIFICATIONS**

7 2. I am co-counsel of record for Plaintiff Richard Wood and the Class  
8 and am duly licensed to practice law in California. I graduated with honors from  
9 the University of California at Berkeley in 1990. I graduated from the University  
10 of Southern California School of Law in 1995, where I was a member of the  
11 University of Southern California Law Review. My qualifications relevant to this  
12 litigation and more generally are addressed in more detail in my declarations  
13 filed in the original fee motions filed in this matter. (Appendix, Exs. E & S.)

14 3. During my twenty-six career, I have specialized in complex civil  
15 litigation and consumer-related matters, including class actions, as an associate  
16 at Greenberg, Glusker, Fields, Claman & Machtinger and The Kick Law Firm,  
17 both located in Los Angeles, California, and later at my own firm.

18 4. Since opening my own firm eighteen years ago, I have continued to  
19 focus nearly all of my efforts on complex litigation in state and federal courts,  
20 the vast majority of which has been class action litigation. I have been appointed  
21 as lead class counsel on many occasions, and have tried, arbitrated, and argued  
22 class action cases on appeal in state and federal courts throughout California and  
23 in other states and federal trial and appellate courts in other states. I have  
24 handled approximately fifteen cases on appeal.

25 **WORK PERFORMED**

26 5. This was not a run-of-the-mill appeal. This litigation was initiated in  
27 late 1999 and grew over the years to involve some 70,000 parties, most of whom  
28 were represented in two class actions coordinated with the various other actions

1 in this JCCP proceeding. The seven phases of trial spanned approximately ten  
2 years. I am informed that this was the largest groundwater adjudication in  
3 California history, and as noted below in paragraph 6, produced a gigantic  
4 appellate record. When the litigation was coordinated as JCCP 4408 in 2005,  
5 electronic service of case filings was ordered to occur through Glotrans which, as  
6 of the filing of the last of the *Wood* case fee appeals in 2016, had over 11,500  
7 filings since 2005. This was an unusually large case at the trial court and  
8 appellate levels.

9         6. I was informed by a clerk at the Fourth District Court of Appeal that  
10 it is believed the record on appeal is one of the largest in California history. The  
11 appendices totaled 219 volumes and over 180,000 pages. The reporters'  
12 transcript was a combined 87 volumes totaling over 49,000 pages. This case on  
13 appeal was so large that it caused the Fourth Appellate District to request the  
14 Supreme Court to transfer it to another appellate district pursuant to California  
15 Rule of Court 10.1000(a)(1)(C). A true and correct copy of that letter is attached  
16 as **Exhibit 1**. The record review and preparation alone on these appeals was  
17 monumental task because pertinent elements of the record, both transcripts and  
18 the clerks record, spanned a period of over ten years and hundreds of thousands  
19 of pages.

20         7. District 40 and the Wood Class each filed multiple appeals of various  
21 attorney fee and costs related orders. From the very start, District 40 waged an  
22 aggressive appeal, seeking a ruling that Class Counsel were not entitled to *any*  
23 fees, contractually or pursuant to Code of Civil Procedure section 1021.5, based  
24 on a wide variety of arguments. District 40 also asserted that Class Counsel were  
25 not entitled to a multiplier on any fee award, were not entitled to recover costs,  
26 that the fee award should have been equitably apportioned to other parties, and  
27 that District 40 was entitled to make periodic payments under Government Code  
28

1 sections 970.6 or alternatively 984. District 40 filed briefs totaling 131 pages,  
2 exclusive of its Petition for Review the California Supreme Court.

3 8. I first came to work on this matter in 2007 and have participated in  
4 all the substantive litigation other than the phase 1 trial and played central role  
5 over many years in directing and engineering the “global settlement” (Ex. E, pp.  
6 123-125 at ¶¶ 21-25), with District 40 undermining those efforts through most of  
7 those years. (Appendix, Ex. P, pp. 1048-1049 at ¶¶ 9-15 and Ex. 18.) I have  
8 previously submitted declarations and billing records documenting my time on  
9 this matter through a portion of June 2016. (Appendix, Ex. E, pp. 140-369 (Ex.  
10 3); Ex. S, pp. 1170-1181 (Ex. 2).) All of the time reflected in those 240 pages of  
11 billing records – along with all of Mr. O’Leary’s time – was approved by the court  
12 in 2016, and District 40 did not challenge any of the specific time on appeal.

13 9. This declaration primarily addresses time spent on this matter from  
14 mid-June of 2016 to date, including time spent securing my attorney fees, i.e.,  
15 preparing these motions and trial court work related thereto. The vast bulk of  
16 this time was spent dealing with the appeals and cross-appeals of the Wood Class  
17 fee awards, and Wood’s Answer to the County’s Petition for Review in the  
18 California Supreme Court. This work involved substantial time reviewing the  
19 massive trial court record and preparing the record on appeal, which was by  
20 several factors more complicated and involved than any appeal I have been  
21 involved with. There is also time relating to various post-Opinion work directly  
22 related to trial court review on remand, as well as time spent preparing these  
23 motions.

24 10. The time sheets attached as **Exhibit 2** were maintained  
25 contemporaneously. I have included time spent on matters related to parties  
26 with which the Wood Class has resolved all its claims. Where time was spent on  
27 matters solely related to these parties, I have kept the entries in the timesheets,  
28

but removed that time from the total sought by this Motion.<sup>1</sup> I have worked 726.9 hours and am anticipating at least 15 more hours on reply briefs and preparing for and arguing these motions. Hence, the total attorney hours I am requesting for myself is 741.9 hours. The hours for two other lawyers who worked on the appeal, MaryBeth LippSmith and Rolando Gutierrez, are summarized in exhibits Y and Z of the Appendix. Additionally, my firm has incurred 102.3 hours of paralegal work during the time period at issue, as reflected on my firm's timesheets attached as Exhibit 2. All of this work is summarized in this table, along with the rates for each attorney:

<b>Attorney Name</b>	<b>Graduation Date</b>	<b>Hourly Rate</b>	<b>Hours</b>	<b>Lodestar</b>
Michael D. McLachlan	1995	\$915.00	741.9	\$678,838
Daniel M. O'Leary	1994	\$915.00	151.6	\$138,714
Marybeth LippSmith	2002	\$775.00	67.9	\$52,622
Rolando Gutierrez	2011	\$670.00	10.0	\$6,700
Paralegal (several)		\$150.00	102.3	\$15,345
<b>Total</b>				<b>\$892,219</b>

11. When submitting fee declarations in 2016, I stated that the total time substantially understates the actual effort and time involved in the representation of the Class. With a few exceptions, Mr. O'Leary and I did not both bill for the same task and we did not bill for all of what were hundreds of conversations and email exchanges about the appeals, the briefs, the oral argument, the review and assessment of the Court of Appeal opinion, District 40's Petition for Review and Wood's Answer filed in the Supreme Court, class member contacts, other matters

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<sup>1</sup> This deducted time was almost exclusively related to settlement efforts directed at the various defendants remaining as of 2016, all of whom opted to settle during the appeals, except for District 40. Until it became clear that District 40 would not settle on appeal, these settlement efforts were "global" for many years, and so involved District 40. That settlement-related work remains at issue on my timesheets.

1 relating to the judgment enforcement ongoing these last six years (which I have  
2 continued to  
3  
4 monitor because we still remain Class counsel). Indeed, I have about ten hours of  
5 time spent on these fee motions that I have opted not to put on my timesheets.  
6 In sum, I have spent many hours during the last six years working on this matter  
7 that are not included in my timesheets.

### 8 **THE MULTIPLIER**

9 12. I have worked on this case for over fourteen years with no  
10 compensation or cost reimbursement from Los Angeles County Waterworks  
11 District 40, the primary adversary of the Wood Class. Nevertheless, we have  
12 represented the Class zealously and achieved a result that will allow small  
13 domestic pumpers in the area of adjudication to continue to pump water without  
14 the threat of prescriptive claims or, generally, water assessments. Both the trial  
15 court and Court of Appeal agreed that we are entitled to fees for our work, and  
16 the Supreme Court denied review of those rulings.

17 13. In 2007 and 2008, a dozen or more class action lawyers refused to  
18 take this important matter on. (Appendix, Ex. I at ¶¶ 7-8; Ex. E, p. 132 at ¶ 44-  
19 45.) Setting aside the great risk the case posed, I am confident that no attorney  
20 (certainly including myself) would have undertaken this representation knowing  
21 in advance that the bulk of fees and costs would not be paid for over fourteen  
22 years.

23 14. To echo my declarations in 2016, which go into much greater detail  
24 on the facts relevant to the multiplier for work done through the initial fee orders  
25 in 2016, there is a wide array of relevant facts that justify the full amount of fees  
26 we have requested for the work on appeal, and the multiplier requested on that  
27 lodestar. Generally, they are: the case's long duration (over eight years in the  
28 trial court and five and a half more on appeal); with the risk of further appeal; the

1 highly complex and unusual nature of the work; the risks of loss and uncertainty;  
2 the high quality and great efficiency of the work; the excellent outcome for the  
3 class members, the inability to take on other business; as well as the financial toll  
4 this case has taken on my office. (Appendix, Ex. E, pp. 125-135.) They all weigh  
5 in favor of a 2.5 multiplier for the trial court work, and a 1.5 multiplier for the  
6 work on appeal and other post-judgment work. (*See also* Pearl Decl., ¶¶ 37-51.)

### 7 **POST-JUDGMENT INTEREST**

8 15. Attached as **Exhibit 3** is a true and correct copy of the pertinent  
9 elements of the legislative history for AB 748, which enacted, *inter alia*, the  
10 amendments to Government Code sections 970.1(c) and 965.5(d), and Civil Code  
11 section 3287(c). As the history shows, the sole subject of these subsections is the  
12 amount of post-judgment interest payable in actions against a public entity  
13 involving refunds of “fees” or “taxes” – i.e., income taxes, transfer fee, and the  
14 like. There is no mention of “attorneys’ fees” or any similar term in the statute or  
15 its legislative history, nor is there any implication that this statute concerned  
16 post-judgment interest on awards of “attorneys’ fees.”

17 I declare under penalty of perjury under the laws of the State of California  
18 that the foregoing is true and correct. Executed this 28<sup>th</sup> day of February 2022 at  
19 Los Angeles, California.

20  
21 /s/Michael D. McLachlan  
22 Michael D. McLachlan  
23  
24  
25  
26  
27  
28

# **Exhibit 1**





KEVIN J. LANE  
CLERK ADMINISTRATOR  
COURT OF APPEAL

**Court of Appeal**  
FOURTH APPELLATE DISTRICT  
750 B STREET, SUITE 300  
SAN DIEGO, CALIFORNIA 92101

(619) 744-0782  
kevin.lane@jud.ca.gov

March 21, 2017

Jorge Navarrete, Clerk  
Supreme Court of California  
455 Golden Gate Avenue, First Floor  
San Francisco, CA. 94102

Dear Mr. Navarrete,

At the direction of the Administrative Presiding Justice of the California Court of Appeal, Fourth Appellate District, I am requesting transfer of Judicial Council Coordination Proceeding No. 4408, *Antelope Valley Groundwater Cases* (the Coordination Proceeding), to another district under California Rules of Court, rule 10.1000(a)(1)(C). This transfer is requested in light of the significant resources that will be required to process the appeals in the Coordination Proceeding and the on-going and substantial nature of the existing workload in the Fourth District, which preclude the availability of sufficient resources to handle the Coordination Proceeding in this district.

As a matter of historical backdrop, the coordinated cases involve water rights claims relating to the Antelope Water Basin, which is located primarily in Los Angeles and Kern Counties. The Coordination Proceeding involves a number of actions filed in various counties, including two in Los Angeles and one in Kern. Three of the original superior court cases were pending in the Riverside County Superior Court; however, those cases had (and have) no factual connection to Riverside County and did not originate there, but were transferred to that court in the early 2000s as a neutral venue under Code of Civil Procedure section 394.

In July 2005, Chief Justice Ronald George, acting as the Chair of the Judicial Council, issued an order in July 2005 authorizing the Presiding Judge of the Superior Court of Los Angeles County to assign the Coordination Proceeding to a coordination trial judge, to hear and determine the cases coordinated thereunder. That order also specified that the coordination motion judge designated the Court of Appeal, Fourth Appellate District, Division Two (Division Two) as the reviewing court for those cases in accordance with Code of Civil Procedure section 404.2. In August 2005, Chief Justice George issued an amended order terminating the July 2005 order and assigning Judge

Jack Komar of the Santa Clara Superior Court as the coordination trial judge for the Coordination Proceeding, but again identifying Division Two as the court having appellate jurisdiction over the proceeding.<sup>1</sup>

Currently, the Coordination Proceeding involves parties represented by approximately 75 attorneys and another 37 parties who are self-represented.<sup>2</sup> Its record incorporates 14 notices of appeal, over 50 volumes of reporters' transcripts and a joint appendix that is expected to be at least 75 volumes. No briefing on the appeals has yet occurred and, other than a handful of writ petitions that were summarily denied, Division Two has not made any rulings or issued any substantive orders in the Coordination Proceeding.

Since the assignment of the Coordination Proceeding to Division Two, that court's workload has increased year after year. Based on the CY 2015 statistics, the number of opinions filed in Division Two averaged 152 per justice, as compared to a statewide average of 102 cases per justice and an average of only 69 opinions per justice in some other districts. With an average of 221 filings per justice in Division Two compared to the average of 155 filings per justice statewide, handling a case of this magnitude would be beyond the resources currently available in that court. Moreover, the limits of Division Two's existing resources relative to its caseload have required transfers of more than 1,500 cases to Divisions One and Three of the Fourth District since 2006, thus impacting those divisions' capacity to take over the Coordination Proceeding.

Division Two has estimated that it will take an experienced attorney, working under the supervision of a justice, as long as a year to complete a draft opinion in the Coordination Proceeding case once the matter is fully briefed. Given that Division Two is currently staffed with 24 attorneys who process an average of 914 cases a year, losing the availability of an attorney for this length of time will result in even more substantial backlog of cases in Division Two.

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<sup>1</sup> Judge Komar retired from the bench in 2009. It is unclear whether another judge has ever been assigned as the replacement coordination trial judge for the Coordination Proceeding cases.

<sup>2</sup> Of these, 49 participants are from the Second District, 15 are from the Fifth District, 14 are from the Fourth District, Division Three, 9 are from the Fourth District, Division One, 5 each are from the First District, Third District and Fourth District, Division Two, respectively, 2 are from the Sixth District and 8 self-represented litigants live out of state.

These circumstances, as well as the factors that are considered in determining where coordinated proceedings should be assigned in the first instance<sup>3</sup>, warrant a transfer of the Coordination Proceeding to another district that has the resources to better absorb these cases.

Thank you for your assistance in effecting this requested transfer.

Sincerely,



Kevin J. Lane,  
Clerk Administrator

cc: Administrative Presiding Justice Judith D. McConnell  
Presiding Justice Manuel A. Ramirez  
Ms. Sherri R. Carter, Court Executive Officer, Superior Court, County of Los Angeles  
Ms. Addie Lovelace, Superior Court, County of Los Angeles  
Ms. Rebecca Fleming, Court Executive Officer, Superior Court, County of Santa Clara  
All Known Counsel with Pending Appeal

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<sup>3</sup> These factors are (1) the number of included actions in particular locations; (2) whether the litigation is at an advanced stage in a particular court; (3) the efficient use of court facilities and judicial resources; (4) the locations of witnesses and evidence; (5) the convenience of the parties and witnesses; (6) the parties' principal place of business; (7) the office location of counsel for the parties; (8) the ease of travel to and availability of accommodations in particular locations. (Cal. Rules of Court, rule 3.530(b); see also, Code Civ. Proc., §§ 404.1, 404.2.)

**CHAIR, JUDICIAL COUNCIL OF CALIFORNIA**  
**455 Golden Gate Avenue, San Francisco, CA 94102-3688**

Coordination Proceeding	)	
Special Title (Rule 1550(b))	)	
	)	
	)	
<b>ANTELOPE VALLEY</b>	)	<b>JUDICIAL COUNCIL</b>
<b>GROUNDWATER CASES</b>	)	<b>COORDINATION PROCEEDING</b>
	)	<b>NO. 4408</b>
	)	
	)	

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**ORDER ASSIGNING COORDINATION TRIAL JUDGE**

THE PRESIDING JUDGE of the Superior Court of California, County of Los Angeles, is hereby authorized to assign this matter to a judge of the court pursuant to Code of Civil Procedure section 404.3 and rule 1540 of the California Rules of Court to sit as coordination trial judge to hear and determine the coordinated actions listed below, at the site or sites he or she finds appropriate. Immediately upon assignment, the coordination trial judge may exercise all the powers over each coordinated action of a judge of the court in which that action is pending.

**COORDINATED ACTIONS**

<u><b>COURT</b></u>	<u><b>NUMBER</b></u>	<u><b>SHORT TITLE</b></u>
Superior Court of California County of Los Angeles	BC 325 201	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.

<u>COURT</u>	<u>NUMBER</u>	<u>SHORT TITLE</u>
Superior Court of California County of Kern	S-1500-CV 254 348	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.
Superior Court of California County of Riverside (Consolidated Actions)	(RIC 353 840 ( (RIC 344 436 ( (RIC 344 668 (	(Wm. Bolthouse Farms, Inc. ( v. City of Lancaster (Diamond Farming Co. v. ( City of Lancaster (Diamond Farming Co. v. ( Palmdale Water District

The coordination motion judge has designated the Court of Appeal, Fourth Appellate District, Division two as the reviewing court with appellate and writ jurisdiction. (Code of Civ. Proc., §404.2; rule 1505(a)).

Pursuant to rules 1501(17) and 1540, every paper filed in a coordinated action must be accompanied by proof of submission of a copy thereof to the coordination trial judge at the following address:

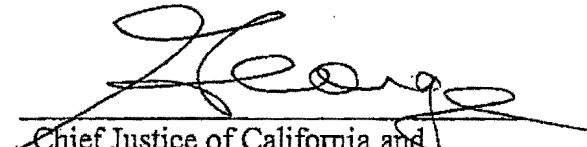
Presiding Judge of the Superior Court  
of California, County of Los Angeles  
County Courthouse  
111 North Hill Street  
Los Angeles, CA 90012-3014

Pursuant to rule 1511, a copy of every paper required to be transmitted to the Chair of the Judicial Council must be sent to the following address:

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial Services  
(Civil Case Coordination)  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

Petitioner is directed to serve a copy of this order on (1) all parties to the included coordinated actions, and (2) the clerk of each court for filing in each included action, pursuant to rule 1540.

Dated: July 11, 2005



Chief Justice of California and  
Chair of the Judicial Council

**CHAIR, JUDICIAL COUNCIL OF CALIFORNIA**  
**455 Golden Gate Avenue, San Francisco, CA 94102-3688**

Coordination Proceeding	)	
Special Title (Rule 1550(b))	)	
	)	
	)	
<b>ANTELOPE VALLEY</b>	)	<b>JUDICIAL COUNCIL</b>
<b>GROUNDWATER CASES</b>	)	<b>COORDINATION PROCEEDING</b>
	)	<b>NO. 4408</b>
	)	
	)	

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**AMENDED ORDER ASSIGNING  
COORDINATION TRIAL JUDGE**

The order heretofore made authorizing the Presiding Judge of the Superior Court of California, County of Los Angeles to assign this matter to a judge of the court to sit as coordination trial judge is hereby terminated.

THE HONORABLE JACK KOMAR of the Superior Court of California, County of Santa Clara, is hereby assigned pursuant to Code of Civil Procedure section 404.3 and rule 1540 of the California Rules of Court to sit as coordination trial judge to hear and determine the coordinated actions listed below, at the site or sites he finds appropriate. Immediately upon assignment, the coordination trial judge may exercise all the powers over each coordinated action of a judge of the court in which that action is pending.

**COORDINATED ACTIONS**

<u>COURT</u>	<u>NUMBER</u>	<u>SHORT TITLE</u>
Superior Court of California County of Los Angeles	BC 325 201	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.

<u>COURT</u>	<u>NUMBER</u>	<u>SHORT TITLE</u>
Superior Court of California County of Kern	S-1500-CV 254 348	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.
Superior Court of California County of Riverside (Consolidated Actions)	(RIC 353 840 ( (RIC 344 436 ( (RIC 344 668 (	(Wm. Bolthouse Farms, Inc. ( v. City of Lancaster (Diamond Farming Co. v. ( City of Lancaster (Diamond Farming Co. v. ( Palmdale Water District

The coordination motion judge has designated the Court of Appeal, Fourth Appellate District, Division two as the reviewing court with appellate and writ jurisdiction. (Code of Civ. Proc., §404.2; rule 1505(a)).

Pursuant to rules 1501(17) and 1540, every paper filed in a coordinated action must be accompanied by proof of submission of a copy thereof to the coordination trial judge at the following address:

Hon. Jack Komar  
Judge of the Superior Court  
of California, County of Santa Clara  
191 North First Street  
San Jose, CA 95113


Pursuant to rule 1511, a copy of every paper required to be transmitted to the Chair of the Judicial Council must be sent to the following address:

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial Services  
(Civil Case Coordination)  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688



Petitioner is directed to serve a copy of this order on (1) all parties to the included coordinated actions, and (2) the clerk of each court for filing in each included action, pursuant to rule 1540.

Dated: August 31, 2005



Chief Justice of California and  
Chair of the Judicial Council

## **Exhibit 2**

# Law Office of Michael D. McLachlan, APC

# INVOICE

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

DATE: June-July 2016

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
6/16: Analysis re timing of NoA, research re same and potential cross appeal strategies and issues 1.1;	1.1	
6/20: Analysis re issues re non entry of fee order, CRC 8.104, phone call with R. Walker re order status issues .7; emails with DO re risk of timing and handling appeal filing .2; prepare and revise NoA on fee ruling .2; emails and calls with KK firm on old transcripts and record issues .8;	1.9	
6/21: Emails and calls with R Walker re issues with entry of orders from SC to LA and status on same, email to DO re same .3; revise and sign NoA .1; emails with Glotrans re record issues .2;	.6	
6/23: Review defense NoA and emails with DO re same .2; review Ailen appeal letter, and review docket issues .2; emails with R Walker n/c;	.4	
6/24: Call with DO re handling defense appeals and strategy re same .5;	.5	
6/25: Research on defense appeal issue and emails with DO re same .6;	.6	
6/29: Emails with Glotrans and landowner counsel re Glotrans file and obtaining trial court record for appeal prep .2; emails with Brunick re class appeal issues and analysis re same, review judgment terms .4; letter to Tootle re settlement on appeal .6; many more emails with LO counsel re record prep issues .3; repare and revise letter to civil appeals unit .4;	1.9	
7/1: Phone calls and emails with Glotrans and Greenfiling on trial court record and filing issues, Glotrans discontinuation .8; emails and phone calls with M. Young re preparation of record on appeal .6; call with DO re same .2; analysis of mand. Docketing stmt and emails with OC re same .1; review draft of appendix designations and many emails with DO re handling appendix issues .6; emails and calls with Young re appendix issues .4;	2.7	
7/5: Review and analysis of Lemieux and D40 designation, cf with file, prpearpe memo re summarizing same .8;	.8	
7/6: Emails with Tootle re settlement on appeal, emails with DO re handling same and strategy vis a vis other defendants .4;	.4	

7/7: Emails with Cal Water re settlement on appeal .2; emails and call to Walker re clarification order needed for appeal and settlement .1; review corr to CoA and instructions to staff re registration .1; review of old trial transcripts for potential including in record 4.1	4.5	
7/7: Meeting with MM and attention to summary and preparation of trial transcript and relevant data 4.6; commence preparation of designation and Attachment 5b drafts 1.2 (KD)	0	5.8
7/8: Analysis re record issues and emails with DO re handling same .4; calls and emails with KK firm re missing transcripts and various record issues .7; review of old trial transcripts for potential including in record .7; review and finalize designation .3; research and analysis on interest and periodic payment issues on appeal, emails with DO re same .6; emails with Wang re appeal .1; emails with counsel re appeal issues .2;	3.0	
7/9: Prepare Cal Water settlement agreement on appeal, emails with Tootle and DO re same 1.1; meeting with KD re master summary memo for transcript designations by all parties .3;	1.4	
7/9: Meeting with MM and commence preparation of memo summarizing all transcript dates designated by parties to date, certified status etc. 3.5 (KD)	0	3.5
7/11: Emails with DO, revise CalWater settlement and many emails with McGhee and Tootle re issues with same .5; research on 877.6 and emails with McGhee re same and issues with other defendants .7; review Cal for Resp Toxics case and email to DO re same and use on appeal and settlement .6; analysis re appellate records issues and many emails to DO re same .4;	2.2	
7/11: Complete draft of memo summarizing all transcript dates designated by parties to date, certified status etc, phone calls to counsel re missing transcripts 2.4; research on court website and review file for appeal record items missing and conformed versions 4.5 (KD)	0	6.9
7/13: Review CRC re records issues and emails with DO re same .3; analysis re issues with missing appendix items and meeting with KD re handling same .7; phone call with CalWest re search of court records, emails with same re assignment .2; revise settlement agreement with CalWater, phone call to Tootle re issues with other defendants .6; commence review of Glotrans docket for appendix 2.3; research and prep of opp to motion to tax 1.7	5.8	
7/14: Continue review of Glotrans docket for appendix 4.7; emails with KK firm re appendix issues .3; emails with DO re Kaufman case and handling issues on appeal .5; research on cost issues and emails with DO re handling same .6; preparation of opposition to motion to tax costs 4.2;	10.3	
7/15: Finish and file opp to motion to tax, emails and calls with DO re same 2.4;	2.4	
7/18: Finalize Cal Water settlement, phone call with client re same and appeal issue .8;	.8	
7/19: Analysis of post trial and appellate deadlines, emails with DO re same .2; emails with Tootle re settlement issues and handling appeal, review CRC .3;	.5	

<b>7/21: Review CoA rules on mediation and emails with Wang and DO re same .3; emails with M Levinson re appellate issues and mediation .2; emails with Lemieux re settlement .1;</b>	<b>.6</b>	
<b>7/22: Analysis re landowner issues on appeal and long email to RGK re handling same, phone call with same .9; continue review of Glotrans docket and underlying file for preparation of appendix 2.7;</b>	<b>3.6</b>	
<b>7/25: Prepare and file mandatory docketing stmt .1;</b>	<b>.1</b>	
<b>7/27: Research and analysis on bifurcation or severance of Wood appeals, emails with DO re same 1.2;</b>	<b>1.2</b>	
<b>7/28: Travel to court and review original file in Dept 1 for missing filings for appendix, meeting with manager in civil appeals re handling issues re appeals and record prep 4.4; phone call with Lemieux and email to same .3; emails and call to Weeks .2;</b>	<b>4.9</b>	
<b>7/29: Emails with CSR Hernandez re transcript issues .1; emails with DO and Lemiex re settlement on appeal .2;</b>	<b>.3</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>52.5</b>	
<b>TOTAL PARALEGAL HOURS</b>		<b>16.2</b>

# Law Office of Michael D. McLachlan, APC

# INVOICE

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

DATE: August 2016

**Bill To:**  
Wood v. Los Angeles County Waterworks et al.

**For:**  
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
8/1: Phone call from DO re appeal issues on record .3; review Dunn letter re fees and case cited therein .2; email to defts re record on appeal .1;	.6	
8/2: Legal research re GC election issues 1.8; prepare and file brief re periodic payments, MM declaration 3.6; review CoA order n/c	5.4	
8/3: Phone call with client re appeal issues .2;	.2	
8/11: Review and analysis of latest section of draft master appendix, call and emails with M. Young re same 1.4; long call with RGK re appeals and long email to DO re strategy for handling same 1.1;	2.5	
8/12: Many emails with DO re numerous appeal issues, research on GC 984 and handling same 1.2	1.2	
8/13: Research on timeliness of GC election .3	.3	
8/15: Review Lafitte case for appeal and emails with DO re same .3;	.3	
8/16: Review Glotrans Excel database for appendix, email to DO re same .6;	.6	
8/18: Review motion to DQ BBK .2, emails with DO and Brunick re impact on appeal .3; review fee order 2 and many emails with DO re strategy and appeal issues .8; research on appeal issues, emails with DO re strategy 1.1;	2.4	
8/24: Research on GC election and compounding issues re 984 .9; prepare analysis memo to DO re Lozada and other authority .5; review D40 notice of election motion from 2011 .1; preparation of opp to GC election motion 3.8; research re judicial estoppel re same .7;	6.0	
8/25: Complete opp to GC election motion and MM decl ISO same 4.2;	4.2	
8/26: Emails with Dunn re appeals .1;	.1	
8/29: Many emails and call with LO counsel re appeal issues .6;	.6	
8/30: Many emails with LO counsel re appeal issues .8; prepare MM declaration re watermaster rules .6;	1.4	

<b>8/31: Many emails with LO counsel re watermaster rules motion and redline reply .1.4; many emails re watermaster, judgment and appeal issues with LO counsel, review brief markups and comments to same 1.7;</b>	<b>3.1</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>28.9</b>	
<b>TOTAL PARALEGAL HOURS</b>		

# Law Office of Michael D. McLachlan, APC

44 Hermosa Avenue  
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Phone 310.954.8271 Fax 310.954.8271

# INVOICE

DATE: September 2016

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
9/1: Emails with Sanders .1;	.1	
9/2: Emails with Evertz and Bunn re withdrawing joinders .1; emails with DO and landowner counsel .2; long email to Lemieux .2; emails with client .1; prepare and file notice of settlement .2;	.8	
9/6: Emails with Lemieux on settlement .4; emails with McGhee .1; research on severable judgments and partial dismissal issues .4; many (15+) emails with DO re appeal issues .7;	1.6	
9/7: Many emails with LO counsel re appeal, judgment and watermaster rules issues .7; emails with Cal Water on settlement on appeal .2; emails with R. Walker re hearing issues .1; prepare for periodic payments hearing 1.1;	2.1	
9/7: Prepare hearing binder and pull cases for MM 1.3 (KD)	0	1.3
9/8: Research on tort claims issues .7; emails with Lemieux and DO on settlement .1; travel to and attend hearing on PWS periodic payments on fees and watermaster 3.9	4.7	
9/9: Call with LO counsel re watermaster rules issues and emails with same .6; phone calls and emails with potential counsel to assist with appeal .5; review research on multiple appeals, Grant v. List exception cases .4; very long strategy memo to DO on appeals and related issues 1.0; emails with LO counsel re watermaster rules and attend conf call re same .8; review comments to watermaster board rules and comment to same .6;	3.9	
9/10: Emails with potential counsel on appeals .1; review revised watermaster rules .1; prepare draft stipulated motion for Wood appeals .6	.8	
9/12: Review order and email to clerk re error with same .1; emails with Dan on appeal issues .2; research on nunc pro tunc impact and issues, prepare notice of appeal and revise same .8; review final revised watermaster election rules .2; prepare notice of partial abandonment of appeal, revise same .3;	1.6	



<b>9/13: Review and finalize notice of appeal .1; phone call with DO re record issues and strategy with further PWS appeals .4; emails with PWS counsel and DO .2; review Lemieux notice of election .1;</b>	<b>.8</b>	
<b>9/14: Emails with Dunn re record .1;</b>	<b>.1</b>	
<b>9/15: Prepare and revise objection to minute order re periodic payments .1;</b>	<b>.1</b>	
<b>9/16: Prepare and revise letter to civil appeals unit and attachments .3;</b>	<b>.3</b>	
<b>9/20: Review D40 notice of election and email to Dunn re same .1; attention to preparation of depo notices and discovery re same .6;</b>	<b>.7</b>	
<b>9/21: Review watermaster rules from other basins on issues of concern to class .4; emails with Dunn re October election of payments hearing .1;</b>	<b>.5</b>	
<b>9/22: Emails with Dunn re election hearing n/c; review court order and email to DO re handling .1;</b>	<b>.1</b>	
<b>9/23: Emails and calls with PWS counsel re periodic payment .2; phone call from client re judgment issues and watermaster .4;</b>	<b>.6</b>	
<b>9/26: Phone call with DO re strategy issues on tying up trial court and appeal issues .3; emails with PWS counsel re hearings n/c</b>	<b>.3</b>	
<b>9/27: Review watermaster agenda and meeting notes .1; revise motion re Wood record and appeals .3</b>	<b>.4</b>	
<b>9/29: Emails with Lemieux and call to same re hardship .1;</b>	<b>.1</b>	
<b>9/30: Review and comment to draft JA part 3, compare with file material and docket 3.7; call to DO re strategy on further appeals and brief consolidation .3; long email to Dunn re handling Wood appeals .2;</b>	<b>4.5</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>24.1</b>	
<b>TOTAL PARALEGAL HOURS</b>		<b>1.3</b>

# Law Office of Michael D. McLachlan, APC

# INVOICE

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

DATE: October 2016

**Bill To:**  
Wood v. Los Angeles County Waterworks et al.

**For:**  
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/2: Commence opposition to D40 GC election motion 3.4;	3.4	
10/3: Email and call with client .3; continue opposition to D40 motion and MM decl 2.4;	2.7	
10/5: Complete and revise opp, MM Decl and exhibits for D40 periodic payments motion 2.2; emails with counsel re appeal and watermaster issues .3;	2.5	
10/6: Attend LO call re watermaster .4; many emails with counsel re letter to PWS .3;	.7	
10/7: Prepare and file civil case info statement and attachments thereto 1.2; emails with R Walker re record issues .2; emails with PWS and LO counsel re settlement meeting .1; emails with LO counsel re meeting and Brown act issues .2; review GC and emails with Wellen .1	1.8	
10/10: Analysis of record and file for designation 1.8; prepare record designation for Wood appeal 2, and attachment 1.1	2.9	
10/11: Prepare mandatory docketing stmt for Wood appeal 2 .2	.2	
10/12: Emails to PWS counsel re stipulated motion and appeals .1; revise motion .7;	.8	
10/13: Emails with LO counsel on watermaster voting, review transcripts, call with same .6;	.6	
10/14: Emails with PWS and LO counsel re motion and filing .1; revise motion .2; long email to Ailin re appendix issues .3;	.6	
10/17: Emails with DO and hearing prep .9; emails with DO re hearing and key issues .3; prepare MM decl re motion to consolidate and stay appeals, revise motion .9; emails with Ailin re record issues .3;	2.4	
10/18: Travel to and attend hearing on D40 GC election hearing 4.2; emails with counsel .1;	4.3	
10/19: Revise joint motion and email to Dunn re same .3;	.3	
10/20: Emails with Wellen re meeting .1; redline motion and email to Dunn .1;	.2	

<b>10/21: Review Dunn changes and finalize joint motion on appeals, emails with counsel .4;</b>	<b>.4</b>	
<b>10/24: Emails and call with LO counsel re record on appeal issues .4;</b>	<b>.4</b>	
<b>10/25: Emails with RGK re appeals .1; review changes to watermaster voting .2; legal research and analysis on In Re Joshua S and preparation of memo on law and implications and handling on appeal 4.6; prepare settlement proposal to 5 Lemieux clients 1.0;</b>	<b>5.8</b>	
<b>10/26: Emails with Manuel re settlement .1;</b>	<b>.1</b>	
<b>10/27: Review Millview 1021.5 case .2; emails and phone call with settlement as to Littlerock .2;</b>	<b>.4</b>	
<b>10/29: Review revised watermaster rules .1;</b>	<b>.1</b>	
<b>10/31: Prepare and file notice of ruling on GC election .2; phone call with Lemieux re tolling .2;</b>	<b>.4</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>31</b>	
<b>TOTAL PARALEGAL HOURS</b>		

# Law Office of Michael D. McLachlan, APC

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**DATE: November 2016**

**Bill To:**  
Wood v. Los Angeles County Waterworks et al.

**For:**  
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
11/1: Review and redline tolling agreement, emails with Lemieux .2; emails with DO re same .1;	.3	
11/2: Revise tolling agreement .1	.1	
11/3: Emails with Lemieux on tolling .1; review watermaster changes and emails with LO counsel re same .2;	.3	
11/4: Review joint notice with Lemieux .1;	.1	
11/17: Review mandatory docket stmt of D40 .1;	.1	
11/21: Review CoA order n/c	0	
11/23: Review D40 civ case info stmt n/c; emails with LO counsel re call on watermaster rules .1	.1	
11/30: Review proposed filing on watermaster election rules and provide comments to same .3; prepare and file MM declaration re watermaster rules .9;	1.2	
<b>TOTAL ATTORNEY HOURS</b>	<b>2.2</b>	
<b>TOTAL PARALEGAL HOURS</b>		

# Law Office of Michael D. McLachlan, APC

# INVOICE

44 Hermosa Avenue  
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DATE: December 2016

**Bill To:**  
Wood v. Los Angeles County Waterworks et al.

**For:**  
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
12/1: Review Sutter Health case on GC 984 .2;	.2	
12/3: Phone call with DO and analysis of multiplier issues for appeal and settlement on appeal .5; email to DO re same .1;	.6	
12/6: Review D40 filings .1; review Brunick memo on watermaster rules, attend conf call with counsel .5; phone call with DO re hearing issues .3;	.9	
12/7: Emails with client .1; travel to and attend hearing 3.2;	3.3	
12/12: Review Komar order, email with DO re same .1;	.1	
12/14: Prepare for appendix conf call, review file, and notes .4; attend appendix conf call, memo to file re same 1.8; email to Young re appendix issues .4;	2.6	
12/16: Review final tolling agreement with Lemieux .1;	.1	
12/19: Prepare long settlement letter to Lemieux, revise same 1.1;	1.1	
12/22: Analysis re briefing schedule and record issues .2;	.2	
TOTAL ATTORNEY HOURS	9.1	
TOTAL PARALEGAL HOURS		

# Law Office of Michael D. McLachlan, APC

# INVOICE

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

DATE: Jan-Feb 2017

**Bill To:**  
Wood v. Los Angeles County Waterworks et al.

**For:**  
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/5: Many emails with Ailin, DO and counsel re briefing schedule .3; email to Dunn re same and joint briefing .1;	.4	
1/6: Analysis re reporters transcript issues .2;	.2	
1/12: Emails with Dunn re briefing .1;	.1	
1/13: Call from V. Fuller re briefing and record issues .2; many emails with counsel re: briefing schedule .2;	.4	
1/14: Many emails with counsel re briefing schedule and coordination .4; call to Niddrie firm re record issues .3;	.7	
1/15: Emails with Ailin re briefing schedule .2;	.2	
1/17: Review stip and briefing schedule from Ailin and prepare comments to same, email to DO .2	.2	
1/19: Many emails with Wang and other counsel re briefing schedule and related issues .6; prepare redline of Ailin stipulation .2; many emails with Wang and Ailin re briefing issues and stip .4; review Wang stipulation and emails with same re stip changes .2;	1.4	
1/24: Emails and call with RGK re record and appeal issues .4	.4	
1/28: Emails with RGK re record .1;	.1	
1/29: Long email to counsel re record and transcript issues and handling .4;	.4	
1/30: Many emails re fee appeal issues .3;	.3	
1/31: Emails with client .1	.1	
2/1: Long email to Kalfayan re transcript and appendix issues .4;	.4	
2/3: Review new NoA and analysis on impact of fee appeals, emails with DO .2	.2	
2/11: Emails with RK re transcript .2;	.2	
TOTAL ATTORNEY HOURS	5.7	
TOTAL PARALEGAL HOURS		

# Law Office of Michael D. McLachlan, APC

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
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# INVOICE

**DATE:** March-April 2017

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
3/14: Emails and call with class members .2;	.2	
3/23: Emails with DO and counsel re appeal timing issues .2;	.2	
3/26: Review Ailin letter and emails with DO re appendix .2;	.2	
4/7: Emails with class members re judgment and appeal issues .4;	.4	
4/21: Review transfer n/c	0	
TOTAL ATTORNEY HOURS	1	
TOTAL PARALEGAL HOURS		

# Law Office of Michael D. McLachlan, APC

44 Hermosa Avenue  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

DATE: May-August 2017

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
5/6: Review and analysis of Save Our Heritage case, and email to DO re handling on appeal .5	.5	
6/19: Research and analysis on handing missing transcripts under GC 6995 .4; email to DK re setting up on 5 <sup>th</sup> District .1;	.5	
6/28: Emails and call with Ailin re transcript and supp transcript .4; meeting with AA re transcript analysis project .3;	.7	
6/29: Commence AV reporters transcript analysis and summary project, prep memo re same 3.8 (AA)	0	3.8
7/11: Work on transcript summary 4.6 (AA)	0	4.6
7/12: Preparation of transcript summary 5.3 (AA)	0	5.3
7/21: Emails with client re various issues .2;	.2	0
7/25: Finish first draft of transcript designation summary 2.5 (AA)	0	2.5
8/1: Emails with Fuller re record issues .1	.1	
8/15: Call with RGK re appeals .4;	.4	
TOTAL ATTORNEY HOURS	2.4	16.2
TOTAL PARALEGAL HOURS		



# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** Oct-Dec 2017

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/11: Emails with RGK re appeal issues .1;	.1	
10/14: Emails with DO re appeal issues, review file .2;	.2	
11/16: Phone call with Sanders re appeal issues .3;	.3	
11/30: Call to RGK re appeal strategy and class issues .4;	.4	
12/16: Review letter re record on appeal, email to Ailin .1	.1	
TOTAL ATTORNEY HOURS	1.1	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** Jan-Feb 2018

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/17: Review CoA order, check case status .1;	.1	
1/26: Phone calls from client and class members, emails with same .6	.6	
1/30: Emails with client and class members .4;	.4	
2/17: Emails with client and class members .2;	.2	
2/27: Emails and call with client re appeal issues .5	.5	
TOTAL ATTORNEY HOURS	1.8	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE: March-April 2018**

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
3/20: Review AVEK briefing order and email re calendaring .1; emails with DO re impact of same .1	.2	
3/29: Emails and call with class member and review old file materials for relevant facts, email to DO .6	.6	
4/26: Review AOB on BBK appeal .3	.3	
4/30: Emails from Wang, call with DO and analysis of class member data .6; email to Wang and DO re same .1;	.7	
TOTAL ATTORNEY HOURS	1.8	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** May-July 2018

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
5/2: Long email to Wang re class member data .3;	.3	
5/14: Review Wang Excels and emails with same .4;	.4	
6/4: Email with client re class member data .2;	.2	
6/28: Review respondents brief on DQ appeal .3	.3	
7/18: Review reply brief on DQ appeal .2	.2	
TOTAL ATTORNEY HOURS	1.4	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** Aug-Sept 2018

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
8/14: Emails with class member .1;	.1	
9/4: Emails with watermaster and class member .2	.2	
9/14: Draft settlement emails to Dunn, emails and call with DO re same, revise and send .6; emails with Wellen n/c	.6	
9/28: Emails with Parton re class issues, provide data .5	.5	
TOTAL ATTORNEY HOURS	1.4	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** Oct-Dec 2018

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/10: Analysis re class issues and long email to Parton re same .4;	.4	
10/15: Call from Joyce, pull old file materials, email to counsel re class notice and Long Valley .8;	.8	
10/16: Emails with Parton and DO re declaration .2; review decl. and call to Parton re changes .2;	.4	
10/19: Review, revise and sign Parton decl .3	.3	
10/26: Emails with client .1;	.1	
10/31: Emails with class member .2	.2	
11/28: Emails with Dunn and DO re settlement .1	.1	
11/29: Review bifurcation letter from CoA and email to DO re impact of same .1	.1	
12/5: Emails with counsel re handling appeals .1	.1	
12/22: Review DQ opinion .4	.4	
TOTAL ATTORNEY HOURS	2.9	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
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Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** Jan-March 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/15: Review briefing order and emails with DO re same .1	.1	
1/16: Review BBK class data submission to watermaster .2;	.2	
1/18: Emails with Dunn .1;	.1	
1/23: Call with Dunn, memo to file .3;	.3	
1/24: Draft letter to CoA re briefing, emails to counsel re same, revise and file .6	.6	
1/25: Legal research on interest issues, and prepare summary memo for fees at issue on appeal 1.1; phone call with DO re interest calc for D40 settlement demand .2	1.3	
1/31: Review and analysis of CoA order, emails to DO re same .2	.2	
2/10: Emails with Dunn re settlement .1;	.1	
3/14: Review appendix ToC and some volumes, prepare memo re same 2.4; emails with DO re interest calc for settlement .2; emails with Dunn .1;	2.7	
3/21: Emails with Dunn n/c	0	
3/28: Emails with Dunn on settlement .1	.1	
TOTAL ATTORNEY HOURS	5.7	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** April 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
4/3: Settlement emails with Dunn and DO .1; work on appendix 2.7	2.8	
4/3: Meeting with MM and assist with analysis of appendix 3.6 KF	0	3.6
4/4: Analysis re Wood fees appendix, review summary and dockets and underlying documents 6.8; emails with BBK re same .1;	6.9	
4/3: Assist with analysis of appendix, pulling docs and summary of same 5.3 KF	0	5.3
4/5: Work on appendix submissions, review filings and docket, and JA 5.9; emails with Wang and DO .1;	6.0	
4/8: Emails with Wang re stip on appendix .1; prepare and modify stip .3; long email to DO re strategy issues an Joshua S handling .3; review transcripts and send to Wang .3;	1.0	
4/9: Further analysis of records and JA for Wood Appendix, analysis of missing transcripts 3.8; emails with counsel re same .2; many emails with counsel and DO re appendix .4;	4.4	
4/9: Assist with analysis of appendix, pulling docs and summary of same, preparation of Wood submission 6.1 KF	0	6.1
4/10: Continue appendix analysis and review of underlying record, emails to DO re same 3.6; review appendix submission and correct same .3; emails with Wang .1;	4.0	
4/10: Assist with analysis of appendix, pulling docs and summary of same, preparation of Wood submission 3.4 KF	0	3.4
4/11: Emails with Wang re missing documents and locate same .3;	.3	
4/12: Emails with Wang and locate missing appendix docs .4;	.4	
4/13: Review draft WFAA .5;	.5	
4/15: Review appendix and email to Wang re missing items .4;	.4	
4/16: Phone call with Lemieux .2; emails with counsel re appendix issues .2;	.4	



<b>4/17: Review final WFAA documents and many emails with counsel re same .8;</b>	<b>.8</b>	
<b>4/19: Assist MM with appendix issues 1.2</b>	<b>0</b>	<b>1.2</b>
<b>4/22: Analysis re appendix problems .3;</b>	<b>.3</b>	
<b>4/29: Review WFAA and emails with Wang re same .3; phone call with Dunn, email to DO re same .3; call to DO and email to Dunn on settlement .3;</b>	<b>.9</b>	
<b>4/30: General review of reporters' transcripts .2</b>	<b>.2</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>29.3</b>	<b>19.6</b>
<b>TOTAL PARALEGAL HOURS</b>		

# McLachlan Law, APC

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# INVOICE

**DATE:** May-June 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
5/1: Emails with Lemieux and DO re settlement .3; email to DO re review of record for briefs .4;	.7	
5/12: Legal research on newer fee and multiplier cases for appeal briefs, email to DO re same 1.5; emails to DO on Joshua S arguments .4; emails with DO re evidence needed from transcripts .3;	2.2	
5/14: Emails with DO re record review .2;	.2	
5/21: Commence review of transcript for appeal, prepare memo of cites to same 3.8	3.8	
6/5: Emails with Dunn re extensions .1;	.1	
6/7: Prepare stipulation .3; phone call to Lemeiux .1; emails with Wang .1;	.5	
6/11: Phone call to Lemieux and emails with Wang .1;	.1	
6/14: Attention to filing issues and emails re same .2; emails with Wang, client and DO .2	.4	
6/24: Emails re revised appendix .1;	.1	
6/25: Emails with DO and Wang re appendix .1;	.1	
6/30: Review revised appendix volumes email with DO re same .2;	.2	
6/30: Update appendix summary, review new volumes per MM instructions 1.4	0	1.4
TOTAL ATTORNEY HOURS	8.4	
TOTAL PARALEGAL HOURS		1.4

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** July 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
7/1: Attention to calendaring .1;	.1	
7/5: Review further revised appendix .2;	.2	
7/11: Phone call with DO re AOB, email to same re scope of orders appealed .5; emails to Wang re extension .1;	.6	
7/15: Prepare stip re extension, emails re same .3;	.3	
7/18: Commence review of JA for AOB, prepare memo re same 3.4;	3.4	
7/22: Review order and attention to calendaring issues .1; phone call to DO re AOB .4;	.5	
7/23: Emails with MaryBeth LippSmith re AOB .2; continue review of JA and summary of same 3.9	4.1	
7/24: Emails with ML and DO .1; review DO summary memo of RT review .3;	.4	
7/29: Continue review of JA for facts section 2.8	2.8	
TOTAL ATTORNEY HOURS	12.4	
TOTAL PARALEGAL HOURS		

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# INVOICE

**DATE:** August 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
8/5: Commence drafting AOB facts section and outline 3.8;	3.8	
8/12: Emails with Wang re extension .1; emails with DO re conflict issues, brief research re same .2;	.3	
8/13: Review stipulation and emails with Wang .1;	.1	
8/16: Many emails with DO and ML re briefing .2;	.2	
8/22: Review Willis brief and new Appendix 1.4; continue drafting fact section and review of record for many citations 4.5	5.9	
TOTAL ATTORNEY HOURS	10.3	
TOTAL PARALEGAL HOURS		

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# INVOICE

**DATE:** September 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
9/3: Emails with ML and DO .1	.1	
9/11: Analysis re multiplier arguments, call with DO re same .4;	.4	
9/12: Review DO multilier blurb .2;	.2	
9/13: Emails with DO re multiplier issues .4;	.4	
9/16: Long email to ML and DO re strategy issues .5; continue drafting facts section and research in record for citations for same 4.6;	5.1	
9/18: Emails with DO re AOB issues .3; analysis re appeal and evidence issues and memo re same .8; many emails with MB and DO re AOB .5; continue record review and drafting of fact section 3.6;	5.2	
9/19: Email and call with Wang re extension, review request and emails to ML and DO .3; continue drafting fact section and record review 5.8;	6.1	
9/21: Continue reviewing transcripts for AOB, pull cites from appendix for same 6.1;	6.1	
9/23: Call with DO re cost issues and AOB .3; email to Wang re same .2; continue record review and drafting of fact section 5.1;	5.6	
9/24: Drafting of fact section and record review 3.2;	3.2	
9/25: Emails with ML and DO re AOB issues and stip .3; record review for fact section in AOB 4.8; complete draft of fact section and further review of transcript and appendices 3.1;	8.2	
9/26: Emails with ML and DO re brief .3;	.3	
9/27: Review DO markup and call to same .3	.3	
9/28: Emails with DO and ML, analysis of intro and DO facts .4;	.4	
9/29: Research and analysis re fee arguments, long email to DO re same .5; drafting of standard of review section 1.8;	2.3	
9/30: Emails with DO and ML re brief issues .4; continue drafting AOB 3.8	4.2	
TOTAL ATTORNEY HOURS	48.1	
TOTAL PARALEGAL HOURS		

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Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** October 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/1: Continue drafting AOB 5.8; emails with ML and DO and analysis re various AOB issues .5;	6.3	
10/2: Drafting AOB 7.8	7.8	
10/3: Drafting AOB, research and analysis of record 7.1	7.1	
10/4: Drafting AOB, research and analysis of record 6.7	6.7	
10/5: Drafting AOB, research and analysis of record 8.3	8.3	
10/6: Complete first draft of AOB, research and analysis of record 10.1; prepare summary email to DO and ML re same .2;	10.3	
10/7: Research on fees on appeal .2; emails to ML and DO re brief .3; review DO redline and modify brief 1.1	1.6	
10/8: Review records and long email re multiplier section .8; further research and email re law to add to brief .7; preparation of cost section in brief 1.4;	2.9	
10/9: Work on AOB and emails with DO and ML .7	.7	
10/10: Email to Ailin and call to same re Komar issues .2;	.2	
10/11: Many (20+) emails with DO and ML re AOB, including review of record 1.2;	1.2	
10/16: Emails with ML re AOB issues .5;	.5	
10/23: Emails with ML re AOB issues .3;	.3	
10/24: Emails with ML re AOB issues .5;	.5	
10/25: Emails with counsel re appeal issues .2;	.2	
10/26: Review MB redraft of AOB 2.4;	2.4	
10/28: Review DO edits .4;	.4	
TOTAL ATTORNEY HOURS	57.4	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

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# INVOICE

**DATE: November 2019**

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
11/1: Emails re AOB .1; Review of judicial canons of ethics, email to DO re same .4;	.5	
11/10: Redrafting of AOB and research for cites in record 3.1;	3.1	
11/12: Redrafting of AOB and research for cites in record 4.0;	4.0	
11/14: Redrafting of AOB and research for cites in record 3.8;	3.8	
11/16: Research on standard of review 1.3; emails with DO and MB re AOB issues .6; redrafting of AOB and research for cites in record 3.1;	5.0	
11/17: Complete redraft of AOB, research in record for citations, modify cost section 4.2; many emails with DO and ML re same .4;	4.6	
11/18: Emails with DO re brief issues and provide record cites .6;	.6	
11/24: Review AOB and emails with counsel re same .3; email to DO re small districts status .2;	.5	
11/25: Emails with DO re use of Garner decl from 2011 .2;	.2	
11/27: Call with DO re settlement demand and emails with same re numbers .6; draft and revise letter to Dunn re settlement .4;	1.0	
<b>TOTAL ATTORNEY HOURS</b>	<b>23.3</b>	
<b>TOTAL PARALEGAL HOURS</b>		

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# INVOICE

**DATE:** December 2019

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
12/4: Emails with DO and ML .2; analysis re resp brief .3;	.5	
12/5: Emails re extension on resp briefs .1;	.1	
12/11: Review stipulation .1;	.1	
12/31: Review City of LA 1021.5 case .3;	.3	
TOTAL ATTORNEY HOURS	1	
TOTAL PARALEGAL HOURS		



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# INVOICE

**DATE:** Jan-March 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/7: Emails with ML re appeal .1;	.1	
1/30: Review January appeal filings .2;	.2	
2/14: Emails with DO re scheduling .1;	.1	
2/20: Review Phelan resp brief .3; review other appeal filings this month .1	.4	
2/21: Emails with Ailin re missing record item as trial exhibit, provide same .3;	.3	
3/11: Review Phelan reply brief .3;	.3	
3/17: Emails with BBK re extension and review stip .2;	.2	
TOTAL ATTORNEY HOURS	1.6	
TOTAL PARALEGAL HOURS		

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# INVOICE

**DATE:** April-June 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
4/3: Emails with BBK re extension .1;	.1	
4/15: Review and markup stip .1;	.1	
4/17: Review emergency Covid rules and emails with counsel re same .1;	.1	
4/24: Review US resp brief in Willis .2;	.2	
5/18: Emails with client .2; emails with Wang re extension, call to DO .1;	.3	
5/19: Review and approve stip .1;	.1	
6/2: Call with DO re resp brief .4;	.4	
6/12: Emails with DO re costs and periodic payments .1;	.1	
6/17: Emails with DO re costs and periodic payments .1; review DO's draft sections re same .3;	.4	
6/18: Call and emails RGK re class appeal issues and discuss evidence and authority for same .6; analysis re handling small districts issues, email with DO re same .4;	1.0	
6/20: Legal research on issues for resp brief 1.7;	1.7	
6/29: Call with DO re resp brief issues .4; drafting fact section or resp brief and review of record for citations for same 4.1;	4.5	
6/30: Review record on costs evidence 2.8; emails with Ailin and Sanders re phase 3 trial exhibits .1; numerous emails to DO about record cites and locate same 1.4;	4.3	
TOTAL ATTORNEY HOURS	13.3	
TOTAL PARALEGAL HOURS		

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# INVOICE

DATE: July 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
7/1: Emails with DO re brief issues .1; emails and call with Wang .2; prepare stip for extension .2;	.5	
7/2: Review and revise contract section from DO .5; legal research on GC and 1021.5 issues 1.4	1.9	
7/3: Review Doe v. Regents case on 1021.5, emails with DO re same .3;	.3	
7/9: Legal research on resp brief issues, review and analysis of PWS AOB and prepare detailed summary memo re same 3.4;	3.4	
7/13: Drafting of Joshua S. section of brief, legal research re same 4.5;	4.5	
7/14: Meeting with RG and long email to same re Joshua S project .5; emails with DO re fact section .2; review and analysis of long memo from RG re Joshua S, review cases cited therein 1.2; drafting to resp brief, review of record for cites 5.6	7.5	
7/14: Review file/case briefs and case history and conduct legal research on section on 1021.5 2.5; Conduct research on exceptions to 1021.5 and Adoption of Joshua 1.5; draft memo re section 1021.5 and Adoption of Joshua 1.4 (RG)	5.4	
7/15: Drafting to resp brief, review of record for cites 7.8	7.8	
7/16: Many emails with DO re brief strategy issues .3; drafting to resp brief, review of record for cites, review of DO redline 8.8; emails with RG re brief issues .1; emails with DO re putting our trial exhibits into record .2;	9.4	
7/16: Review draft of Respondent's Brief re 1021.5 and application of Adoption of Joshua; make revisions to same 1.0 (RG)	1.0	
7/17: Drafting of intro and emails with DO re same 1.0; attention to standard of review and emails with DO re same, legal research on conflicting cases 1.2; drafting of resp brief 6.3;	8.5	
7/18: Continue drafting and editing of resp brief, record review for citations 8.6; meeting and emails with RG re editing same .2;	8.8	

<b>7/18: Conduct additional research re application of equitable principles to section 1021.5 and Adoption of Joshua 2.4; Review draft of Respondent's Brief re 1021.5 and application of Adoption of Joshua; make revisions to same to include equitable analysis 1.1 (RG)</b>	<b>3.5</b>	
<b>7/19: Review of RG comments and revision to resp brief per same 2.1; revise intro and emails with DO re same .5; read new cases located by RG and incorporate into argument .4; emails with RG re intro changes and revise same .4; meeting with JD re review of resp brief .1; continue drafting and editing of resp brief, record review for citations 9.2</b>	<b>12.7</b>	
<b>7/19: Assist MM with brief formatting and editing (KF)</b>	<b>0</b>	<b>2.8</b>
<b>7/20: Record review for missing evidence cites 1.4; further editing of brief and long email to RG and DO status and record issues, missing items 1.1; modify GC section and emails with RG and DO re same .4; draft and revise conclusion .8; finalize and file respondent's brief 7.9;</b>	<b>11.6</b>	
<b>7/20: Assist MM with brief formatting and editing (KF)</b>	<b>0</b>	<b>2.2</b>
<b>7/21: Analysis of settlement demand and GC interest, emails with DO re same .3; attention to revision and refiling of brief .2;</b>	<b>.5</b>	
<b>7/21: Phone call with clerk .2; revise and refile resp brief 1.1 (KF)</b>	<b>0</b>	<b>1.3</b>
<b>7/29: Emails with Wang re reply brief deadline .1</b>	<b>.1</b>	
<b>7/30: Review Willis resp brief .3</b>	<b>.3</b>	
<b>7/30: Work on transmittal of Wood Class trial exhibits, emails with MM re same 2.0 (KF)</b>	<b>0</b>	<b>2.0</b>
<b>TOTAL ATTORNEY HOURS</b>	<b>87.7</b>	
<b>TOTAL PARALEGAL HOURS</b>		<b>8.3</b>

# McLachlan Law, APC

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Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

DATE: Aug-Sept 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
8/3: Attention to filing Wood trial exhibit and meeting with KF re same .2; review PWS resp brief .5;	.7	
8/3: Phone call with court clerk on trial exhibit filing .2; attention to division and digital submission of same 1.3;	0	1.5
8/5: Separation and organization of trial exhibit volumes, conf with MM re same 1.8	0	1.8
8/14: Emails with DO re D40 resp brief issues and helpful arguments in Tapia and Willis briefs .2; review D40 Tapia brief .4	.6	
8/18: Prepare settlement demand letter .4;	.4	
8/21: Revise and finalize demand letter .1;	.1	
8/28: Many emails with BBK re reply brief extension .2;	.2	
8/30: Emails with KL and DO re settlement .1;	.1	
8/31: Emails with DO re settlement n/c	0	
9/1: Prepare stipulation re reply brief .1; emails re settlement .1;	.2	
9/22: Prepare stip to extend reply and emails with counsel re same .2;	.2	
9/24: Emails with client .2;	.2	
9/28: Emails with DO and KL re settlement .1;	.1	
9/29: Commence reply brief, record review for facts section 5.5;	5.5	
9/30: Emails with DO and KL re settlement .1; continue reply brief and record review for same 6.1	6.2 -0.1	
TOTAL ATTORNEY HOURS	14.5 -0.3	
TOTAL PARALEGAL HOURS		3.3

Total Attorney Hours = 14.2

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# INVOICE

DATE: October 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/2: Review appeal filings this week .1; detailed review of D40 resp brief and prepare summary memo and matrix of cases and points raised 1.6; legal research on D40 cases cited and continue drafting reply brief 5.6;	7.3	
10/4: Analysis re numerous reply brief issues and continue review of D40 cases, spepardize same and further legal research 3.6;	3.6	
10/5: Continue drafting of reply brief 4.6; make list if record evidence needed thus far .4;	5.0	
10/6: Conf call with JD and KL re settlement, memo to file re same .3; call with DO re same .2; call with KL re settlement and emails with same .4; review and analysis of RT and JA for citations for reply 2.6;	3.5 -0.4	
10/7: Many emails with DO (15+) and analysis re KL client settlements .8; drafting of reply brief 3.7;	4.5 -0.5	
10/8: Continue drafting reply brief, legal research and record review for same 5.1	5.1	
10/9: Continue drafting reply brief 3.6	3.6	
10/10: Continue drafting reply brief 3.4	3.4	
10/11: Continue drafting reply brief 5.0	5.0	
10/12: Continue drafting reply brief 2.7	2.7	
10/13: Many emails with DO re reply brief issues .5; continue drafting reply brief, legal research and record review for same 12.1	12.6	
10/14: Review DO redline and edit brief per same, locate additional cites in record for new arguments 2.5; many emails and calls with DO re reply issues .7; drafting, review and editing of reply brief, legal research and record review for same 8.7	11.9	
10/14: Assist MM with editing and prep of reply brief 3.4 (KF)	0	3.4
10/15: Review DO numbers on KL settlement, emails with same .1	.1 -0.1	
10/29: Phone call with DO and emails re argument and settlement .2	.2	
TOTAL ATTORNEY HOURS	68.5 -1.0	
TOTAL PARALEGAL HOURS		3.4

Total Attorney Hours = 67.5

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# INVOICE

DATE: Nov-Dec 2020

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
11/9: Emails with RZ re appeal issues .1; read D40 reply brief .4	.5	
11/12: Emails with DO re appeal issues for argument .1	.1	
11/16: Email to KL re settlement, revise same .4;	.4	
11/17: Emails with KL re settlement n/c	0	
11/18: Call and long email to KL re settlement .5	.5	
11/25: Emails with DO re appeal strategy issues .1	.1	
12/3: Email to KL re settlement .3;	.3	
12/10: Review Phelan opinion .4	.4	
12/11: Letter from KL and emails with DO re settlement .1	.1	
12/15: Emails with DO and KL letter, phone call with same re settlement .4	.4	
12/22: Review settlement agreement, emails with DO .2;	.2	
12/27: Redline settlement agreement, review DO comments .6	.6	
12/28: Review KL agreement changes .1	.1	
12/30: Revise agreement and email with KL re same .5	.5	
TOTAL ATTORNEY HOURS	4.2 -3.2	
TOTAL PARALEGAL HOURS		

Total Attorney hours = 1.0

# McLachlan Law, APC

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# INVOICE

DATE: Jan-Feb 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/7: Review and analysis of KL draft of agreement and redline same, long email to same re issues and impact on D40 .9;	.9	
1/20: Emails with DO re case costs issues an analysis re same .5	.5	
1/26: Attention to execution of agreement .1; many emails with DO and analysis re settlement demand to D40 .5	.6	
1/29: Prepre stipulation for dismissal of appeal .2;	.2	
2/2: Review Pulliam multiplier case and email to DO re same .3	.3	
2/3: Analysis re Komar conflicts in other matters, phone calls to counsel re same, research on ethical standards, and draft letter to JC re same 1.6;	1.6	
2/4: Revise and send Komar letter to JC .4;	.4	
2.5: Revise stip for dismissal .1;	.1	
TOTAL ATTORNEY HOURS	4.6 -1.3	
TOTAL PARALEGAL HOURS		

Total Attorney Hours = 3.3



# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
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# INVOICE

**DATE: March-April 2021**

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
3/16: Review and analysis of Willis decision .8;	.8	
4/23: Review appeal filings of this month .2	.2	
TOTAL ATTORNEY HOURS	1	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
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# INVOICE

**DATE:** May-June 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
5/25: Emails with DO re oral argument .1;	.1	
5/25: Emails with DO re oral argument and instructions on questionnaire .2;	.2	
6/14: Emails with DO re oral argument .2; prepare demand letter to D40 and analysis re same, call to DO .4;	.6	
6/22: Review recent appeal filings .1;	.1	
6/24: Review Wills opinion and emails with DO on standard of review issues for argument .4;	.4	
TOTAL ATTORNEY HOURS	1.4	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

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# INVOICE

**DATE:** July 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
7/23: Analysis re handling argument and instructions to KF re help with same .5	.5	
7/23: Prepare argument binder for MM, pull records selections 2.0 (KF)	0	2.0
7/26: Commence preparation for argument with review of briefs and summary notes of key points and issues to address 2.3; review DO intro .1	2.4	
7/27: Prepare for argument and emails and call with DO re same 2.5	3.5	
7/28: Prepare for and attend oral argument 6.0	6.0	
TOTAL ATTORNEY HOURS	12.4	
TOTAL PARALEGAL HOURS		2.0

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# INVOICE

**DATE:** August 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
8/24: Partial review and analysis of fee opinion and calls with DOL re same 1.2; email to Pearl re status and need for new rate declaration .2; analysis re publication, many emails with DO, long memo to DO re issues and handling of same and potential settlement demand to D40 .9	2.3	
8/25: Continue review and analysis of fee opinion, prepare notes for remand issues, further research and strategy 2.1; call with DOL re settlement and remand strategy same .3; analysis re handling Komar conflict .4; email to client re status .1; phone call with RGK re Komar mediations with BBK .3;	3.2	
8/26: Phone call with R Pearl re fee appeal issues, including interest and strategy going forward .6; phone call with DOL re same and settlement scenarios, handling remand .4; legal research on Robles case and review interest cases and statutes 1.0; review Mueller case and email to DO re same .3;	2.3	
8/27: Emails with DO on interest issues, analysis re same .3; email to Pearl re same and Robles .1;	.4	
8/30: Review Robles trial court filings on post judgment interest, legislative research, legal research on same, email to DOL 1.1; emails to Pearl on post-appeal fee issues .1;	1.2	
8/31: Research and analysis on interest timing and amount, post judgment procedural issues, and analysis re strategy 1.6; email to Court re filing issues and case admin status .1; emails with Pearl on new fee motion issues .2; legal research on ethical canons and rules for judges and conflicts, draft letter to Komar 1.7; emails with DO and revise same .2;	3.8	
<b>TOTAL ATTORNEY HOURS</b>	<b>13.2</b>	
<b>TOTAL PARALEGAL HOURS</b>		

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# INVOICE

**DATE:** September 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
9/1: Email request from R. Walker .1; email to ethics counsel re Komar conflict and handling same .2;	.3	
9/3: Emails with client n/c	0	
9/4: Long email from Judge Komar and review and analysis of declaration and case record, emails with DO re same .5; review and analysis of Witkin on 170.6 and 170.3 issues .9; online research on JAMS compensation structure .3; emails with RGK re 170.1 and 170.6 avenues .2;	.9	
9/5: Legal research on judicial disqualification under 170.1, impact of Judicial Canons of Ethics, and appellate issues re same 2.7; email to DO re cases of note n/c	2.7	
9/6: Legal research on 170.6 and JCCP, definition of new trial 2.6; phone call with RGK re missing record items, consolidation and disqualification of Judge .3	2.9	
9/7: Review and analysis of 170.1 and 170.3, Rutter and other legal research on cases on timing, procedure and substance of potential DQ of judge and 170.6 in consolidation, memo to DO re same 3.4; emails with DO and RGK re strategy and law on DQ .1;	3.5	
9/8: Review of Komar declaration, further research on 170.3 and 170.1 issues and judicial ethics .9; draft letter, emails with DOL re changes to same 1.0;	1.9	
9/9: Email from Judge Komar .1; emails with DO re same n/c; phone call with attorney Himmelfarb re 170.1 in class contexts .3; analysis re further handling of judicial conflict situation .2	.6	
9/11: Emails with attorney Himmelfarb on 170.6 and 170.3 strategy and issues .3; review Overton, Stegs and First Federal cases and shepardize relevant cases .9	1.2	
9/13: Legal research on 170.3 issues, including timing of filing and impact on appellate stay on same, memo to DO re same 1.6; read Tri Counties and related cases on appellate jurisdiction and impact on timing of 170.3 .8; legal research on discovery availability during appellate stay for potential JAMS subpoena .8; review publication request, emails with DO re same .1;	3.3	

9/14: Long email to DO re issues with 170.1 interpretation and analysis re same .8; call to DOL re strategy re 170.1 .4; legal research on 170.1 changes and DQ interpretation, including Rossco Holdings 1.3; commence drafting letter to Komar with disclosure law 1.2;	3.7	
9/15: Email to DOL re and analysis of statutory ambiguities of 170.1 .7; phone call with DOL re DQ issues and subpoenas .5; review and analysis of Jolie case and related cases 1.4; complete draft of letter to Komar, including review of Code of Ethics provisions of potential relevance, and revise same for filing 1.8; research into obtaining comprehensive legislative history, emails to providers re same .7; review opposition to requests for publication .1; contact legislative history services for DQ motion .2;	5.4	
9/16: Phone calls and research on legislative history .5; phone call to DOL re same .2; review Rutter on same and research on judicial notice and cognizable leg history .3; emails to legislative intent re specific history needed .5; many (15+) emails with Judge Komar and JAMS re disclosures .6; review disclosures and analysis on impact on 170.1 .2;	2.3	
9/17: Analysis re handling ex parte comm and long email to Court re handling same .2;	.2	
9/21: Emails with R Walker re handling ex parte emails .1;	.1	
9/24: Analysis re changes to 170.3 strategy and research on cases addressing Judicial Canons implicated in adverse counsel paid work 1.3;	1.3	
9/28: Review notice of CMC n/c	0	
9/29: Emails with Ailin re CMC and DQ issues .1; further research on judicial disqualification cases in arbitration context on Canons of Ethics and 170.1 provisions 1.8; complete draft of 170.3, preparation of MM Declaration, revise and instructions on filing and serving same 4.1;	6.0	
9/30: Research and analysis on timing of filing 170.6 for JCCP proceeding, impact of JC only jurisdiction to assign judge, review Rutter and <i>Ghaffarpour</i> , emails to DO re same 1.9; review file and JC assignment orders and CRC re same .2; email to DO re same .1; emails with Ailin re DQ, timing and strategy and impact of same .2;	2.4	
<b>TOTAL ATTORNEY HOURS</b>	<b>38.7</b>	
<b>TOTAL PARALEGAL HOURS</b>		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** October 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
10/1: Prepare long memo to DO re timing on 170.6 during stay .8; review Elisa G case .1; emails with DO re 170.6 strategy and timing .2; research and drafting of 170.6 and supporting motion for Judge Komar, phone call to DO re issues and timing re same 3.6; brief review of SC review petition .3;	5.0	
10/2: Review analysis for procedural issues for SC review, Answer, etc. .7	.7	
10/4: Long call with DO re SC arguments and strategy .9; review of CoA opinion, legal research on due process issues .8; call from DO re further thoughts and arguments and his review of 2013 record issues .5; brief research on SGMA relevance to SC review and 170.6, emails to DO re strategy for same .5; review and analysis of Judge's further declaration and letter to JC for replacement .2; emails with DO re answer to SC .2; email to Court re CMC and petition to SC .1; further research on due process and contents of notice, review cases cited in pet for review, email to DO re same 2.7;	5.9	
10/5: Phone call with DO re Answer on SC .6; legal research, including pulling all due process cases and searching others, CCP 1010 case review 3.1; call with DO re due process and waiver issues .4; analysis of trial court briefs on due process arguments below, and legal research on waiver or argument law in SC 1.6; email to DO re same .1; review Rutter on SC discretion on new arguments, read several cases on same and CRC 8.500 cases 2.1	7.9	
10/6: Review Flannery and waiver cases, email to DO re same .6;	.6	
10/8: Analysis of recusal and new assignment issues, emails with DO re same .2;	.2	
10/14: Review of DO notes for answer .1;	.1	
10/15: Phone call from DO on Answer strategy and issues .5;	.5	
10/17: Draft and revise introduction to answer 1.1; commence drafting due process section of answer 2.9;	4.0	
10/18: Continue drafting answer and research for same 3.2;	3.2	

<b>10/19: Phone call with DO re due process arguments and strategy .5; continue drafting and revision of answer 8.8; emails with DO re answer .1;</b>	<b>9.4</b>	
<b>10/20: Phone call from RGK re landowner letter on new judge and related issues for post remittitur .3; continue drafting and revision answer to SC, including 1021.5 and facts, many emails with DO re same 11.6;</b>	<b>11.9</b>	
<b>10/21: Drafting, revision and finalization of Answer to SC review 6.1; review SC files on prior petition status and timing, emails with DO re same .2;</b>	<b>6.3</b>	
<b>10/22: Email to Pearl re fee motion timing .1;</b>	<b>.1</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>55.8</b>	
<b>TOTAL PARALEGAL HOURS</b>		



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2447 Pacific Coast Highway, Suite 100  
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# INVOICE

**DATE:** November 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
11/5: Emails with Pearl re fee motions .1;	.1	
11/12: Analysis re issues re split from JCCP and court jurisdiction post 170.3 .2; emails with Ailin re same .1;	.3	
11/18: Review of Pearl's rate materials .2; prepare spreadsheet assessing fee numbers .3	.5	
11/19: Research on interest on amended judgment, email to DO re fee motions .4; review and analysis of opinion on remand scope and legal research on supplement fee motion, long email to DO re same 1.1; long email to Pearl re fee motion issues .2; emails with DO re fee motion strategy .1;	1.8	
11/20: Review underlying fee motions and analysis re strategy for handling same .3; emails with Pearl, review of Robles .1	.4	
11/22: Analysis re handling cost issue on remand .3; emails with DO re same and fee numbers to be sought .2;	.5	
11/23: Emails with Pearl on strategy issues for motions .3; review City of Clovis and email to DO on statutory interest argument .4; emails with DO and Pearl re review denial .1;	.8	
11/24: Analysis re multiplier and rate options, create revised spreadsheet with options assessed .4; email to DO re same .1;	.5	
11/27: Analysis re recoverable cost on appeal .3; emails to DO and KF re same .1;	.4	
11/28: Prepare summary outline of fee motion heading topics .2; emails with DO .1; research and analysis re recoverable fees on appeal .5;	.8	
11/30: Research on attorney fee statutes in California code and preparation of blurb on argument re same for interest argument 1.8; email to DO re same .1; review and editing and reduction of MM timesheets for motions, email to DO re same 1.4;	3.3	
<b>TOTAL ATTORNEY HOURS</b>	<b>9.4</b>	
<b>TOTAL PARALEGAL HOURS</b>		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** December 2021

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
12/1: Analysis re fee motion issues and emails with DO re same .2;	.2	
12/6: Review remittitur and emails with DO re fee motion issues .1;	.1	
12/22: Email with court and drafting of letter to JC re judge assignment, preparation of exhibits and revision of same 1.0	1.0	
12/23: Emails with Pearl and review fee evidence .3	.3	
12/30: Review Pearl draft declaration and attention to providing factual background detail for same .8; emails with client .1;	.9	
12/31: Review and editing of draft fee motions, review file and prior fee motion related filings .7;	.7	
TOTAL ATTORNEY HOURS	3.2	
TOTAL PARALEGAL HOURS		

# McLachlan Law, APC

2447 Pacific Coast Highway, Suite 100  
Hermosa Beach, CA 90254  
Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** January 2022

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
1/1: Review, correction and redaction of MM timesheets from 2016 to 2021 2.2;	2.2	
1/3: Emails to DO on motion issues .2; commence editing of appellate fee motion .8; editing and revision of Pearl declaration, including review of record and preparation of blurbs on factual details 1.8; email with Pearl re decl and motion .1; analysis of total hours for remand motion .3;	3.2	
1/4: Analysis re underlying fee motion record and prepare list for Appendix, conf with KF re same .4; many emails with DO and Pearl re fee motion issues .3; review and revise appendix .3;	1.0	
1/4: Work on gathering appendix documents and preparation of index, conf with MM re issues with same 5.5 KF	0	5.5
1/5: Revise draft of remand fee motion, including record review and insertion of citations 2.8; meeting with KF on appendix issues .1;	2.9	
1/5: Work on appendix compilation, replacement of documents and index 3.0 KF	0	3.0
1/6: Review appendix and instructions to KF from modifications to same .3; legal research on post J interest trigger, long email to DO re strategy re handing same .7; review and revise Pearl and DO declarations .9;	1.9	
1/6: Assist MM with cite checking for remand motion, modification and numbering of appendix 4.8	0	4.8
1/7: Call with DO re multiplier and interest issues .1; revise remand fee motion 1.3; revise DO declaration .6; emails with DO re issues pending on remand motion and papers .3; research and analysis re postJ interest and multiplier caselaw 1.3; supplement multiplier section with newer opinions .5; review Rutter on costs bill timing and stipulation rules .1; call with DO on interest and multiplier, stipulation and timing .3; draft email to Dunn re extension, email to DO and revise same .1;	4.5	
1/10: Prepare draft briefing stipulation, emails to DO and JD re same .3; long email to Parton re 170.3 issues n/c	.3	

<b>1/12: Attention to stipulation .1;</b>	<b>.1</b>	
<b>1/12: Attention to categorization and summary of recoverable appeal costs 2.0 KF</b>	<b>0</b>	<b>2.0</b>
<b>1/13: Review and sign memo of costs on appeal .2;</b>	<b>.2</b>	
<b>1/20: Emails and call with R Walker re CMC, emails with DO re same .1; analysis of 170.3 response language, phone call to DO, and further email to R Walker re CMC issues .3; prepare notice of remittitur for filing at LASC .1;</b>	<b>.5</b>	
<b>1/24: Emails with court and Dunn re hearing .1; review court response to 170.3 and legal research on impact of same vis a vis 170.3 and present court jurisdiction 1.0; prepare draft CMC stmt and objection to Judge Komar hearing remand issues, email to DO re same 1.1;</b>	<b>2.2</b>	
<b>1/25: Phone call with DO re CMC stmt .5; review and analysis of Komar proposed order .1; phone call to DO re same .1; phone call to Dunn, memo to file .2</b>	<b>.9</b>	
<b>1/26: Research on authority for severance or reference to another judge .4; draft email to Dunn re handling remand hearing, revise same and review Cal const. provision .3; phone call with DO re stip and fee issues .4;</b>	<b>1.1</b>	
<b>1/31: Emails to Dunn on CMC order n/c</b>	<b>0</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>21</b>	
<b>TOTAL PARALEGAL HOURS</b>		<b>15.3</b>

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Phone 310.954.8271 Fax 310.954.8271

# INVOICE

**DATE:** February 2022

**Bill To:**

Wood v. Los Angeles County Waterworks et al.

**For:**

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	ATTORNEY	PARALEGAL
2/1: Legal research on recent multiplier cases, email to DO re same .4; emails and call to R Gutierrez re decl .1; emails with Dunn n/c	.5	
2/2: Phone call from Dunn .2;	.2	
2/3: Review and analysis of LASC local rules and general orders, and coordination orders .7; email to Dunn re same .1	.8	
2/4: Emails with DO re stip n/c	0	
2/7: Phone calls to DO .1; draft email to DO re new judge .1; review stip and analysis re calendaring and CMC stmt .2; emails with BBK and Dunn n/c; review bio of RG and prepare draft declaration for same .6;	1.0	
2/8: Review and revise draft RG declaration and long email to same on fees issues .5; phone call with DO re CMC .4; emails to RGK and TB re coordination issues for CMC .2; continue drafting and revision of CMC statement, research re same 1.0; emails to DO re CMC and 170.3 issues .1;	2.2	
2/8: Revise and supplement appendix, attention to exhibit prep and review timesheets and totals 2.0 KF	0	2.0
2/9: Revise and finalize CMC stmt .2; analysis re joint jurisdiction on partial re-assignment proposal / strategy for hearing, and emails with DO re same .2;	.4	
2/14: Research on CRC 3.541 and CCP 404.1, review Jane Doe and email to DO re law and arguments if D40 objects .7; draft and revise proposed order, review file for same 1.0;	1.7	
2/15: Review LASC dockets for JCCP order .3; revise proposed order and emails with DO re same .3; prepare notice of lodging .1;	.7	
2/16: Review other parties CMC stmts .1;	.1	
2/17: Call with DO re CMC handling, review judgment on class notice provisions .2; revise proposed order and email to court clerk re same .1;	.3	
2/18: Attend CMC .4; revise proposed order and email with W Wang re same .2	.6	

<b>2/21: Analysis re motion timing and long email to DO re strategy re same .6;</b>	<b>.4</b>	
<b>2/22: Revise order and emails with JD re same .1; revise and edit remand fee motion and appendix, meeting with KF re handling same 2.0; drafting of multiplier and rate sections of appeal fee motion 2.9; edit DO declaration and email with same re changes .5; drafting of MM decl 1.1;</b>	<b>6.6</b>	
<b>2/23: Emails and call with Dunn re transfer rules, email with DO re same .2; prepare notice, file revised order and email to R. Walker re same .1;</b>	<b>.3</b>	
<b>2/26: Editing and revision of fee motion filings 1.5</b>	<b>1.5</b>	
<b>2/27: Brief research on multiplier cases on appeal .2; drafting of MM declaration, and supplement and edit fees on appeal motion 1.1</b>	<b>1.3</b>	
<b>2/28: Review of final fee motion documents filing .4</b>	<b>.4</b>	
<b>TOTAL ATTORNEY HOURS</b>	<b>19</b>	
<b>TOTAL PARALEGAL HOURS</b>		<b>2.0</b>

## **Exhibit 3**

2013 CA A.B. 748 (NS)  
2013 California Assembly Bill No. 748, California 2013-2014 Regular Session

CALIFORNIA COMMITTEE REPORT

**TITLE:** Judgments against the state: interest

**VERSION:** General

August 20, 2013

Version Date August 20, 2013

Eggman.

**TEXT:**

BILL ANALYSIS

----- |SENATE RULES COMMITTEE | AB 748| Office of Senate  
Floor Analyses | | 1020 N Street, Suite 524 | | (916) 651-1520 Fax: (916) | | 327-4478 | |  
-----

THIRD READING

Bill No: AB 748 Author: Eggman (D) Amended: 8/20/13 in Senate Vote: 21

SENATE JUDICIARY COMMITTEE : 5-1, 7/2/13 AYES: Anderson, Corbett, Jackson, Leno, Monning NOES: Walters NO  
VOTE RECORDED: Evans

SENATE APPROPRIATIONS COMMITTEE : 7-0, 8/19/13 AYES: De Len, Walters, Gaines, Hill, Lara, Padilla, Steinberg

ASSEMBLY FLOOR : 64-14, 5/30/13 - See last page for vote

SUBJECT : Judgments against the state: interest

SOURCE : Coalition of Joint Powers Authorities Urban Counties Caucus

DIGEST : This bill provides that, unless another provision of law provides a different interest rate, interest accrues in a tax or fee claim against a public entity that results in a judgment against the public entity at a rate equal to the weekly average one year constant maturity United States Treasury yield, not to exceed 7% per annum. This bill also provides that when the judgment becomes enforceable pursuant to existing law interest accrues at an annual rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment plus 2%, but not to exceed 7% per annum. CONTINUED

ANALYSIS : Existing law provides that the rate of interest on a judgment rendered in any court in this state is set by the Legislature at not more than 10% per annum. Existing law provides that such rate may be variable and based upon interest rates charged by federal agencies or economic indicators, or both. In the absence of the setting of such rate by the Legislature, the rate of interest is 7% per annum.

Existing law, the Enforcement of Judgments Law, provides that interest accrues at the rate of 10% per annum on the principal amount of a judgment that remains unsatisfied. However, existing case law specifies that the interest rate on judgments against the state or a local public entity is set at 7% per annum, as public entities are not subject to the Enforcement of Judgments Law and as the Legislature has not set a specific rate for public entities.



Existing federal law provides that interest is allowed on any money judgment in a civil case recovered in a district court and that the judgment interest rate be calculated from the date of the entry of the judgment, at a rate equal to the weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment. Existing federal law specifies that interest be computed daily to the date of payment except as provided, and be compounded annually.

Existing federal law provides that the above provisions not apply in any judgment of any court with respect to any internal revenue tax case. Interest in those cases is allowed at the underpayment rate or overpayment rate (whichever is appropriate) established under specified Internal Revenue Service law.

Existing law provides that every person who is entitled to recover damages, as specified, and the right to recover which is vested in him/her upon a particular day, is entitled also to recover interest thereon from that day, except during such time as the debtor is prevented by law, or by the act of the creditor from paying the debt. That requirement is applicable to recovery of damages and interest from any debtor, including the state or any county, city, city and county, municipal corporation, public district, public agency, or any political

CONTINUED subdivision of the state.

Existing law permits every person who is entitled under any judgment to receive damages based upon a cause of action in contract where the claim was unliquidated, to also recover interest thereon from a date prior to the entry of judgment as the court may, in its discretion, fix, but in no event earlier than the date the action was filed.

This bill provides that unless another statute provides a different interest rate, in a tax or fee claim against a public entity that results in a judgment against the public entity, interest accrues at a rate equal to the weekly average one year constant maturity United States Treasury yield, but will not exceed 7% per annum. That rate will control until the judgment becomes enforceable under Section 965.5 or 970.1 of the Government Code, at which time interest will accrue at an annual rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment plus 2%, but will not exceed 7% per annum.

Existing law prohibits a suit for money damages against a public entity on a cause of action for which a claim is required to be presented, until a written claim has been presented to the public entity and acted upon by the California Victim Compensation and Government Claims Board, the governing body of a local public entity, the Judicial Council, or the Trustees of the California State University, as applicable, or has been deemed to have been rejected, except as specified.

Existing law provides that a judgment for the payment of money against the state or state agency is enforceable until 10 years after the judgment is final or, if the judgment is payable in installments, until 10 years after the final installment becomes due.

Existing law specifies that a judgment for the payment of money against the state or a state agency is not enforceable under the Enforcement of Judgments Law in the Code of Civil Procedure, as specified.

Existing law provides that interest on the amount of a judgment or settlement for the payment of money against the state, commences to accrue at 180 days from the date of the final

CONTINUED judgment or settlement. This provision does not apply to any claim approved by the California Victim Compensation and Government Claims Board.

This bill provides that, unless another statute provides a different interest rate, interest on a tax or fee judgment or settlement for the payment of monies against the state shall accrue at a rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment or settlement plus 2%, but not exceeding 7% per annum.

Existing law provides that a judgment for payment of money against a local public entity is enforceable until 10 years after the time the judgment becomes final or, if the judgment is payable in installments, until 10 years after the final installment is due.

Existing law specifies that a judgment, whether or not final, against a local public entity is not enforceable under the Enforcement of Judgments Law in the Code of Civil Procedure, as specified.

This bill adds that, unless another statute provides a different interest rate, interest on a tax or fee judgment or settlement against a local public entity accrues at a rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment or settlement plus 2%, but shall not exceed 7% per annum.

#### Background

Article XV of the California Constitution provides that in setting the interest rate on a judgment rendered in any court in this state, the rate is set by the Legislature at not more than 10% per annum, and may be made variable and based upon interest rates charged by federal agencies or economic indicators, or both. At the same time, in the absence of the setting of such rate by the Legislature, the state constitution dictates that the rate of interest automatically sets at 7% per annum.

While the Legislature has, since 1982, set the interest rate on judgments under the Enforcement of Judgments Law at 10%, the Enforcement of Judgments law does not apply to judgments against the state or state entities, or to local entities. As such, and

CONTINUED because the Legislature has not otherwise prescribed a rate for judgments against state or local public entities, the interest rate for such judgments is automatically set at 7% annually, consistent with the state constitution. (See California Federal Savings & Loan Association v. City of Los Angeles (1995) 11 Cal.4th 342, 348.)

#### Prior Legislation

SB 1504 (Kehoe, Chapter 19, Statutes of 2011) with respect to amounts allowed by the California Victim Compensation and Government Claims Board, provided that interest shall commence to accrue on the amount of a judgment or settlement for the payment of money against the state 180 days from the date of the final judgment or settlement.

SB 1117 (Walters, 2010) was nearly identical to SB 393 (Harman, 2009). Additionally, this bill would have provided that judgments against local governmental entities would have an interest accrual rate limited to the federal short-term rate plus 2%. This bill failed passage in the Senate Judiciary Committee.

SB 393 (Harman, 2009) would have provided that the interest which accrues on the principal amount of a judgment remaining unsatisfied would be limited to the federal-short term rate, as determined annually by the Controller, plus 2%. This bill would also have provided that the total interest rate may not exceed 10% per annum. Additionally, this bill would have provided that, if the plaintiff made an offer to compromise that the defendant did not accept prior to trial or within 30 days, whichever occurs first, and the plaintiff obtained a more favorable judgment, the interest on the portion of the judgment awarded as compensatory damages for personal injury would be limited to the federal-short term rate, as determined annually by the Controller, plus 2%. This bill failed passage in the Senate Judiciary Committee.

SB 1042 (Harman, 2005) would have provided that interest accrues at the federal short-term rate plus 3%, except as otherwise provided in a written contract, not to exceed 10% per annum on judgments, as specified. The bill would have required the Controller to annually establish the interest rate, as specified, and to notify the auditor of each county of the rate.

CONTINUED

This bill died in the Assembly Judiciary Committee.

FISCAL EFFECT : Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

Likely significant savings to state and local governments in reduced interest payments for tax and fee judgments against public entities based on the one-year constant maturity U.S. Treasury (CMT) yield, which is currently significantly less than 0.14%. Information from the counties indicates that interest paid on three judgments alone totaled \$18.5 million.

Unknown, potential reduction in revenues to state and local entities to the extent interest payments on judgments against public entities would have been paid to other state or local entities at the higher rate of interest (in the case of City of Clovis v. County of Fresno, for example, the City of Clovis was paid \$1.8 million in interest, but would have received a significantly lower payment under the interest rates proposed herein).

Potential increase in state interest payments related to non-tax or non-fee judgments against state agencies that would commence accruing interest immediately instead of 180 days from the date of final judgment or settlement pursuant to existing law.

SUPPORT : (Verified 8/12/13)

Coalition of Joint Powers Authorities (co-source) Urban County Caucus (co-source) California Association of County Treasurers and Tax Collectors California Association of Joint Powers Authorities California State Association of Counties City and County of San Francisco Civil Justice Association of California Los Angeles County Board of Supervisors Rural County Representatives of California Santa Clara County Board of Supervisors

CONTINUED

ARGUMENTS IN SUPPORT : According to the author:

The recovery of interest has two aims: 1) to compensate a plaintiff for the loss of the use of the money that the plaintiff would have otherwise had and 2) to encourage settlements.

California's judgment interest rate against public entities such as schools, special districts, local and state government is out-of-date and provides an artificially higher rate of return than what the current market could provide. These rates result in very large sums of taxpayer money being spent in legal costs.

When California's judgment interest rate was codified, in the late 70s and early 80s, the U.S. had been in severe economic recession - characterized by high inflation but low business activity - and interest rates had begun to skyrocket, reaching as high as 21 [percent].

At the time, the rates adopted were considered significant relief. Now the reverse has happened and market rates are far lower, but there has been no adjustment to reflect this. At a time when local governments continue to struggle, with loss of revenue forcing cuts to vital services - education, public safety, social services - the rate of interest these public entities pay on judgments remains high. That rate is not responsive to the times or to the public interest. In current economic conditions, it is far higher than the market can justify, posing an unnecessary burden to taxpayers, contra[ry] to the public good. Interest on judgments arising from tax and inverse condemnation cases have cost California counties \$14 million in the past three years alone.

This bill saves taxpayer money for vital services by tying the rate applying to public entities to a market rate - as does the federal government - that serves as a close indicator of the economy's health, and a fair approximation of the value of the judgment.

[Specifically,] AB [748] would tie the pre-judgment interest rate against public entities - limited only to

CONTINUED tax, fee and inverse condemnation cases - to the weekly average 1-year constant maturity (nominal) Treasury yield, and that rate plus 2 percent in post-judgment interest.

ASSEMBLY FLOOR : 64-14, 5/30/13 AYES: Achadjian, Alejo, Ammiano, Atkins, Bloom, Blumenfield, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chvez, Chesbro, Conway, Cooley, Daly, Dickinson, Eggman, Fong, Fox, Frazier, Garcia, Gatto, Gomez, Gonzalez, Gordon, Gorell, Gray, Hall, Roger Hernandez, Jones-Sawyer, Levine, Lowenthal, Maienschein, Medina, Mitchell, Mullin, Muratsuchi, Nazarian, Nestande, Olsen, Pan, Patterson, Perea, V. Manuel Prez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Wagner, Waldron, Weber, Wieckowski, Wilk, Williams, Yamada, John A. Prez NOES: Allen, Bigelow, Dahle, Donnelly, Beth Gaines, Grove, Hagman, Harkey, Jones, Linder, Logue, Mansoor, Melendez, Morrell NO VOTE RECORDED: Holden, Vacancy

AL:d 8/20/13 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

\*\*\*\* END \*\*\*\*

CONTINUED

2013 CA A.B. 748 (NS)

2013 CA A.B. 748 (NS)  
2013 California Assembly Bill No. 748, California 2013-2014 Regular Session

CALIFORNIA COMMITTEE REPORT

VERSION: General

September 09, 2013

Version Date September 09, 2013

Eggman.

**TEXT:**

BILL ANALYSIS

CONCURRENCE IN SENATE AMENDMENTS AB 748 (Eggman) As Amended August 30, 2013 Majority vote

----- |ASSEMBLY: |64-14|(May 30, 2013) |SENATE: |39-0 |(September 9, |  
| || || |2013) | -----

Original Committee Reference: JUD.

SUMMARY : Bases the interest accrual rate on claims or judgments against the state or public entities upon a United States (U.S.) Treasury index, as specified. Specifically, this bill :

1)Provides, except as specified, that interest accrues in on any tax or lien claim against a public entity that results in public judgment against the public entity at a rate equal to the weekly average one-year constant maturity U.S. Treasury yield, but not to exceed 7% per annum.

2)Provides, except as specified, that when a judgment becomes enforceable, as specified, interest accrues at an annual rate equal to the weekly average one-year constant maturity U.S. Treasury yield at the time of the judgment plus 2%, but not to exceed 7% per annum.

3)Provides, except for claims approved by the California Victim Compensation and Government Claims Board, that interest on the amount of a judgment for the payment of moneys against the state to accrue 180 days from the date of the final judgment or settlement. Specifies that unless another provision of law provides a different interest rate, interest on a tax or fee judgment for the payment of moneys against the state or a local entity accrues at a rate equal to the weekly average one-year constant maturity U.S. Treasury yield at the time of the judgment plus 2%, but not to exceed 7% per annum.

The Senate amendments modify accrual rate to the U.S. Treasury yield plus 2% and eliminate a provision that would have applied this accrual rate to inverse condemnation actions.

EXISTING LAW :

1)Bars a suit for money damages against a public entity on a cause of action for which a claim is required to be presented, until a written claim has been presented to the public entity and acted upon by the California Victim Compensation and Government Claims Board, the governing body of a local public entity, the Judicial Council, or the Trustees of the California State University, as applicable, or has been deemed to have been rejected, except as specified.

2)Provides that a judgment for the payment of money against the state or state agency is enforceable until 10 years after the judgment is final and provides that interest on the amount of a judgment or settlement for the payment of money against the

state shall commence to accrue at 180 days from the date of the final judgment or settlement. Specifies that this provision does not apply to any claim approved by the California Victim Compensation and Government Claims Board.

3)Provides that a judgment for payment of money against a local public entity is enforceable until 10 years after the time the judgment becomes final or, if the judgment is payable in installments, until 10 years after the final installment is due.

4)Requires, under the California Constitution, that the Legislature set the rate of interest upon a judgment rendered in any court of this state at not more than 10% per annum. In the absence of the setting of such a rate by the Legislature, the California Constitution provides that the rate of interest on any judgment is 7% per annum. (Section 1 of Article 15 of the California Constitution.) Provides, therefore, that the interest rate on judgments against the state or a public entity is set at 7% per annum. (Harland v. State of California (1979) 99 Cal. App. 3d 839; California Fed. Savings & Loan Assn. v. City of Los Angeles (1995) 11 Cal 4th 342.)

5)Provides for a legal rate of interest of 10% per annum on civil judgments arising out of tort claims, as specified. However, this provision does not apply to any tort actions against a public entity, or a public employee acting within the scope of employment.

6)Provides that every person who is entitled to recover damages, as specified, is entitled also to recover interest thereon from that day, except during such time as the debtor is prevented by law, or by the act of the creditor from paying the debt. Specifies that this provision is applicable to recovery of damages and interest from any such debtor, including the state or any county, city, city and county, municipal corporation, public district, public agency, or any political subdivision of the state.

7)Provides that no interest is payable on the amount allowed by the California Victim Compensation and Government Claims Board on a claim if payment of the claim is subject to approval of an appropriation by the Legislature. However, if the appropriation is made, interest on the amount appropriated for the payment of the claim commences to accrue 180 days after the effective date of the law by which the appropriation is enacted.

8)Provides, under federal law, that judgment interest rates in federal district courts shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding.

**FISCAL EFFECT :** According to the Senate Appropriations Committee:

1)Likely significant savings to state and local governments in reduced interest payments for tax and fee judgments against public entities based on the one-year constant maturity U.S. Treasury (CMT) yield, which is currently significantly less than 0.14%. Information from the counties indicates that interest paid on three judgments alone totaled \$18.5 million.

2)Unknown, potential reduction in revenues to state and local entities to the extent interest payments on judgments against public entities would have been paid to other state or local entities at the higher rate of interest (in the case of City of Clovis v. County of Fresno, for example, the City of Clovis was paid \$1.8 million in interest, but would have received a significantly lower payment under the interest rates proposed herein).

3)Potential increase in state interest payments related to non-tax or non-fee judgments against state agencies that would commence accruing interest immediately instead of 180 days from the date of final judgment or settlement pursuant to existing law.

**COMMENTS :** In addition to damages, a prevailing plaintiff in a civil suit is often entitled to prejudgment interest on the amount of the claim and post-judgment interest on the amount of the final judgment award. The rationale for pre- and post-judgment interest awards is twofold: 1) to compensate the plaintiff for interest that would have accrued had the funds been in the plaintiff's possession; and 2) to encourage settlement, in the case of prejudgment interest, and to encourage prompt payment of judgment,

in the case of post-judgment interest. The California Constitution requires the Legislature to set the judgment interest rate at no more than 10% per annum, but in the absence of a legislatively set rate, the Constitution provides that the interest rate shall be 7% per annum. The Legislature has set a rate of 10% for civil suits between private litigants, and the courts have held (in the absence of a clear legislative mandate to the contrary) that the judgment interest rate for claims against public entities is 7%. (*Harland v. State of California* (1979) 99 Cal. App. 3d 839; *California Fed. Savings & Loan Assn. v. City of Los Angeles* (1995) 11 Cal 4th 342.)

According to the author, the existing judgment interest regime discussed above "was enacted during a time when inflation was skyrocketing. At the time, the rates adopted were lower than the market rates. Now the reverse has happened and market rates are far lower, but there has been no adjustment to reflect this."

This bill, therefore, would tie the judgment interest rate on judgments or settlements against a state or local public entity, that arise from a tax or fee claim, to the weekly average U.S. Treasury yield, but not to exceed 7%. Specifically, this bill adopts what is effectively a modified version of the judgment interest rate established under federal law for civil actions brought in federal court. The federal formula calculates the judgment interest rate based on a rate equal to the weekly average one-year constant maturity U.S. Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the preceding calendar week. This bill would, for any tax or fee claims against a government entity, apply the federal treasury rate plus 2% to post-judgment interest rates, but not to exceed 7% per annum.

According the Urban Counties Caucus (UCC), the bill's sponsor, this measure will "ensure that local governments would be charged a reasonable interest rate on claims." UCC contends that in the counties alone, interest rates have totaled over \$15 million in just the last three years. UCC points out that these payments come from taxpayer funds, and therefore "lowering the interest rate will help to save money and ensure that all parties are given a level playing field."

Analysis Prepared by : Thomas Clark / JUD. / (916) 319-2334

FN: 0002267

2013 CA A.B. 748 (NS)

## 2013 Cal AB 748

Enacted, September 30, 2013

### Reporter

2013 Cal ALS 424; 2013 Cal AB 748; 2013 Cal Stats. ch. 424.

CALIFORNIA ADVANCE LEGISLATIVE SERVICE > 2013 REGULAR SESSION > CHAPTER 424 > (ASSEMBLY BILL NO. 748)

### Notice

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### Digest

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#### Judgments against a public entity: interest.

Existing law provides that a person who is entitled to collect certain damages is also entitled to collect interest on the damages from that day, except as specified. Existing law provides that this requirement applies to the collection of interest from a public entity. Existing law prohibits, in an action to recover damages for a personal injury resulting from or occasioned by the tort of another, a public entity and a public employee whose action or condition was within the scope of employment from being liable for interest.

The California Constitution requires the Legislature to set the rate of interest upon a judgment rendered in any court of this state at not more than 10% per annum. In the absence of the setting of such a rate by the Legislature, the California Constitution provides that the rate of interest on any judgment rendered in a court is 7% per annum.

This bill would require, unless another provision of law provides a different interest rate, interest to accrue in a tax or fee claim against a public entity that results in a judgment against the public entity at a rate equal to the weekly average one year constant maturity United States Treasury yield, not to exceed 7% per annum. The bill would also provide that, when a tax or fee judgment against a local public entity or against the state or a state agency, except for a claim approved by the California Victim Compensation Government Claims Board, becomes enforceable pursuant to specified statutes also proposed to be amended in this bill, interest accrues at an annual rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment plus 2%, but not to exceed 7% per annum.

### Synopsis

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An act to amend Section 3287 of the Civil Code, and to amend Sections 965.5 and 970.1 of the Government Code, relating to judgments.



**Text**

*The people of the State of California do enact as follows:*

**SECTION 1.**

Section 3287 of the Civil Code is amended to read:

**§ 3287.**

- (a) Every A person who is entitled to recover damages certain, or capable of being made certain by calculation, and the right to recover which is vested in him THE PERSON upon a particular day, is entitled also to recover interest thereon from that day, except during such time as WHEN the debtor is prevented by law, or by the act of the creditor from paying the debt. This section is applicable to recovery of damages and interest from any such debtor, including the state or any county, city, city and county, municipal corporation, public district, public agency, or any political subdivision of the state.

**(b)**

Every person who is entitled under any judgment to receive damages based upon a cause of action in contract where the claim was unliquidated, may also recover interest thereon from a date prior to the entry of judgment as the court may, in its discretion, fix, but in no event earlier than the date the action was filed.

(C) UNLESS ANOTHER STATUTE PROVIDES A DIFFERENT INTEREST RATE, IN A TAX OR FEE CLAIM AGAINST A PUBLIC ENTITY THAT RESULTS IN A JUDGMENT AGAINST THE PUBLIC ENTITY, INTEREST SHALL ACCRUE AT A RATE EQUAL TO THE WEEKLY AVERAGE ONE YEAR CONSTANT MATURITY UNITED STATES TREASURY YIELD, BUT SHALL NOT EXCEED 7 PERCENT PER ANNUM. THAT RATE SHALL CONTROL UNTIL THE JUDGMENT BECOMES ENFORCEABLE UNDER SECTION 965.5 OR 970.1 OF THE GOVERNMENT CODE, AT WHICH TIME INTEREST SHALL ACCRUE AT AN ANNUAL RATE EQUAL TO THE WEEKLY AVERAGE ONE YEAR CONSTANT MATURITY UNITED STATES TREASURY YIELD AT THE TIME OF THE JUDGMENT PLUS 2 PERCENT, BUT SHALL NOT EXCEED 7 PERCENT PER ANNUM.

**SEC. 2.**

Section 965.5 of the Government Code is amended to read:

**§ 965.5.**

- (a) A judgment for the payment of money against the state or a state agency is enforceable until 10 years after the time the judgment becomes final or, if the judgment is payable in installments, until 10 years after the final installment becomes due.
- (b) A judgment for the payment of money against the state or a state agency is not enforceable under Title 9 (commencing with Section 680.010) of Part 2 of the Code of Civil Procedure, but is enforceable under this chapter.

**(c)**

Interest on the amount of a judgment or settlement for the payment of money MONEYS against the state shall commence to accrue 180 days from the date of the final judgment or settlement. This subdivision does not apply to any claim approved by the California Victim Compensation and Government Claims Board.

(D) UNLESS ANOTHER STATUTE PROVIDES A DIFFERENT INTEREST RATE, INTEREST ON A TAX OR FEE JUDGMENT FOR THE PAYMENT OF MONEYS AGAINST THE STATE SHALL

ACCRUE AT A RATE EQUAL TO THE WEEKLY AVERAGE ONE YEAR CONSTANT MATURITY UNITED STATES TREASURY YIELD AT THE TIME OF THE JUDGMENT PLUS 2 PERCENT, BUT SHALL NOT EXCEED 7 PERCENT PER ANNUM.

(E) SUBDIVISIONS (C) AND (D) SHALL NOT APPLY TO ANY CLAIM APPROVED BY THE CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD.

### SEC. 3.

*Section 970.1 of the Government Code* is amended to read:

#### § 970.1.

(a) A judgment is enforceable until 10 years after the time the judgment becomes final or, if the judgment is payable in installments, until 10 years after the final installment becomes due.

(b)

A judgment, whether or not final, is not enforceable under Title 9 (commencing with *Section 680.010*) of *Part 2 of the Code of Civil Procedure* but is enforceable under this article after it becomes final.

(C) UNLESS ANOTHER STATUTE PROVIDES A DIFFERENT INTEREST RATE, INTEREST ON A TAX OR FEE JUDGMENT AGAINST A LOCAL PUBLIC ENTITY SHALL ACCRUE AT A RATE EQUAL TO THE WEEKLY AVERAGE ONE YEAR CONSTANT MATURITY UNITED STATES TREASURY YIELD AT THE TIME OF THE JUDGMENT PLUS 2 PERCENT, BUT SHALL NOT EXCEED 7 PERCENT PER ANNUM.

## History

Approved by Governor September 30, 2013

Filed with Secretary of State September 30, 2013

CALIFORNIA ADVANCE LEGISLATIVE SERVICE  
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On February 28, 2022, I caused the foregoing document(s) described as **DECLARATION OF MICHAEL MCLACHLAN IN SUPPORT OF MOTIONS FOR ATTORNEYS' FEES**, to be served on the parties in this action, as follows:

- /s/ Katelyn Furman  
Katelyn Furman