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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

**APPENDIX RE: SMALL PUMPER
CLASS' MOTIONS FOR
ATTORNEYS' FEES**

[Volume 1 of 4]

1 Plaintiff Richard Wood, on behalf of himself and those similarly situated,
2 submits the following Appendix of relevant filings regarding the current motions
3 for attorneys' fees.

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DATED: February 25, 2022 McLACHLAN LAW, APC
LAW OFFICE OF DANIEL M. O’LEARY

By: //s// Michael D. McLachlan
Michael D. McLachlan
Attorneys for Plaintiff

Exhibit A

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIFTH APPELLATE DISTRICT

Coordination Proceeding
Special Title (Rule 3.3550(c))

F083138

ANTELOPE VALLEY GROUNDWATER CASES*

RICHARD A. WOOD et al.,

(JCCP No. 4408)

Plaintiffs and Appellants,

v.

OPINION

LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40,

Defendant and Appellant.

APPEALS from a judgment of the Superior Court of Los Angeles County. Jack Komar, Judge.[†]

McLachlan Law, Michael McLachlan; Law Office of Daniel M. O’Leary, and Daniel M. O’Leary; for Plaintiffs and Appellants.

**Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.* (Super. Ct. Los Angeles County, No. BC325201); *Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.* (Super. Ct. Kern County, No. S-1500-CV254348); *Wm. Bolthouse Farms, Inc. v. City of Lancaster* (Super. Ct. Riverside County, No. RIC353840); *Diamond Farming Co. v. City of Lancaster* (Super. Ct. Riverside County, No. RIC344436); *Diamond Farming Co. v. Palmdale Water Dist.* (Super. Ct. Riverside County, No. RIC344668); *Willis v. Los Angeles County Waterworks District No. 40* (Super. Ct. Los Angeles County, No. BC364553); *Wood v. Los Angeles County Waterworks District No. 40* (Super. Ct. Los Angeles County, No. BC391869).

[†]Retired Judge of the Santa Clara Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Mary Wickham, County Counsel, Warren R. Wellen, Deputy County Counsel;
Best Best & Krieger, Eric L. Garner, Jeffrey V. Dunn, and Wendy Y. Wang for
Defendant and Appellant.

-ooOoo-

In this appeal, two parties challenge a series of postjudgment orders in the coordination proceeding known as the Antelope Valley Groundwater Cases (AVGC). Counsel for Richard A. Wood, an individual, on behalf of himself and all others similarly situated (Wood or the Wood Class), were awarded over \$2.5 million in attorney fees, paralegal fees, and litigation costs. Liability for most of the award was allocated to Los Angeles County Waterworks District No. 40 (District 40).

The award was significantly lower than the amount requested. The Wood Class sought compensation for approximately 4,800 hours of attorney time at a rate of \$720 per hour, and they requested an enhancement multiplier of 2.5. The trial court approved the time spent, but at an hourly rate of \$500 and no enhancement. It also taxed over \$24,000 in costs.

Wood claims the trial court erred by taxing costs and awarding inadequate fees. District 40 argues Wood was not entitled to *any* fees or costs. The parties also dispute conflicting rulings regarding District 40's claimed right under the Government Code to satisfy the award in partial payments over a 10-year period.

We conclude the Wood Class was entitled to recover fees and costs. However, Wood has demonstrated errors in the trial court's fee analysis. The trial court relied on inapplicable criteria, and it is unclear how the hourly rate was determined. Therefore, the matter will be remanded for further consideration of the amount of attorney fees to be awarded.

Wood's arguments regarding the taxing of costs are unpersuasive, but the ruling is contradictory in terms of the amounts taxed and awarded. Those discrepancies may be addressed on remand. Lastly, the record shows District 40 did not establish a statutory

right to pay the award in annual installments. We affirm in part, reverse in part, and remand for further proceedings.

FACTUAL AND PROCEDURAL BACKGROUND

Overview

The AVGC concern the existence and priority of water rights in the Antelope Valley Groundwater Basin (the basin or aquifer). The basin spans more than 1,000 square miles across arid regions of southeastern Kern County and northeastern Los Angeles County. A large portion of the overlying land is owned by the federal government, but there are thousands of citizens and entities who also own real property in the area.

District 40 is a public agency governed by the Los Angeles County Board of Supervisors. It operates and maintains a public waterworks system, supplying water to over 200,000 people through approximately 56,500 metered connections. District 40 obtains the water it supplies by pumping it from the aquifer and purchasing imported State Water Project water.

The Wood Class comprises over 4,000 landowners who obtain groundwater directly from the aquifer. Historically, the class members' individualized pumping did not exceed 25 acre-feet per year (afy). Due to the relatively small amounts of production, this group is also known as the "Small Pumper Class."

Early Litigation (1999–2006)

The earliest lawsuits concerning rights to the subject groundwater were filed in 1999 and 2000. In late 2002, a trial commenced to determine the jurisdictional boundaries of the area involved in the litigation. Those proceedings were ultimately abandoned, and the parties attempted mediation. The mediator concluded it was necessary to determine the groundwater rights of all interested parties, including parties not yet involved in the lawsuits.

In 2004, District 40 filed an action seeking (1) a comprehensive determination of the rights of thousands of individuals, companies, public water suppliers, and public agencies to extract water from the basin and (2) a physical solution¹ to alleviate alleged overdraft conditions and protect the basin's groundwater supply. District 40 alleged it possessed appropriative and prescriptively acquired groundwater rights superior to those of other water suppliers and landowners in the region.

In 2005, the Judicial Council coordinated the various actions, which collectively became known as the AVGC. The Los Angeles Superior Court was chosen as the venue. However, the matter was assigned to a judge from the Santa Clara Superior Court.

In 2006, District 40 and eight other water suppliers (collectively, the Public Water Suppliers or PWS) filed a cross-complaint for declaratory and injunctive relief.² Later that year, the trial court issued an order declaring the jurisdictional boundaries of the aquifer, i.e., the Antelope Valley Adjudication Area (AVAA). This completed the first of six phases of trial proceedings (Phases 1–6) and made it possible to determine the necessary parties for a comprehensive adjudication.

Class Action Proceedings (2007-2008)

The PWS's cross-complaint alleged the United States was an essential party to the action. To obtain jurisdiction over the United States, it was necessary to litigate "the

¹"The phrase 'physical solution' is used in water rights cases to describe an agreed-upon or judicially imposed resolution of conflicting claims in a manner that advances the constitutional rule of reasonable and beneficial use of the state's water supply." (*City of Santa Maria v. Adam* (2012) 211 Cal.App.4th 266, 287.) In cases like this one, the term means "'an equitable remedy designed to alleviate overdrafts and the consequential depletion of water resources in a particular area, consistent with the constitutional mandate to prevent waste and unreasonable water use and to maximize the beneficial use of this state's limited resource.'" (*Id.* at p. 288, quoting *California American Water v. City of Seaside* (2010) 183 Cal.App.4th 471, 480.)

²In addition to District 40, the self-described Public Water Suppliers consisted of California Water Service Company, City of Lancaster, City of Palmdale, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water District, and Rosamond Community Services District.

undetermined claims of all parties with an interest in the relevant water source.” (*U.S. v. State of Or.* (9th Cir. 1994) 44 F.3d 758, 769; see generally *id.* at pp. 763-770 [discussing the “McCarran Amendment,” i.e., 43 U.S.C. § 666].) To achieve this result, the trial court proposed the use of class action procedures.

In early 2007, Rebecca Lee Willis filed a putative class action complaint on behalf of herself and other private landowners in the AVAA (Willis or the Willis Class). The action was filed against the Public Water Suppliers and other defendants. Shortly thereafter, the PWS amended their cross-complaint to plead class action claims against all “owners of, and/or ... beneficial interest holders in real property within the [AVAA].”

Disagreements arose over whether the private landowners identified in the Willis complaint could be represented as a single class. There were concerns about conflicts of interest between landowners who had never extracted groundwater from the basin (the so-called “dormant” or “nonpumping landowners”) and those who operated “groundwater wells on relatively small-sized properties.” The PWS tried unsuccessfully to find individuals willing to serve as class representative or legal counsel for the “small pumper group.”

In mid-2007, Willis’s complaint was amended. The proposed class was redefined as “private landowners in the Antelope Valley who are not presently pumping water on their properties.” In September 2007, the trial court certified the Willis Class based on a further modified definition: “All private [owners of land in the AVAA] that are not presently pumping water on their property and did not do so at any time during the five years preceding January 18, 2006.”

Meanwhile, the search continued for representation of the small pumper group. A sole practitioner from Los Angeles, Michael McLachlan, was approached about taking on the case and declined. McLachlan later assisted the Willis attorneys in their effort to find class counsel for the small pumper group, but to no avail.

In 2008, at the continued urging of people involved in the AVGC (primarily David Zlotnick, then cocounsel for Willis), McLachlan agreed to represent the group eventually certified as the Wood Class. McLachlan recruited another sole practitioner, Daniel O’Leary, to serve as cocounsel. The Wood Class filed a class action complaint against the PWS, two other entities that were apparently later dismissed, and numerous Doe defendants. Three of the fictitiously named parties were later identified as Desert Lake Community Services District, North Edwards Water District, and Phelan Piñon Hills Community Services District.

Phase 2 and Consolidation (2008-2010)

In late 2008, Phase 2 commenced to establish the hydrologic nature of the aquifer within the boundaries of the AVAA. The issue was whether there were any distinct groundwater subbasins that did not have hydrologic connection to other parts of the aquifer. The trial court found all areas of the AVAA were sufficiently hydrologically connected to constitute a single aquifer for purposes of the coordinated proceedings.

In 2009, the PWS moved to transfer and consolidate all pending AVGC actions and cross actions. The motion was granted in early 2010. The consolidation order authorized the parties to settle “any or all claims between or among them[selves] as long as any such settlement expressly provide[d] for the Court to retain jurisdiction over the settling parties for purposes of entering a judgment resolving all claims to the rights to withdraw groundwater from the [basin] as well as the creation of a physical solution if [necessary].”

Subsequent Phases and Proceedings (2011-2015)

Phases 3 & 4

In 2011, Phase 3 was conducted to determine the condition of the aquifer and its safe yield.³ The trial court found the basin was in a state of overdraft due to decades of unregulated pumping. The total safe yield was determined to be 110,000 afy.

Phase 4, conducted in 2013, focused on the levels of groundwater production during 2011 and 2012. The trial court found the collective pumping by dozens of parties had exceeded 120,000 afy in both years of the sample period, and those figures did not include pumping by the Wood Class. In short, ongoing production was exceeding the total safe yield.

First Wood Class Settlement (the “2013 Settlement”)

In late 2013, the Wood Class reached a settlement with the City of Lancaster, Palmdale Water District, Phelan Piñon Hills Community Services District, and Rosamond Community Services District. Three of the settling parties agreed to pay a portion of the Wood Class’s fees and costs. The payment included \$701,965 in attorney fees at a stipulated hourly rate of \$550, which translated to 1,276.3 hours of attorney time—roughly one-third of the total hours McLachlan and O’Leary had spent on the case through the end of 2013. The trial court approved the settlement in January 2014.

Phase 5

Phase 5 began in February 2014. This phase concerned “the issues of federal reserved water rights and claimed rights to return flows from imported water.” After a few days of evidence presentation, the trial court granted a stay of the proceedings to facilitate large-scale settlement negotiations.

³The term “safe yield” generally refers to the amount of water that can be extracted annually without risking permanent depletion of the supply. (*Wright v. Goleta Water Dist.* (1985) 174 Cal.App.3d 74, 81, fn. 2.) When average annual withdrawals or diversions of the groundwater supply exceed the safe yield, the resulting condition is known as “overdraft.” (*Jordan v. City of Santa Barbara* (1996) 46 Cal.App.4th 1245, 1272.)

The “Global Settlement”

By April 2014, most AVGC litigants had tentatively agreed to the terms of a physical solution. During the remainder of the year, those parties worked on drafting and editing an agreement entitled “Stipulation for Entry of Judgment and Physical Solution” (some capitalization omitted). Despite opposition by multiple parties (e.g., the Willis Class), the trial court and others referred to this agreement as the “Global Settlement.”

Finalization of the Global Settlement was delayed by several months because of a dispute over provisions concerning the Wood Class’s fees and costs. The issue was eventually resolved, and parties began signing the agreement in December 2014. Representatives for District 40 and the Wood Class signed in February 2015. The Global Settlement was amended in March and July 2015, but those slight changes are not relevant to this appeal.

Second Wood Class Settlement (the “2015 Settlement”)

On or about February 26, 2015, a written agreement entitled “Small Pumper Class Stipulation of Settlement” (some capitalization omitted) was entered into by and between the Wood Class and California Water Service Company, City of Palmdale, Desert Lake Community Services District, District 40, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, and Quartz Hill Water District. The Global Settlement was attached and expressly integrated into the agreement. The parties agreed, inter alia, to dismiss their respective claims against one another, including the water suppliers’ claims of prescriptively acquired water rights superior to those of the Wood Class. The Wood Class was to be allocated up to 3 afy of groundwater per existing household, which was more than double the median production per household during the sample period of 2011–2012. Aggregate pumping for the entire class was not to exceed 3,806.4 afy.

Phase 6 and Final Judgment

Phase 6 was essentially a “prove up” of the Global Settlement combined with challenges to the same by nonstipulating parties. The final trial proceedings began in late

September 2015 and concluded approximately five weeks later. On December 28, 2015, the trial court entered a final judgment, which approved the Global Settlement and adopted the parties' proposed Judgment and Physical Solution. A separate judgment on the Wood Class's 2013 Settlement and 2015 Settlement was incorporated into the final judgment.

Postjudgment Proceedings (2016)

First Motion for Fees and Costs

In January 2016, counsel for the Wood Class filed a motion for attorney fees, costs, and an incentive award for the class representative. The requested fees totaled \$3,348,160 based on 4,538.8 hours collectively worked by McLachlan and O'Leary at a proposed hourly rate of \$720, and 679.5 paralegal hours at rates of \$110 and \$125 per hour.

Counsel additionally requested a positive multiplier of 2.5. The proposed incentive award for Richard Wood was the right to pump 5 afy from the aquifer, i.e., 2 afy above the limit applicable to other class members. The amount of claimed costs was \$76,639.48.

The motion was made pursuant to Code of Civil Procedure section 1021.5 (section 1021.5), which is "a codification of the 'private attorney general' attorney fee doctrine." (*Woodland Hills Residents Assn., Inc. v. City Council* (1979) 23 Cal.3d 917, 933.) However, in a supporting declaration, McLachlan alleged District 40 and other water suppliers had already "agreed to bear the attorneys' fees and costs for the Small Pumper Class" under the terms of the Global Settlement. This contention was repeated in the reply brief.

District 40 and the City of Palmdale filed a joint opposition. City of Palmdale did so out of an abundance of caution despite Wood's acknowledgement that the 2015 Settlement shielded the City of Palmdale from liability for fees or costs. District 40

argued the Wood Class was not entitled to any fees or costs. In the alternative, District 40 claimed the amount requested was unreasonable.

A separate opposition was filed by five water suppliers who labeled themselves the “Small Districts”: Desert Lake Community Services District, Littlerock Creek Irrigation District, North Edwards Water District, Palm Ranch Irrigation District, and Quartz Hill Water District. Besides summarily joining in District 40’s arguments, they claimed financial hardship and argued “the court should use its equitable discretion to deny the fees motion against the Small Districts” or otherwise apply a negative multiplier to the lodestar.

A group of AVGC litigants calling themselves the “Overliers” (primarily consisting of landowners who were not members of the Willis or Wood classes) filed a brief in response to District 40’s opposition. The Wood Class had not sought fees or costs from the Overliers. Nevertheless, the Overliers took issue with an argument made by District 40 which they interpreted as suggesting liability for Wood’s fees should be apportioned among other parties to whom pumping rights were allocated under the Physical Solution. Citing provisions of the Global Settlement, the Overliers argued District 40 and other water suppliers had “contractually agreed and covenanted” to pay all reasonable fees and costs of the Wood Class.

On April 1, 2016, the motion was heard and argued. On April 25, 2016, a written decision was issued. The trial court ruled Wood was entitled to fees and costs on two independent grounds. First, District 40 and other water suppliers were found to have agreed to pay such fees and costs under the terms of the Global Settlement. Second, as to fees, the Wood Class was found to have satisfied the requirements of section 1021.5.⁴

⁴“Section 1021.5 authorizes an award of fees when (1) the action ‘has resulted in the enforcement of an important right affecting the public interest,’ (2) ‘a significant benefit, whether pecuniary or nonpecuniary, has been conferred on the general public or a large class of persons ...,’ and (3) ‘the necessity and financial burden of private enforcement ... are such as to make the award appropriate’” (*Serrano v. Stefan Merli Plastering Co., Inc.* (2011) 52

Relevant to costs, the Wood Class was declared a prevailing party (see Code Civ. Proc., § 1032, subd. (b) [“a prevailing party is entitled as a matter of right to recover costs in any action or proceeding”]).

The trial court awarded \$2,269,400 in attorney fees and \$80,224 in paralegal fees. The attorney fees were calculated by multiplying the claimed hours by an hourly rate of \$500. The paralegal fees matched the hours and rates requested in the motion.

The costs ruling was limited to the issue of entitlement. Counsel for Wood was “directed to file a Memorandum of Costs under the provisions of the Code of Civil [P]rocedure.” In further statements made under the heading of “COSTS,” the trial court wrote:

“The allocation of fees between the public water producers should be apportioned according to percentages of water received as a result of the global settlement and the judgment. The fee and cost award shall be several against all public water producers save the parties who have previously settled and paid fees and costs. Moreover, any pub[l]ic water producer may opt to pay such fees or costs over a ten year period in accord with the law.”

Motion for Clarification

On May 2, 2016, the Wood Class filed a motion for “an amendment or further order clarifying the identity of the [p]arties subject to the award of fees and costs, as well as clarifications that the costs awarded will be allocated in the same fashion as the attorneys’ fees.” The motion was heard on May 25, 2016. On June 28, 2016, the trial court issued an order assigning responsibility for the fees and costs as follows:

District 40:	74.76%
Littlerock Creek Irrigation District:	8.77%
Quartz Hill Water District:	6.21%
Palm Ranch Irrigation District:	5.13%
California Water Service Company:	3.78%

Cal.4th 1018, 1026.) In such actions, fees may be awarded “to a successful party against one or more opposing parties.” (§ 1021.5.)

Desert Lake Community Services District:	0.81%
North Edwards Water District:	0.54%

The order further decreed that District 40 and the Small Districts “shall be entitled to pay this judgment in 10 equal payments over a period of 10 years.”

Cost Bill and Additional Motions

On May 11, 2016, counsel for Wood filed a memorandum of costs. Three weeks later, District 40 and the Small Districts filed a motion to strike the memorandum of costs as untimely. In the alternative, the parties moved to tax “at least \$16,119.35 in prohibited costs.”

On June 27, 2016, the Wood Class filed a motion for a supplemental award of fees and costs incurred since January 27, 2016. This motion and the motion to strike/tax costs were both heard on July 28, 2016. On or about August 15, 2016, the trial court issued a written decision.

The motion to strike the memorandum of costs was denied. The motion to tax costs was partially granted, as was the motion for additional postjudgment fees and costs. Further details are provided, *post*.

Orders re: Periodic Payments

On August 12, 2016, District 40 filed a notice and request for hearing as required by rule 3.1804 of the California Rules of Court regarding its intention to satisfy the fee award in annual installments pursuant to Government Code section 984. (All subsequent rule references are to the California Rules of Court.) The Wood Class filed an opposition, arguing the statute was not applicable. The matter was heard on September 8, 2016. The trial court ruled against District 40, but it continued the hearing based on indications District 40 and/or the Small Districts might produce evidence of eligibility to make periodic payments under Government Code section 970.6.

On September 20, 2016, District 40 filed a second notice of election regarding Government Code section 984. At the continued hearing, held October 18, 2016, the trial

court again ruled the statute was not applicable. District 40 did not proffer any evidence relevant to Government Code section 970.6.

Appellate Proceedings (2016–2021)

With the exception of the rulings in September and October 2016, the Wood Class, District 40, and the Small Districts all filed timely notices of appeal in connection with the postjudgment orders discussed above. District 40 filed additional notices of appeal as to the orders regarding periodic payments under Government Code section 984.

On September 2, 2016, this court received notice of a settlement of all claims between the Wood Class and California Water Service Company. (See rule 8.244(a)(1).) A notice of abandonment of those claims was subsequently filed with the trial court. (Rule 8.244(a)(3), (b)(1).)

For various reasons, the appellate briefing was not completed until October 2020. On February 5, 2021, the Wood Class and the Small Districts filed a stipulation to dismiss their respective claims against one another. (Rule 8.244(c).) The remaining claims on appeal are those by and between the Wood Class and District 40.

DISCUSSION

I. Attorney Fees

A. Entitlement to Fees

“The issue of a party’s entitlement to attorney’s fees is a legal issue which we review de novo.” (*Garcia v. Santana* (2009) 174 Cal.App.4th 464, 468; accord, *Mountain Air Enterprises, LLC v. Sundowner Towers, LLC* (2017) 3 Cal.5th 744, 751 [“a determination of the legal basis for an attorney fee award is a question of law to be reviewed de novo”].)

District 40 claims the entitlement ruling was erroneous on both alternative grounds, i.e., the contractual obligation finding and under section 1021.5. Apart from disputing the trial court’s interpretation of the settlement agreements, District 40 alleges

the “contractual argument” was untimely and should not have been considered. We conclude the trial court (1) had discretion to consider the applicability of the settlement agreements and (2) correctly interpreted those agreements. Therefore, it is unnecessary to determine whether attorney fees were independently recoverable under section 1021.5.

B. Additional Background

The Global Settlement contained the following provisions, which the parties refer to as paragraphs 11 and 12:

“11. The Public Water Suppliers and no other Parties to this Stipulation shall pay all reasonable Small Pumper Class attorneys’ fees and costs through the date of the final Judgment in the Action, in an amount either pursuant to an agreement reached between the Public Water Suppliers and the Small Pumper Class or as determined by the Court. The Public Water Suppliers reserve the right to seek contribution for reasonable Small Pumper Class attorneys’ fees and costs through the date of the final Judgment in the Action from each other and Non-Stipulating Parties. Any motion or petition to the Court by the Small Pumper Class for the payment of attorneys’ fees in the Action shall be asserted by the Small Pumper Class solely as against the Public Water Suppliers (excluding Palmdale Water District, Rosamond Community Services District, City of Lancaster, Phelan Piñon Hills Community Services District, Boron Community Services District, and West Valley County Water District) and not against any other Party.

“12. In consideration for the agreement to pay Small Pumper Class attorneys’ fees and costs as provided in Paragraph 11 above, the other Stipulating Parties agree that during the Rampdown established in the [Physical Solution], a drought water management program (‘Drought Program’) shall be implemented as provided in Paragraphs 8.3, 8.4, 9.2 and 9.3 of the [Physical Solution].”

As discussed above, the Wood Class entered into a separate agreement, the 2015 Settlement, with District 40 and six other water suppliers. The 2015 Settlement refers to the entire group as the “Settling Parties.” The Wood Class is individually referred to as the Small Pumper Class.

The 2015 Settlement states, in relevant part: “This Agreement and the exhibits hereto, including the Stipulation for Entry of Judgment and Physical Solution ([i.e., the Global Settlement]) attached hereto as Exhibit A set forth the terms of the settlement by and between the Settling Parties” Incorporation of the Global Settlement is repeated in an integration clause, which says the 2015 Settlement, “including its exhibits, constitute the entire, complete and integrated agreement among the Settling Parties, and supersede all prior or contemporaneous undertakings of the Settling Parties in connection herewith.”

The 2015 Settlement also contains the following provision, which District 40 relies upon in this appeal:

“Fees And Costs of Settling Plaintiff’s Counsel.

“1. The Settling Parties understand that Small Pumper Class counsel intend to seek an award of their fees and costs from the Court at the time set for the Final Approval Hearing. Any such awards will be determined by the Court unless agreed to by the Settling Parties. Settling Defendants will likely oppose the motion for attorneys’ fees and costs. Notwithstanding any other provisions in this Agreement, the Settling Parties agree this Agreement does not restrict, compromise or otherwise prohibit Settling Defendants’ rights to seek contribution for Small Pumper Class counsel’s fees and costs, if such fees and costs are awarded to Class Counsel. The Settling Defendants hereby expressly reserve their rights to seek contribution for such fees and costs.”

The trial court, in its ruling dated April 25, 2016, analyzed and interpreted paragraphs 11 and 12:

“The ‘global’ stipulation for settlement provides that ‘the PWS and no other parties ... shall pay all reasonable Small Pumper Class attorneys’ fees and costs ... through the date of the final judgment in an amount agreed to by the PWS and the Small Pumper Class, or as determined by the court.’ PWS reserved the right to seek contribution for reasonable class fees and costs from each other and from non-stipulating parties. See Paragraph 11 and 12 of the [Global Settlement].

“The scope and meaning of the fee provision in the so-called global settlement is disputed. The Wood Class contends that it means that the PWS is bound to pay the fees and costs of Wood Class counsel, either by agreement as to amount, or if there is no agreement as to amount, then the amount shall be determined by the court. The PWS, on the other hand, assert that if the parties cannot agree, then the entire question of whether PWS should pay any fees and costs is to be determined by the court based on the law applied to the facts in the case.

“In examining the language in paragraphs 11 and 12 of the [Global Settlement], no other evidence of intent being offered by either party, , [sic] it would appear that the PWS agreed to pay such fees and costs as the court decided was reasonable if the parties could not agree as to the ‘amount.’ In the absence of extrinsic evidence of the discussions and negotiations of the parties related to this issue, the court is limited to the contract language alone. The court examines the entire contract under the provisions [sic] of the Civil code, and in particular Section 1641.

“Paragraph 12 specifically provides, ‘that in consideration for the agreement to pay Small Pumper Class attorneys’ fees and costs as provided in paragraph 11 above, the other Stipulating Parties agree that during the Rampdown established in the Judgment, a drought water management program (‘Drought Program’) shall be implemented as provided in Paragraphs 8.3, 8.4, 9.2 and 9.3 of the Judgment.’

“While perhaps Paragraph 11 is ambiguous on the question, Paragraph 112 [sic] weighs in favor of the interpretation of the Wood Class. [¶] ... [¶] [T]he court concludes that the PWS are obligated for reasonable fees and costs based upon the language in the [Global Settlement].”

C. Waiver/Forfeiture

We must first determine whether the trial court erred by considering the Global Settlement as a basis for awarding fees. District 40 alleges the Wood Class “raised the contractual argument for the first time in its reply brief ([record citations]), and only after other landowner parties submitted a ‘response brief’ that made the contractual argument to ensure that the Public Water Suppliers [were] not claiming that those other landowners should pay for Wood Class attorney’s fees.” Based on those contentions, District 40 claims the trial court “should have disregarded the Wood Class’ argument made for the first time on reply.”

District 40 relies on cases holding that new issues raised in a reply brief on appeal are considered forfeited. (E.g., *Hudson v. Superior Court* (2017) 7 Cal.App.5th 999, 1016 [““points raised for the first time in a reply brief will not be considered unless good reason is shown for failure to present them earlier””].) Similar principles apply to motions in the trial court, but trial courts generally have discretion to consider untimely arguments. (See *Grappo v. McMills* (2017) 11 Cal.App.5th 996, 1009 [“a court has discretion to accept arguments or evidence made for the first time in reply”]; *Carbajal v. CWPSC, Inc.* (2016) 245 Cal.App.4th 227, 241 [same]; *California Retail Portfolio Fund GMBH & Co. KG v. Hopkins Real Estate Group* (2011) 193 Cal.App.4th 849, 861 [concluding trial court did not abuse its discretion by considering reply evidence].) Furthermore, District 40’s factual assertion is technically incorrect. Counsel for Wood did raise the issue, albeit cursorily, in the initial moving papers.

“A notice of motion must state in writing the ‘grounds upon which it will be made.’ [Citations.] Generally, the trial court may only consider those grounds specified in the notice.” (366-386 *Geary St., L.P. v. Superior Court* (1990) 219 Cal.App.3d 1186, 1199.) However, “failure to expressly state a ground for recovery does not in every case preclude recovery on the omitted ground.” (*Id.* at p. 1200.) Our district elaborated on this rule in *Carrasco v. Craft* (1985) 164 Cal.App.3d 796: “Even though the notice of motion fails to state a particular ground for the motion, where the notice states, as here, that the motion is being made upon the notice of motion and accompanying papers and the record, and these papers and the record support that particular ground, the matter is properly before the court and the defect in the notice of motion should be disregarded.” (*Id.* at p. 808.)

Wood’s notice of motion, filed January 27, 2016, reads: “Plaintiff brings this motion pursuant to ... section 1021.5. [¶] The Motion is based on this Notice, the Memorandum of Points and Authorities, the Declaration of Michael D. McLachlan, ...

the records and file herein, and on such evidence as may be presented at the hearing of the Motion.” In McLachlan’s contemporaneously filed declaration, he asserted:

“I will also note that pursuant to the Stipulation for Entry of Judgment and Physical Solution, [i.e., the Global Settlement,] these settling defendants have agreed to bear the attorneys’ fees and costs for the Small Pumper Class (and have expressly excluded from such liability, Defendants Palmdale Water District, Rosamond Community Services District, and Phelan Pinon Hills Community Services District). ([Global Settlement], ¶ 11.) These non-settling defendants [*sic*] have received consideration for this in the form of specific provisions in the Judgment and Physical Solution. ([Global Settlement], ¶ 12.)”

The initial moving papers focused on the amount of fees requested. The supporting memorandum was 15 pages long, but counsel’s discussion of section 1021.5 was limited to approximately three paragraphs. Two of those paragraphs summarized the law.

District 40’s opposition devoted approximately 16 pages to arguing Wood was not entitled to fees and could not meet the requirements of section 1021.5. Wood’s reply brief attempted to refute those arguments, and counsel repeatedly noted the Public Water Suppliers had agreed to pay Wood’s reasonable fees and costs under the terms of the Global Settlement. District 40 insinuates the “contractual argument” was made only because the Overliers had raised the issue in their separate response to its opposition. However, the Overliers’ brief and Wood’s reply brief were both filed on the afternoon of Friday, March 25, 2016—one week prior to the motion hearing.

In the Overliers’ brief, approximately 20 parties to the Global Settlement argued the “Public Water Suppliers contractually agreed and covenanted that they ‘shall pay all reasonable Small Pumper Class attorneys’ fees and costs through the date of the final Judgment” The Overliers directed the trial court’s attention to paragraphs 11 and 12, quoting those provisions and attaching copies of the Global Settlement to both the six-page brief and a supporting attorney declaration.

The record on appeal does not show District 40 made any attempt to respond to the Overliers' brief. The lack of response is noteworthy considering the history of disputes and negotiations over the very provisions in question. As discussed, finalization of the Global Settlement was delayed by months because multiple parties disagreed over terms regarding payment of the Wood Class's fees and costs. For example, in a case management statement filed in August 2014, the PWS reported that "the Wood Class attorney fee claim against the Public Water Suppliers is unresolved and is the only remaining settlement obstacle."

District 40 did not request a continuance or otherwise attempt to respond to the arguments regarding paragraphs 11 and 12. On the day before the motion hearing, it filed objections to evidence submitted by Wood in support of the reply brief. Presented in table format, there were 33 enumerated objections. A boilerplate recital of law was repeated throughout the document in a separate column with only slight variations for certain objections, e.g., "Untimely and improper new evidence submitted with reply. New evidence may not accompany a reply except in the most 'exceptional case.' (*Jay v. Mahaffey* (2013) 218 Cal.App.4th 1522, 1537-38")

Only two of District 40's objections were relevant to the Global Settlement argument. The first objection was to a statement in McLachlan's supplemental declaration identifying an attached exhibit as a true and correct copy of the Global Settlement. The other objection was to the document itself. However, District 40 did not object to the Overliers' attachment of the Global Settlement to their brief and supporting declaration. The trial court summarily sustained District 40's objections, but with the disclaimer that documents already contained in the court record (e.g., the Global Settlement) "are proper subjects for consideration by the court in its own consideration of the issues ..., whether or not cited by the parties."

Counsel for Wood relied on the Global Settlement provisions during the motion hearing. His argument included these statements:

“And the punch line here really is this stipulation that they entered into in paragraph 11 And really—what’s really important it says they shall pay, right there in black and white, all reasonable attorneys’ fees. This stipulation kills almost all of their arguments. I mean they can argue about market rate and certainly the multiplier. But all the rest, in terms of [section] 1021.5, if they weren’t already dead, this kills it. And this is a bargain[ed] for stipulation. They received consideration. Your Honor knows what that consideration is. It’s a contract. They’re stuck with it. They all signed it. And it got approved by the Court.”

When counsel for District 40 argued the opposition, his response to the Global Settlement argument was brief and conclusory: “Let me point out very quickly I find it stunning that class counsel would try to convert his [section] 1021.5 motion and now sort of a contract claim or a settlement claim. No such motion is before this Court. His interpretation of what that settlement agreement provides is not at issue and it’s wrong.”

To summarize, the Overliers’ brief independently put District 40 on notice, one week prior to the motion hearing, of a potentially dispositive argument regarding Wood’s entitlement to fees. The same argument had been made in Wood’s initial moving papers and was repeated three different places in Wood’s reply brief. The reply brief was filed on the same day as the Overliers’ brief. District 40 did not object to the Overliers’ brief and made no attempt to refute Wood’s or the Overliers’ arguments regarding paragraphs 11 and 12 of the Global Settlement. Wood reasserted the argument at the motion hearing, and District 40 virtually ignored it. Under these circumstances, we conclude it was within the trial court’s discretion to consider the “contractual argument” on the merits. (Cf. *California Retail Portfolio Fund GMBH & Co. KG v. Hopkins Real Estate Group*, *supra*, 193 Cal.App.4th at p. 861 [complaining party “did not ask for a continuance to rebut the evidence” presented in reply]; *Alliant Ins. Services, Inc. v. Gaddy* (2008) 159 Cal.App.4th 1292, 1308 [trial court did not abuse discretion to consider new evidence in preliminary injunction reply papers when defendant had opportunity to testify at hearing]; *Plenger v. Alza Corp.* (1992) 11 Cal.App.4th 349, 362, fn. 8 [consideration of new

material in summary judgment reply not an abuse of discretion if opposing party has notice and an opportunity to respond].)

D. Contractual Interpretation

“Generally, the interpretation of a settlement agreement is governed by the same rules that apply to other contracts. [Citation.] ‘When no extrinsic evidence is introduced, or when the competent extrinsic evidence is not in conflict, the appellate court independently construes the contract.’ [Citations.] When the competent extrinsic evidence is in conflict, and thus requires resolution of credibility issues, any reasonable construction will be upheld if it is supported by substantial evidence.’” (*Coral Farms, L.P. v. Mahony* (2021) 63 Cal.App.5th 719, 726; accord, *Karpinsky v. Smitty’s Bar, Inc.* (2016) 246 Cal.App.4th 456, 461.) The trial court did not rely on extrinsic evidence, so the standard of review is de novo.

Contractual interpretation must “give effect to the mutual intention of the parties as it existed at the time of contracting.” (Civ. Code, § 1636.) If the agreement is in writing, “the intention of the parties is to be ascertained from the writing alone, if possible” (*id.*, § 1639), which can be accomplished if the language therein “is clear and explicit, and does not involve an absurdity” (*id.*, § 1638). Put differently, “California recognizes the objective theory of contracts [citation], under which ‘[i]t is the objective intent, as evidenced by the words of the contract, rather than the subjective intent of one of the parties, that controls interpretation’ [citation]. The parties’ undisclosed intent or understanding is irrelevant to contract interpretation.” (*Founding Members of the Newport Beach Country Club v. Newport Beach Country Club, Inc.* (2003) 109 Cal.App.4th 944, 956; accord, *Iqbal v. Ziadah* (2017) 10 Cal.App.5th 1, 8.)

Paragraph 11 of the Global Settlement opens with this sentence: “The Public Water Suppliers and no other Parties to this Stipulation shall pay all reasonable Small Pumper Class attorneys’ fees and costs through the date of the final Judgment in the

Action, in an amount either pursuant to an agreement reached between the Public Water Suppliers and the Small Pumper Class or as determined by the Court.”

The quoted language is unambiguous and can only be interpreted as a commitment to pay the fees and costs of the Wood Class. Placement of the comma before the words “in an amount” makes clear the only issue left for future determination was how much money would be paid. Thus, “The Public Water Suppliers ... shall pay all reasonable Small Pumper Class attorneys’ fees and costs ..., in an amount *either* pursuant to an agreement reached between the Public Water Suppliers and the Small Pumper Class *or* as determined by the Court.” (Italics added.)

The plain meaning of the quoted language is confirmed by paragraph 12: “In consideration for *the agreement to pay Small Pumper Class attorneys’ fees and costs as provided in Paragraph 11 above*, the other Stipulating Parties agree that during the Rampdown established in the [Physical Solution], a drought water management program (‘Drought Program’) shall be implemented as provided in Paragraphs 8.3, 8.4, 9.2 and 9.3 of the [Physical Solution].” (Italics added.) The cited provisions of the Physical Solution benefit the Public Water Suppliers in various ways during the seven-year “Rampdown” period. That is why Wood’s counsel called paragraph 11 a “bargain[ed] for stipulation” and why the Overliers said “the Public Water Suppliers received separate and additional consideration for that undertaking.”

District 40 does not deny there was a bargained-for exchange, but it argues paragraphs 11 and 12 merely “place a limitation on the Wood Class when choosing the parties from which to seek its attorney fees.” However, that aspect of the agreement is encapsulated in the third sentence of paragraph 11: “Any motion or petition to the Court by the Small Pumper Class for the payment of attorneys’ fees in the Action shall be asserted by the Small Pumper Class solely as against the Public Water Suppliers (excluding [certain entities]), and not against any other Party.”

If the sole purpose and intention of the clause was, as District 40 alleges, to “eliminat[e] the possibility that the Wood Class could claim fees against [parties other than the PWS],” then why does the first sentence of paragraph 11 state the PWS “shall pay” Wood’s reasonable fees and costs, and why does paragraph 12 reference “the agreement to pay” such fees and costs? “An interpretation that leaves part of a contract as surplusage is to be avoided.” (*Rice v. Downs* (2016) 248 Cal.App.4th 175, 186; see Civ. Code, § 1641 [“The whole of a contract is to be taken together, so as to give effect to every part, if reasonably practicable, each clause helping to interpret the other”]; see generally *id.*, § 1644 [“The words of a contract are to be understood in their ordinary and popular sense”].)

District 40 next contends the issue is governed by the “more specific” 2015 Settlement. In making this argument, District 40 implies the trial court erred by “us[ing] another agreement to find an attorney fees payment obligation”—the other agreement being the Global Settlement. However, the Global Settlement is expressly incorporated into the 2015 Settlement. Therefore, the terms of the 2015 Settlement include paragraphs 11 and 12 of the Global Settlement.

District 40 relies on this language in the 2015 Settlement:

“The Settling Parties understand that Small Pumper Class counsel intend to seek an award of their fees and costs from the Court at the time set for the Final Approval Hearing. Any such awards will be determined by the Court unless agreed to by the Settling Parties. Settling Defendants will likely oppose the motion for attorneys’ fees and costs.”

“Readers must assume legal authors mean to draft texts that cohere. To assume otherwise departs from common sense and makes mischief. So we read documents to effectuate and harmonize all contract provisions.” (*Bravo v. RADCO Enterprises, Inc.* (2019) 33 Cal.App.5th 920, 923; accord, *Retsloff v. Smith* (1926) 79 Cal.App. 443, 452 [“It is fundamental in the interpretation of contracts that the various terms will be harmonized if possible”].) The provisions in question are easily reconciled. The

statement, “Any such awards will be determined by the Court unless agreed to by the Settling Parties” is consistent with paragraph 11, i.e., “The [PWS] ... shall pay all reasonable Small Pumper Class attorneys’ fees and costs ..., in an amount either pursuant to an agreement reached between the [PWS] and the Small Pumper Class or as determined by the Court.” The phrase “[a]ny such awards” logically refers to the amount of the fees and costs.

District 40 places emphasis on the words, “Settling Defendants will likely oppose the motion for attorneys’ fees and costs.” This language is also consistent with paragraph 11. The statement means the Public Water Suppliers did not expect to agree to the amount of fees and/or costs sought by Wood’s counsel and anticipated challenging those figures as unreasonable, which is exactly what happened. This interpretation is supported by the surrounding circumstances. (See Civ. Code, § 1647 [“A contract may be explained by reference to the circumstances under which it was made, and the matter to which it relates”].)⁵

Approximately 14 months prior to the 2015 Settlement, the Wood Class entered into the 2013 Settlement with four other water suppliers. The 2013 Settlement included a stipulation for payment of Wood’s attorney fees at the rate of \$550 per hour. Wood’s counsel maintained the rate was under market value for their services but a necessary compromise to achieve the resolution. In conjunction with a motion for court approval of the 2013 Settlement, which District 40 opposed, Wood filed a separate motion for

⁵Civil Code section 1647 “is applicable only where the language used in the contract is doubtful, uncertain or ambiguous, and then only when the doubt appears on the face of the contract and the evidence is used to dispel that doubt, not by showing that the parties meant something other than what they said, but by showing what they meant by what they said.” (*Pope v. Allen* (1964) 225 Cal.App.2d 358, 364–365; accord, *United Iron Wks. v. Outer H. etc. Co.* (1914) 168 Cal. 81, 84.) We discuss the circumstances leading up to the Global Settlement and 2015 Settlement only to demonstrate the shortcomings of District 40’s argument, not because we view the language in question as uncertain. Our conclusion is the provisions at issue are clear and unambiguous.

approval of the attorney fees and costs. District 40 also opposed the fees motion, arguing the hours claimed and the stipulated hourly rate were excessive and unreasonable.

In light of District 40's opposition to Wood's claimed hours and negotiated rate in the 2013 Settlement, the language in the 2015 Settlement ("Settling Defendants will likely oppose the motion for attorneys' fees and costs") does not cast doubt upon the plain meaning of paragraph 11. It simply indicates the Public Water Suppliers anticipated a disagreement with Wood's counsel over what constituted a "reasonable" amount of fees and costs. The likelihood of a such a dispute was apparent from the parties' inability to reach an agreement on the issue in 2014 during efforts to finalize the Global Settlement.

Lastly, District 40 alleges certain statements by attorney McLachlan support its position regarding the mutual intent behind the fees and costs provisions. The propriety of these arguments is questionable since they require consideration of evidence beyond the unambiguous language of the contract. (See Civ. Code, §§ 1638, 1639.) The arguments are also unpersuasive.

District 40 quotes a statement by McLachlan in a declaration supporting a motion for preliminary approval of the 2015 Settlement. McLachlan wrote, "No attorneys' fees or costs were agreed upon and those issues had no bearing whatsoever on the relief for the Class." District 40 characterizes this statement as a binding admission that the PWS never agreed to pay Wood's fees or costs.

"The admission of fact in a pleading is a 'judicial admission.'" (*Valerio v. Andrew Youngquist Construction* (2002) 103 Cal.App.4th 1264, 1271.) However, "[a]n unclear or equivocal statement does not create a binding judicial admission." (*Stroud v. Tunzi* (2008) 160 Cal.App.4th 377, 385.) If the statement is "ambiguous in any way," it is not a binding admission. (*National Union Fire Ins. Co. v. Miller* (1987) 192 Cal.App.3d 866, 869; accord, *Irwin v. Pacific Southwest Airlines* (1982) 133 Cal.App.3d 709, 714.)

District 40 omits the context in which McLachlan's statement was made. As explained above, it had opposed the 2013 Settlement between Wood and certain water suppliers. The 2013 Settlement included a stipulation regarding the amount of fees and costs to be paid by the settling defendants. District 40 argued "the stipulated attorneys' fees here should be subject to heightened scrutiny because there is increased potential for conflicts between the class and their counsel when attorneys' fees provisions are set forth in a class action settlement agreement, such as they are here." District 40 repeated this argument throughout the 2013 Settlement approval proceedings. Accordingly, when McLachlan moved for preliminary approval of the 2015 Settlement with District 40 and others, he declared, "No attorneys' fees or costs were agreed upon and those issues had no bearing whatsoever on the relief for the Class."

The statement itself provides little support for District 40's position. To reiterate, paragraph 11 of the Global Settlement says the PWS "shall pay all reasonable Small Pumper Class attorneys' fees and costs ..., in an amount *either* pursuant to an agreement reached between the [PWS] and the Small Pumper Class *or* as determined by the Court." (Italics added.) The Global Settlement was finalized prior to the 2015 Settlement and incorporated into the latter agreement. Thus, McLachlan's representation that "[n]o attorneys' fees or costs were agreed upon" in connection with the 2015 Settlement is reasonably understood as referring to the *amount* of fees and costs to be awarded. Insofar as it is susceptible of a different interpretation, the statement is ambiguous and does not qualify as a binding admission.⁶ (*Stroud v. Tunzi, supra*, 160 Cal.App.4th at p. 385; *National Union Fire Ins. Co. v. Miller, supra*, 192 Cal.App.3d at p. 869.)

⁶We further note Wood's earlier fees and costs motion concerning the 2013 Settlement was also made pursuant to section 1021.5. Even though the settling defendants had stipulated to Wood's recovery of fees *and* the amount of those fees, Wood's notice of motion identified section 1021.5 as the basis for recovery and did not reference the contractual obligation. In light of how Wood's counsel approached both the 2013 and 2016 fee motions, we are not persuaded by District 40's related argument that Wood's failure to discuss the Global Settlement in the

The other purported “admission” by McLachlan is a statement made during a court hearing on July 28, 2016, several months *after* the subject motion ruling. The issue being argued was the timeliness of Wood’s memorandum of costs, and there was a brief discussion about paragraph 11. McLachlan said, “It’s really sort of noticed language where they [the PWS] say, listen, we know you’re going to file a motion for fees and costs. We are going to contest it.”

According to District 40, the fact Wood’s counsel expected the PWS to oppose the fees motion proves paragraph 11 was not intended as an agreement by the PWS to pay Wood’s reasonable fees and costs. McLachlan’s quoted statement admits no such thing. Like written submissions, “an oral statement by counsel in the same action is a binding judicial admission if the statement was an unambiguous concession of a matter then at issue and was not made improvidently or unguardedly.” (*Fassberg Construction Co. v. Housing Authority of City of Los Angeles* (2007) 152 Cal.App.4th 720, 752.) McLachlan’s words are easily interpreted to mean he anticipated a dispute over the *amount* of fees and costs. He was arguing a different issue during the July 2016 court appearance, and the remark did not concede the position District 40 has asserted on appeal.

Based on the foregoing analysis, we agree with the trial court’s interpretation of the contractual language. District 40 has not demonstrated cause for reversal of the entitlement ruling. The ruling will therefore be affirmed.

II. Apportionment Claim

District 40 also seeks reversal “for the additional and independent reason that the fees awarded should have been reduced so that the Public Water Suppliers pay only those fees that are attributable to them, and not to Phelan and other landowner parties,

2016 notice of motion and supporting memorandum was an implied admission that paragraph 11 does not mean what it says.

including the Willis Class and the Tapia parties.” This claim was originally made by District 40 and the Small Districts in their jointly filed opening brief, and the argument focused on the Small Districts’ “meager” financial resources. The Small Districts have now settled with the Wood Class and their claims have been dismissed, so those contentions are moot.

“Once a trial court determines entitlement to an award of attorney fees, apportionment of that award rests within the court’s sound discretion.” (*Carver v. Chevron U.S.A., Inc.* (2004) 119 Cal.App.4th 498, 505.) “The court abuses its discretion whenever it exceeds the bounds of reason, all of the circumstances before it being considered. The burden is on the party complaining to establish that discretion was clearly abused and a miscarriage of justice resulted.” (*Ibid.*)

District 40 argues the apportionment of responsibility for Wood’s fees should not have been limited to the PWS since numerous other parties “played a role in generating [those] fees.” The trial court disagreed, reasoning Wood’s litigation efforts vis-à-vis the non-PWS parties contributed to the ultimate resolution, i.e., the Global Settlement and final judgment, which it described as “a very excellent result for everybody involved.”

Furthermore, the PWS contractually agreed to pay Wood’s reasonable fees and costs. As set forth in paragraph 12, the PWS did so in exchange for certain favorable provisions of the Physical Solution. As such, the trial court’s exercise of discretion does not appear arbitrary or outside the bounds of reason.

III. Amount of Fees Awarded

Wood’s counsel, Michael McLachlan and Daniel O’Leary, claimed to have worked over 5,800 hours on the AVGC between August 2007 and January 2016. The aggregate figure included 1,276.3 hours for which they had already received payment following the 2013 Settlement. Accounting for the earlier recovery, McLachlan and O’Leary jointly requested compensation for 4,538.8 hours of attorney time at a rate of

\$720 per hour. This proposed calculation of the lodestar totaled \$3,267,936. They argued for an enhancement multiplier of 2.5, which would have resulted in an award of nearly \$8.2 million in attorney fees alone.

The trial court found “that the hours claimed were reasonably spent on the case.” However, the award was limited to \$500 per hour. In a subsequent ruling, the trial court approved an additional 260.6 hours of postjudgment attorney time at the same rate. Pursuant to both rulings, McLachlan and O’Leary were awarded \$2,399,700 in attorney fees. They were also awarded \$84,586.50 in paralegal fees incurred through June 2016. (See *Roe v. Halbig* (2018) 29 Cal.App.5th 286, 312 [“paralegal fees may be awarded as attorney fees if the trial court deems it appropriate”].) Therefore, excluding the 2013 Settlement, the total fee award was \$2,484,286.50.

Our analysis will focus on the hourly rate of \$500. As we will explain, it is unclear whether the trial court followed the conventional lodestar method before considering the question of a multiplier. Despite some inconsistent language, it seems the trial court agreed \$720 was within the prevailing market rates for purposes of determining the lodestar. It then essentially applied a negative multiplier of just under 0.70, i.e., a downward adjustment of roughly 30 percent.

Whatever the method used to arrive at the final amount, Wood’s counsel have shown the trial court relied on factually erroneous and legally erroneous criteria. (See further discussion, *post*.) “When the record is unclear whether the trial court’s award of attorney fees is consistent with the applicable legal principles, we may reverse the award and remand the case to the trial court for further consideration and amplification of its reasoning.” (*In re Vitamin Cases* (2003) 110 Cal.App.4th 1041, 1052; see *Roe v. Halbig*, *supra*, 29 Cal.App.5th at p. 312 [“Because we cannot determine how the trial court arrived at the attorney fees it awarded, we cannot assess whether the trial court properly exercised its discretion”].) For guidance on remand, we address both the inapplicable criteria and the parties’ arguments concerning other relevant factors.

A. Additional Background

According to their sworn declarations, McLachlan and O’Leary are plaintiffs’ lawyers who specialize in complex civil cases. The “vast majority” of McLachlan’s practice is devoted to class action litigation. In 2016, when the first postjudgment fees motion was filed, both men had been practicing law for over 20 years.

McLachlan and O’Leary are sole practitioners, but they shared an office suite during most of the relevant time period. Despite their joint representation of the Wood Class, it was McLachlan who served as lead counsel. His predominant role is reflected in this breakdown of hours worked by year through January 2016:

Daniel O’Leary	Year	Hours	Year	Hours
	2008	94.4	2013	27.8
	2009	72.3	2014	20.4
	2010	102.3	2015	66.6
	2011	103.8	2016	9.7
	2012	13.8	TOTAL	511.1

Michael McLachlan	Year	Hours	Year	Hours
	2007	16.9	2013	948
	2008	383.9	2014	608.7
	2009	650.2	2015	967.2
	2010	793.6	2016	90.6
	2011	529.7	TOTAL	5,232 (See fn. 7, <i>ante.</i>)
	2012 ⁷	243.2		

To support the requested hourly rate of \$720 and a positive multiplier of 2.5, Wood’s counsel submitted a 39-page expert declaration by Richard M. Pearl. Pearl is a California attorney and author of multiple published works on the subject of attorney

⁷The record on appeal is missing McLachlan’s billing record for April 2012. This may explain a 42-hour discrepancy in the hours claimed in the moving papers and the hours supported by the record. McLachlan claimed a total of 5,304 hours through January 27, 2016, which included a 30-hour estimate for future work on the motion (i.e., reply brief and oral argument).

fees, including the treatise, California Attorney Fee Awards (Cont.Ed.Bar). According to his declaration, various editions of the treatise have been “cited by the California appellate courts on more than 35 occasions.” (E.g., *Graham v. DaimlerChrysler Corp.* (2004) 34 Cal.4th 553, 576, 584; *Hardie v. Nationstar Mortgage LLC* (2019) 32 Cal.App.5th 714, 720.)

Pearl cited fee awards in eight cases allegedly representative of “the range of non-contingent market rates charged for reasonably similar services by Los Angeles Area attorneys of reasonably similar qualifications and experience,” including a case in which McLachlan had recovered fees at \$690 per hour. Pearl also provided a range of “standard hourly non-contingent rates for comparable civil litigation” charged by 36 law firms “that have offices in or regularly practice in the Los Angeles area.” He further relied on survey data collected and published by the National Law Journal.

Pearl opined \$720 per hour was “slightly *below* what could be requested in the current market rates,” but still “entirely reasonable.” (*Italics added.*) He further opined, based on an analysis set forth in the declaration, that the requested multiplier of 2.5 was “particularly appropriate here” and “entirely justified.” The trial court’s rejection of the proposed hourly rate and multiplier is explained in these excerpts from its order dated April 25, 2016:

“HOURLY RATE FOR COUNSEL AND PARALEGAL

“The court is familiar with the compensation rates of counsel practicing in California, and in particular, in urban areas. While the opposition to the claim suggests that the court should evaluate the fee rates by looking to rural areas and lawyers’ fees in the rural Antelope Valley, the court is satisfied that the venue of the action is the proper locale to evaluate attorney’s fees.

“While the rates requested are not far out of line with current large firm attorney fee rates for experienced lawyers in the Los Angeles area, it is not disputed that neither counsel had much experience with ground water litigation and that the rates requested should be reduced to reflect that fact. The counsel did have expertise in class action law and practice but not

water law and have had to consult with other lawyers having that expertise as well as conduct legal research. Counsel became involved in the case in middle 2008, and while they seek a high level of fees for the entire 8 years, the court concludes that rates fell in 2008 and gradually rose from that reduced level over the period of the last eight years.

“In 2008, as the entire country entered into what has been called ‘the Great Recession,’ law firms were dissolving, some were declaring bankruptcy, lawyers were being laid off or fired, salaries reduced, clients were looking for firms offering lower fees, and many lawyers were leaving the profession. Based on the observations of the court, averaging the hourly rate acknowledging these factors, along with rising fees more recently, the court will approve a fee rate for each counsel of \$500.00 hourly. When counsel volunteer for cases such as this there also must be an element of *pro bono publico* involved, especially when the obligor who will pay the fees is a public entity supported by tax dollars. As officers of the court, lawyers are not (or should not be) mere mercenaries. [¶] ... [¶]

“TOTAL FEES

“The court declines to apply a multiplier to the fee award and finds that fees should be based upon a rate of \$500.00 hourly.”

B. Standard of Review

We review the amount of fee awards for abuse of discretion. (*Dzwonkowski v. Spinella* (2011) 200 Cal.App.4th 930, 934.) “The ““experienced trial judge is the best judge of the value of professional services rendered in his court, and while his judgment is of course subject to review, it will not be disturbed unless the appellate court is convinced that it is clearly wrong.”” (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132.) “Unless an appellant demonstrates otherwise, we assume the trial court followed the law and acted within its discretion.” (*Sonoma Land Trust v. Thompson* (2021) 63 Cal.App.5th 978, 984.)

Although the standard of review is “highly deferential,” the trial court’s exercise of discretion ““must be based on a proper utilization of the lodestar adjustment method, both to determine the lodestar figure and to analyze the factors that might justify application of a multiplier.”” (*Nichols v. City of Taft* (2007) 155 Cal.App.4th 1233,

1239–1240.) “A trial court abuses its discretion when it relies on improper criteria. [Citations.] A trial court also abuses its discretion if it relies on a fact wholly unsupported by the evidence.” (*Waterwood Enterprises, LLC v. City of Long Beach* (2020) 58 Cal.App.5th 955, 966.)

Errors warrant reversal if the record indicates “that a different result would have been probable if such error ... had not occurred or existed.” (Code Civ. Proc., § 475.) “[A] ‘probability’ in this context does not mean more likely than not, but merely a *reasonable chance*, more than an *abstract possibility*.” (*College Hospital Inc. v. Superior Court* (1994) 8 Cal.4th 704, 715.) Again, if the record “is unclear whether the trial court’s award of attorney fees is consistent with the applicable legal principles, we may reverse the award and remand the case to the trial court for further consideration and amplification of its reasoning.” (*In re Vitamin Cases, supra*, 110 Cal.App.4th at p. 1052.)

C. Law and Analysis

“[T]he fee setting inquiry in California ordinarily begins with the ‘lodestar,’ i.e., the number of hours reasonably expended multiplied by the reasonable hourly rate.” (*PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1095.) “The reasonable hourly rate is that prevailing in the community for similar work.” (*Ibid.*) The rate component has also been described as the ““hourly amount to which attorneys of like skill in the area would typically be entitled”” and “the hourly prevailing rate for private attorneys in the community conducting *noncontingent* litigation of the same type.” (*Ketchum v. Moses, supra*, 24 Cal.4th at p. 1133.) The resulting figure, i.e., the lodestar, “may then be adjusted, based on consideration of factors specific to the case, in order to fix the fee at the fair market value for the legal services provided.” (*PLCM Group, Inc. v. Drexler, supra*, at p. 1095.)

A trial court adjusts the lodestar by applying a “multiplier.” Practitioners tend to use this term as synonymous with a positive multiplier. However, any downward

adjustment of the lodestar is, in essence, the application of a negative multiplier. (See *Laffitte v. Robert Half Internat., Inc.* (2016) 1 Cal.5th 480, 489 [“Once the court has fixed the lodestar, it may increase or decrease that amount by applying a positive or negative “multiplier” to take into account a variety of other factors”].)

“Use of a multiplier can affect the final award considerably: it can double or treble the beginning figure, or more, and can reduce it drastically too. No established criteria calibrate the precise size and direction of the multiplier, thus implying considerable deference to trial court decisionmaking about attorney fee awards.” (*Karton v. Ari Design & Construction, Inc.* (2021) 61 Cal.App.5th 734, 745.) The most commonly cited factors are those listed in *Serrano v. Priest* (1977) 20 Cal.3d 25 (*Serrano*):

“(1) the novelty and difficulty of the questions involved, and the skill displayed in presenting them; (2) the extent to which the nature of the litigation precluded other employment by the attorneys; (3) the contingent nature of the fee award, both from the point of view of eventual victory on the merits and the point of view of establishing eligibility for an award; (4) the fact that an award against the state would ultimately fall upon the taxpayers; (5) the fact that the attorneys in question received public and charitable funding for the purpose of bringing law suits of the character here involved; (6) the fact that the monies awarded would inure not to the individual benefit of the attorneys involved but the organizations by which they are employed; and (7) the fact that in the court’s view the two law firms involved had approximately an equal share in the success of the litigation.” (*Id.* at p. 49, fn. omitted.)

“This set of factors is illustrative only and does not constitute an exhaustive list of all relevant considerations that may justify an exercise of judicial discretion to increase or decrease the lodestar amount.” (*In re Lugo* (2008) 164 Cal.App.4th 1522, 1545.)

1. Lodestar Calculation

It is unclear what rate the trial court used to determine the lodestar because the lodestar was never stated. A necessary component of the lodestar is the prevailing rate in the community for similar work. (*PLCM Group, Inc. v. Drexler, supra*, 22 Cal.4th at p. 1095.) The trial court said “the rates requested are not far out of line with current large

firm attorney fee rates for experienced lawyers in the Los Angeles area,” but it concluded “the rates requested should be reduced” for reasons unrelated to any market data. Did the trial court find the prevailing market rate was \$500 per hour? Or did it calculate the lodestar using the rate of \$720 per hour and then adjust the lodestar downward based on various factors?

The parties seem equally uncertain on this point. Wood’s briefing alleges “the trial court abused its discretion in setting the lodestar at \$500 per hour,” but elsewhere the trial court is said to have reduced the lodestar. District 40’s briefing argues \$500 per hour generally “reflects applicable market rates for comparable work within the community at the time,” but District 40 also claims the trial court acted “within its discretion ... in adjusting the lodestar.” To the extent District 40 contends the prevailing market rate in 2016 was \$500 per hour, the evidence upon which it relies is unresponsive.

District 40 and the Small Districts argued for the lodestar to be calculated using “the prevailing rates in the Antelope Valley community” instead of the Los Angeles metropolitan area. The trial court properly rejected the argument. (See *Altavion, Inc. v. Konica Minolta Systems Laboratory, Inc.* (2014) 226 Cal.App.4th 26, 71 [“The relevant ‘community’ is that where the court is located”].) District 40 now concedes this issue, but it continues to rely on evidence of rates paid by the Small Districts. Those rates were as high as \$400 per hour but reportedly averaged out to just under \$300 per hour over time. However, the same evidence indicates the Small Districts are located in rural areas outside of the relevant market and paid negotiated discounted rates based on their limited financial means.

District 40 further relies on a remark made by its counsel during the motion hearing: “I charge \$295 an hour. That started back in 1999. It continued in [*sic*] for well over ten years and changed about maybe 18 months ago [i.e., circa October 2014] and it went up to \$350 an hour.” As Wood correctly argues, unsworn statements by counsel are

not evidence. (Evid. Code, § 140; *People v. Kiney* (2007) 151 Cal.App.4th 807, 815; *Van de Kamp v. Bank of America* (1988) 204 Cal.App.3d 819, 843.)

Furthermore, District 40's counsel did not say whether \$350 per hour was a discounted rate specific to District 40 or his standard rate for comparable work in the Los Angeles area for any given client. "[B]ecause government and insurance defense counsel generally charge lower rates than plaintiffs' attorneys for complex litigation, such attorneys' rates reflect a different market and, therefore, may not be probative." (2 Pearl, Cal. Attorney Fee Awards (Cont.Ed.Bar 3d ed. March 2021 update) § 9.121, p. 9–119.) "The reasonable market value of the attorney's services is the measure of a reasonable hourly rate[,]" and this standard applies regardless of whether lawyers in the case are charging their clients "below-market or discounted rates." (*Chacon v. Litke* (2010) 181 Cal.App.4th 1234, 1260, quoting Pearl, Cal. Attorney Fee Awards (Cont.Ed.Bar 2d ed. Sept. 2008 update) § 12.26, pp. 358–359.)

Next, District 40 points to the hourly rate of \$550 used in the 2013 Settlement between Wood and other water suppliers. It quotes McLachlan out of context by arguing he told the trial court, "I don't think [\$]550 at that time was unreasonable." The uncontroverted evidence is McLachlan and O'Leary believed \$550 per hour was below the market rate but felt compelled to stipulate to it in order to achieve the settlement. In a subsequent ruling, the trial court noted the rate used in the 2013 Settlement was "negotiated by the parties themselves and did not represent the court's judgment as to what fees should have been awarded."

What McLachlan actually said during the 2016 motion hearing was, "I don't think 550 at that time was unreasonable. It was low. But it wasn't [\$200] or \$300 dollars low. It was maybe 75 or \$100 low." In other words, McLachlan claimed the prevailing market rate in 2013 was approximately \$625–\$650 per hour.

Although McLachlan's unsworn statement at the motion hearing was not evidence, it was consistent with a declaration he had filed in connection with the 2013

Settlement. Evidence submitted with the earlier declaration indicated the market rate in 2013 for attorneys with 11 to 19 years of experience was \$640 per hour. McLachlan's estimate of 2013 market rates was also consistent with his sworn declaration supporting the 2016 motion, wherein he claimed a federal court had approved his fees at \$690 per hour for work performed in a class action during 2013 and 2014.

Finally, District 40 relies on the Willis Class's recovery of attorney fees in 2011 at hourly rates of \$400 and \$450. There are obvious flaws in this argument. Willis was represented by a law firm in San Diego; they requested and received an award based upon "the hourly rates the firm charges their hourly-rate clients." There is no evidence the market rates in San Diego as of early 2011 are indicative of the prevailing market rate in Los Angeles in early 2016.

Incidentally, the Willis Class also filed a postjudgment fees motion that was pending at the same time as Wood's postjudgment fees motion. To be clear, both the Wood Class and the Willis Class made separate motions that were heard on April 1, 2016, and ruled upon in an order dated April 25, 2016. Willis's counsel requested attorney fees calculated at the "prevailing market rates in Los Angeles" (and alternatively argued for no less than their "historical" hourly rates). Willis claimed, and produced evidence to show, the "prevailing market rate in Los Angeles [was] over \$700 per hour for attorneys with over 20 years of experience."

Given the weight of evidence supporting Wood's position regarding the prevailing market rate, the trial court's general acceptance of the evidence ("the rates requested are not far out of line with current large firm attorney fee rates for experienced lawyers in the Los Angeles area"), and its discussion of the rate being "reduced" due to case-specific factors, it appears the prevailing market rate was determined to be upwards of \$700 per hour. Conversely, since \$500 per hour was said to represent the "averaging" of rates over an eight-year period, the trial court evidently did not find \$500 per hour to be the prevailing market rate for Los Angeles in 2016. Although the trial court "decline[d] to

apply a multiplier to the fee award,” it is most likely the term “multiplier” was intended to mean a positive multiplier. In practical effect, the trial court applied a negative multiplier to the unspecified lodestar.

The lodestar calculation “anchors the trial court’s analysis to an objective determination of the value of the attorney’s services, ensuring that the amount awarded is not arbitrary.” (*PLCM Group, Inc. v. Drexler, supra*, 22 Cal.4th at p. 1095.) Failure to specify the lodestar is not error per se, but it does hinder appellate review of the award. (See *Taylor v. Nabors Drilling USA, LP* (2014) 222 Cal.App.4th 1228, 1249–1250.) On remand, it would be best to have clear findings as to the lodestar and the market rate upon which it is based.

2. Multiplier Factors

a. Counsel’s Experience (Error #1)

The trial court’s ruling states: “While the rates requested are not far out of line with current large firm attorney fee rates for experienced lawyers in the Los Angeles area, it is not disputed that neither counsel had much experience with ground water litigation and that the rates requested should be reduced to reflect that fact. The counsel did have expertise in class action law and practice but not water law and have had to consult with other lawyers having that expertise as well as conduct legal research.”

McLachlan and O’Leary argue there is no evidence of them consulting with other lawyers having expertise in “water law.” We agree. Moreover, in a declaration filed by McLachlan to support the second postjudgment fees motion, he attested no such consulting ever occurred.

It was counsel for the *Willis* Class who hired a lawyer named Gregory L. James on a consultancy basis. Attorney James submitted a declaration in support of Willis’s postjudgment fees motion, stating he had “served as consulting attorney ... on water law and other issues involved in this litigation, to Krause, Kalfayan, Benink & Slavens LLP,”

i.e., Willis’s counsel, from April 2008 through December 2015. James spent hundreds of hours on the case, which may explain why the consultation was viewed as a relevant factor. Regardless of why it was deemed probative, reliance “on a fact wholly unsupported by the evidence” exceeds the limits of a trial court’s discretion. (*Waterwood Enterprises, LLC v. City of Long Beach*, *supra*, 58 Cal.App.5th at p. 966; accord, *Borissoff v. Taylor & Faust* (2004) 33 Cal.4th 523, 531 [factual findings upon which discretionary rulings are based must be supported by substantial evidence].)

The trial court was also incorrect in stating, “[I]t is not disputed that neither counsel had much experience with ground water litigation and that the rates requested should be reduced to reflect that fact.” The issue *was* disputed, and McLachlan insisted he had relevant experience justifying a rate *higher* than \$720 per hour. In his supporting declaration, McLachlan wrote:

“I also have extensive experience litigating complex cases involving groundwater, having worked on all but one Superfund case filed in Los Angeles County over the past twenty years While I do not have a degree in hydrogeology, I have substantial experience in the field over many years of time working with hydrogeologists and hydrologists in a variety of contexts. I have taught a ‘groundwater for lawyers’ class on several occasions, and have published papers on matters impacting groundwater.”

In the supporting memoranda, McLachlan described his years of working on “Superfund”⁸ cases as “extensive groundwater litigation experience.” He further claimed, “This extensive experience in groundwater litigation has been directly relevant

⁸“‘Superfund’ refers to the trust fund created by CERCLA [Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq.], but also is used to refer to the law generally.” (*Otay Land Co., LLC v. U.E. Limited, L.P.* (2017) 15 Cal.App.5th 806, 822, fn. 7.) California’s Superfund statute (Health & Saf. Code, § 25300 et seq.), which is “a counterpart to the federal Superfund statute, ... sets forth a comprehensive regulatory scheme and authorizes the Department [of Toxic Substances Control], among other things, to investigate, remove and/or remediate hazardous substances at contaminated sites.” (*Van Horn v. Department of Toxic Substances Control* (2014) 231 Cal.App.4th 1287, 1290.)

and indeed has been essential to litigating this matter over a nearly five year period in which Class Counsel was deprived of a groundwater expert to consult with on technical hydrologic issues.” The latter point was emphasized elsewhere in his declaration: “On a particle [*sic*] day-to-day level, not having access to [a hydrogeology] expert for over seven years on a case of this technical nature, made it extremely challenging to litigate. If I did not have more than 20 years’ experience working with hydrologists, hydrogeologists, and engineers, as well as my own science background, it would have been impossible to adequately represent the Class.”

None of McLachlan’s above-described experience was acknowledged or addressed in the motion ruling. In light of the erroneous statement regarding consultation with water law attorneys, the mischaracterization of the issue as undisputed suggests the trial court further conflated the experience of Wood’s counsel and Willis’s counsel. The fact separate fee motions by Willis and Wood were under simultaneous consideration adds to the likelihood such a mix-up occurred.

District 40 argues McLachlan admitted his lack of experience during the April 2016 motion hearing, which is an overstatement. The trial court asked McLachlan why he took the case in 2008 after having declined to get involved the previous year. In a lengthy response, McLachlan referred to the year 2007 and said, “at that time, you know, I knew a little bit about water rights, but not that much.”

The quoted statement partially supports the trial court’s rationale in terms of the lack of expertise in water law. However, the trial court considered the “expertise” factor in relation to counsel’s alleged need to consult with water law specialists—which never happened—and the conducting of “legal research.” No examples of such research were provided.

McLachlan’s billing records show he spent 1.5 hours researching “several issues in water law” in August 2007. In May and June 2008, he spent a combined 8.9 hours reviewing “Hutchins book on CA water law.” In January 2009, he spent 0.5 hours

performing “research on correlative rights.” An additional 6.1 hours of research related to water law was performed between 2011 and 2014. The total amount of “water law” research appears to be approximately 17 hours.

District 40 argues McLachlan also “billed 21.9 hours researching rural residential use of water” in 2011, but it unsuccessfully made the same argument in 2013 when opposing the fee award for the 2013 Settlement. In a sworn declaration, McLachlan explained it was not “legal research” but “technical research on numerous water use issues impacting the Class”⁹ Either way, 38.8 hours of research (21.9 +17.0) is a fraction of one percent of the 5,815 total hours (rounded) worked during the eight-year period ending in January 2016 and would not reasonably justify a 30 percent reduction of the lodestar.

b. The “Great Recession”

The trial court’s second reason for reducing the award was as follows:

“Counsel became involved in the case in middle 2008, and while they seek a high level of fees for the entire 8 years, the court concludes that rates fell in 2008 and gradually rose from that reduced level over the period of the last eight years. [¶] In 2008, as the entire country entered into what has been called ‘the Great Recession,’ law firms were dissolving, some were declaring bankruptcy, lawyers were being laid off or fired, salaries reduced, clients were looking for firms offering lower fees, and many lawyers were leaving the profession. Based on the observations of the court, averaging the hourly rate acknowledging these factors, along with rising fees more recently, the court will approve a fee rate for each counsel of \$500.00 hourly.”

Wood complains the trial court “created this factual record out of whole cloth based on the trial court’s personal perspective and memory.” The argument is misguided insofar as it suggests trial judges cannot rely on anecdotal evidence of their own personal

⁹In Wood’s reply brief on appeal, McLachlan reiterates “that the work performed was on scientific research and data relating to the issue of how rural residential water use has been calculated, as well as the actual analysis of data gathered in this case.”

knowledge. (See *Heritage Pacific Financial, LLC v. Monroy* (2013) 215 Cal.App.4th 972, 1009 [“The court may rely on its own knowledge and familiarity with the legal market in setting a reasonable hourly rate”].) However, Wood makes a valid point in noting the trial judge was on special assignment from Santa Clara County. The record indicates the trial judge retired in late 2009 but continued to preside over the AVGC through the postjudgment proceedings of 2016.

The “Great Recession” is generally considered to have lasted from December 2007 through June 2009.¹⁰ (Rich, *The Great Recession*, Federal Reserve History (Nov. 22, 2013) <www.federalreservehistory.org/essays/great-recession-of-200709> [as of Aug. 24, 2021].) Considering (1) the trial judge was from a different part of the state and (2) the AVGC was presumably the only matter over which he presided from 2010 onward, it is difficult to reasonably infer the trial court’s knowledge of the market rates in Los Angeles.¹¹ In any event, the record does not substantiate the notion that \$500 per hour represents the literal “averaging” of the prevailing market rates from 2008 to 2016.

District 40 argues the hourly rate of \$500 is supported by *Building a Better Redondo, Inc. v. City of Redondo Beach* (2012) 203 Cal.App.4th 852 (*Redondo*). The *Redondo* opinion affirmed a fee award made in a Los Angeles Superior Court case. (*Id.* at p. 855.) The award was for work performed in 2010. (*Id.* at pp. 860, 871.)

Counsel for the *Redondo* plaintiff “provided the court with declarations describing their professional backgrounds that included special expertise in the areas of environmental, land use and administrative law.” (*Redondo, supra*, 203 Cal.App.4th at p. 871.) “Attached as exhibits to lead counsel’s declaration were billing surveys conducted

¹⁰Based on this time frame, McLachlan and O’Leary collectively worked 894 hours (rounded) during the Great Recession. That is approximately 15.4 percent of the 5,815 total hours (rounded) worked through January 2016.

¹¹Wood’s expert, Richard M. Pearl, stated in his declaration, “[T]he fact is that hourly rates charged in the Los Angeles area are generally higher than Northern California rates.”

by a national law journal reflecting that for law firms in Los Angeles handling environmental and land use cases, hourly partner rates ranged from \$475 to \$850 and hourly associate rates from \$275 to \$505.” (*Ibid.*) The superior court calculated the lodestar using partner rates of \$500–\$550 per hour, stating the rates were “at the ‘high end’ of the scale” but justified because, among other reasons, “lead counsel was a leading expert” in his field. (*Id.* at pp. 871, 872.)

At best, *Redondo* shows \$500 per hour was in the range of prevailing market rates for Los Angeles in 2010, i.e., one year into the market’s recovery from the Great Recession. Wood’s evidence showed market rates were significantly higher in the following years. It is thus unclear how the trial court arrived at the hourly rate of \$500 for all work performed through 2016, and we would again encourage greater clarity on remand. (See *Gorman v. Tassajara Development Corp.* (2009) 178 Cal.App.4th 44, 101 [“A trial court’s award of attorney fees must be able to be rationalized to be affirmed on appeal”].)

c. The “*Pro Bono Publico*” Standard (Error #2)

The trial court’s last reason for reducing the award was because “[w]hen counsel volunteer for cases such as this there also must be an element of *pro bono publico* involved, especially when the obligor who will pay the fees is a public entity supported by tax dollars. As officers of the court, lawyers are not (or should not be) mere mercenaries.”

The trial court’s rationale implies that lawyers who take on public interest litigation on a contingency basis should expect to be underpaid. This conflicts with settled legal principles. “California law requires that attorneys’ fee awards be ‘fully compensatory.’” (*Roth v. Plikaytis* (2017) 15 Cal.App.5th 283, 290.) The requirement has been emphasized in the context of public interest litigation. (See, e.g., *Ketchum v. Moses*, *supra*, 24 Cal.4th at pp. 1133–1134; *Redondo*, *supra*, 203 Cal.App.4th at p. 873

[“An award of attorney fees under fee-shifting statutes is computed based on the reasonable market value of services *even if* the attorney has performed services pro bono” (italics added)].) Simply stated, “public interest litigation “should not have to rely on the charity of counsel” [Citation.]’ [Citation.] The controlling factor, again, is the fair market value of the legal work which was performed.” (*Rogel v. Lynwood Redevelopment Agency* (2011) 194 Cal.App.4th 1319, 1332 (*Rogel*); accord, *Redondo*, *supra*, at p. 873.)

The trial court’s reliance on a “*pro bono publico*” standard may explain why it awarded fees at a rate “averag[ed]” over an eight-year period instead of the prevailing market rate. Wood’s expert, Richard M. Pearl, declared: “In my experience, fee awards are almost always determined based on current rates, *i.e.*, the attorney’s rate at the time a motion for fees is made, rather than the historical rate at the time the work was performed. This is a common and accepted practice to compensate attorneys for the delay in being paid.”

This district addressed the factors of contingent risk and delay in *Horsford v. Board of Trustees of California State University* (2005) 132 Cal.App.4th 359 (*Horsford*). There, a trial court had opined the standard for awarding “reasonable attorneys’ fees” does “not necessarily [require] adequate compensation.” (*Id.* at p. 395.) The appellate panel explained: “It has long been recognized ... that the contingent and deferred nature of the fee award in a civil rights or other case with statutory attorney fees requires that the fee be adjusted in some manner to reflect the fact that the fair market value of legal services provided on that basis is *greater* than the equivalent noncontingent hourly rate.” (*Id.* at pp. 394–395, italics added.)

The contingent risk factor “is ‘[o]ne of the most common fee enhancers’ and an important consideration in the multiplier analysis.” (*Cates v. Chiang* (2013) 213 Cal.App.4th 791, 823; quoting *Graham v. DaimlerChrysler Corp*, *supra*, 34 Cal.4th at p. 579.) ““A lawyer who both bears the risk of not being paid and provides legal services

is not receiving the fair market value of his work if he is paid only for the second of these functions. If he is paid no more, competent counsel will be reluctant to accept fee award cases.””” (*Horsford, supra*, 132 Cal.App.4th at p. 395, quoting *Ketchum v. Moses, supra*, 24 Cal.4th at pp. 1132–1133.)

The *Horsford* opinion further states: “[T]he market value of the services provided by plaintiffs’ counsel in a case of this magnitude must take into consideration that any compensation has been deferred for [multiple] years from the time an hourly fee attorney would begin collecting fees from his or her client [and] that the demands of the present case substantially precluded other work during that extended period, which makes the ultimate risk of not obtaining fees all the greater (since the attorneys must use savings or incur debt to keep their offices afloat and their families fed during the years-long litigation)” (*Horsford, supra*, 132 Cal.App.4th at pp. 399–400.)

In McLachlan’s declaration, he claimed to have suffered “profound” financial and emotional hardship due to the factors of contingent risk and delay. He discussed being unable to take on other work (he “had to turn down” at least 10 cases), borrowing “sums in excess of six-figures” to cover litigation costs (for which he “incurred nearly \$30,000 in interest”), and not receiving any compensation in the AVGC until nearly six years into his representation of the Wood Class. McLachlan declared those circumstances led “directly to [him] losing [his] long-time home in 2012,” i.e., prior to securing a partial recovery of fees and costs in the 2013 Settlement.

At the motion hearing, the trial court noted “there was a considerable sacrifice in undertaking the adjudication.” In remarks directed toward District 40’s attorney, the trial court said, “I think even you[, counsel,] have to be appreciative of the sacrifice that a lawyer undertakes when he takes a case in a public nature that will not assure the lawyer that he will ever be paid or be reimbursed for costs that come out of the lawyer’s pocket. That’s a sacrifice.” The judge’s recognition of the contingent risk, combined with other factors supporting a positive multiplier or at least compensation at prevailing market

rates, indicate there is a reasonable chance the pro bono publico error affected the motion ruling. (See *Serrano, supra*, 20 Cal.3d at p. 49 [relevant factors include “the novelty and difficulty of the questions involved” and “the extent to which the nature of the litigation precluded other employment by the attorneys”].)

Finally, we note the pro bono publico standard was cited in connection with the award being paid by “public entit[ies] supported by tax dollars.” District 40 argues the trial court properly considered its status as a public entity. It is not uncommon for judges to factor the impact on taxpayers into a decision to deny a request for a positive multiplier or to limit such an enhancement to a modest percentage. However, applying a *negative* multiplier for that reason, i.e., reducing the lodestar because the payor is a government entity, is a far more controversial proposition.

In *Serrano*, a trial court had enhanced a fee award by a positive multiplier of approximately 1.4 after considering several competing factors; “some militated in favor of augmentation and some in favor of diminution.” (*Serrano, supra*, 20 Cal.3d at p. 49.) The California Supreme Court listed seven of those factors, which were approvingly described as “relevant.” (*Ibid.*) The fourth factor was “the fact that an award against the state would ultimately fall upon the taxpayers.” (*Ibid.*)

In *Horsford*, our district concluded “the trial court’s reliance on the public-entity status of the defendant to completely deny an enhancement multiplier ... was an abuse of discretion.” (*Horsford, supra*, 132 Cal.App.4th at p. 400.) The opinion distinguishes *Serrano*, noting “the *Serrano* court did not say and has not said that a public entity should not fully compensate plaintiffs’ attorneys when litigation has been necessary to remedy intentional race discrimination by the public entity.” (*Ibid.*) The *Horsford* case is distinguishable because here there was no racial discrimination or similarly egregious behavior. However, in *Rogel, supra*, 194 Cal.App.4th 1319, Division Eight of the Second Appellate District reached the same conclusion as *Horsford* pursuant to a more comprehensive analysis.

The *Rogel* court agreed with *Horsford* and further relied on *Schmid v. Lovette* (1984) 154 Cal.App.3d 466 as standing for the principle “that it [is] an abuse of discretion to rely on the public entity status of the defendant to deny a positive multiplier.” (*Rogel, supra*, 194 Cal.App.4th at p. 1331.) It also interpreted the high court’s *Serrano* decision as “preclud[ing] a rule which awards less than the fair market value of attorneys’ fees merely because the case was filed against a government agency.” (*Rogel*, at p. 1332.) The opinion thus holds “a trial court is not permitted to use a public entity’s status to negate a lodestar that would otherwise be appropriate.” (*Id.* at p. 1331.)

We need not determine the extent to which a party’s government entity status may be considered in the multiplier analysis. However, this district’s precedent and other appellate decisions indicate the financial impact of an award on such parties and their constituents cannot be the sole or primary reason for reducing the lodestar or declining to apply a positive multiplier.¹²

D. Remand is Necessary

In summary, Wood has demonstrated error in the form of reliance on inapplicable criteria and facts unsupported by the record. For the reasons discussed, it is reasonably probable the errors affected the ruling. Accordingly, and because additional circumstances make it “unclear whether the trial court’s award of attorney fees is consistent with the applicable legal principles,” the matter will be remanded for “further

¹²See *Rogel, supra*, 194 Cal.App.4th at pages 1331–1332 (holding “the fact that the fee award must be paid from the limited budget of a public entity ‘does not constitute a special circumstance rendering [a lodestar] fee unjust’”); *Horsford, supra*, 132 Cal.App.4th at page 401 (holding trial courts cannot use “the ‘public entity’ factor to wholly negate the enhancement of a lodestar that otherwise would be appropriate after consideration of the contingency and delay factors”); cf. *Rey v. Madera Unified School Dist.* (2012) 203 Cal.App.4th 1223, 1242–1243 (no abuse of discretion where taxpayer impact was among several factors considered in denial of request for a positive multiplier); *San Diego Police Officers Assn. v. San Diego Police Department* (1999) 76 Cal.App.4th 19, 24 (affirming a negative multiplier where prevailing party “had achieved very limited success” on a matter that “did not involve complex issues of law”; did not preclude counsel from working on other cases; “did not involve a contingency fee; and the award of fees would ultimately be borne by the taxpayers”).

consideration [of the amount to be awarded] and amplification of its reasoning.” (*In re Vitamin Cases*, *supra*, 110 Cal.App.4th at p. 1052; accord, *Roe v. Halbig*, *supra*, 29 Cal.App.5th at p. 312; *Nichols v. City of Taft*, *supra*, 155 Cal.App.4th at p. 1242.)

IV. Costs

A. Entitlement to Costs

District 40 argues Wood was not a prevailing party for purposes of Code of Civil Procedure section 1032 and, therefore, was not entitled to recover costs. However, as with the attorney fees, the trial court ruled Wood was entitled to costs on two independent grounds, i.e., “based upon the language in the [Global Settlement] ... and the prevailing party doctrine.” We have affirmed the trial court’s ruling based on the Global Settlement. Therefore, the claim fails.

B. Denial of Motion to Strike the Memorandum of Costs

District 40 also seeks reversal of the costs award on procedural grounds, claiming the trial court erred by denying its motion to strike Wood’s memorandum of costs. We are not persuaded.

1. Additional Background¹³

On December 28, 2015, District 40 served a notice of entry of judgment. On January 8, 2016, the trial court held an unreported telephonic conference “to discuss Wood Class attorney’s fees and incentive awards to the class representative and any other issues outstanding.” The quoted language is taken from a minute order issued the same day. The minute order set a schedule for “fee motions related to the Willis Class Settlement [and] the Wood Class/Small Pumper Settlement,” stating, “[M]oving papers to be filed by January 22, 2016.”

¹³The factual and procedural background on the motion to strike is complicated, especially with regard to a counterargument by Wood alleging defects in the notice of entry of judgment. In the interest of judicial economy, since we agree with Wood’s main position, we do not address the other contentions.

On January 22, 2016, the Wood Class and District 40 filed a stipulation “to move the filing date for the Motion for Attorneys’ Fees and Award of Incentive Payment from January 22, 2016 to January 27, 2016.” The stipulation was signed by counsel for both parties. On January 27, 2016, Wood filed the previously discussed “Motion for Award of Attorney Fees, Costs and Incentive Award.” (Boldface and some capitalization omitted.)

The moving papers clearly indicated Wood’s counsel were seeking both fees and costs. Costs were mentioned several times and discussed under a separate heading. The amount claimed was \$75,242.06. In McLachlan’s supporting declaration, he identified and attached a 13-page itemized statement of all costs incurred by his office in the AVGC from May 5, 2008, through January 27, 2016. In O’Leary’s supporting declaration, he identified and attached a one-page itemized statement of all costs incurred by his office in the AVGC from October 7, 2008, through December 23, 2015.

In District 40’s opposition, it challenged Wood’s entitlement to costs but did not argue the request for costs was untimely. On April 25, 2016, the trial court ruled in Wood’s favor. The order states, in pertinent part, “Counsel for the Wood Class is directed to file a Memorandum of Costs under the provisions of the Code of Civil procedure.” The judge later explained this language was intended as a directive to use the approved Judicial Council forms because counsel’s declarations and attached documents “were not clear to the court.” McLachlan claimed to have interpreted the statement the same way. Accordingly, on May 11, 2016, McLachlan filed Wood’s memorandum of costs and a related worksheet using Judicial Council forms MC–010 and MC–011.

On May 31, 2016, District 40 filed a motion to strike the memorandum of costs as untimely. Relying on rule 3.1700(a)(1), it argued Wood’s cost memorandum was due 15 days after service of the notice of entry of judgment, i.e., January 12, 2016. Although the trial court had set January 22, 2016, as the deadline for Wood’s “fee motion[,]” and the

parties had stipulated to extending the deadline by five days, District 40's motion implied those dates did not pertain to any requests for costs.

When the motion to strike was heard, the trial court stated its recollection and understanding of the prior events: "It seems to me that what was agreed to here was for the court to hear the motion concerning fees and costs in the manner in which it was filed. The court then became dissatisfied with the manner in which the costs—partly in response to objections by District 40—in the form in which the cost request was made and asked for it in a different form. [¶] [T]o claim now that it was untimely because it was late really belies ... what the parties understood at the time that this occurred."

In its order denying the motion to strike, the trial court found the parties had "implicitly agreed that Wood Class counsel could file its motion for fees and costs on January 2[2], 2016," and later stipulated to extending the deadline by several days. The trial court noted Wood's motion included "declaration[s] setting forth costs expended to that date with attachments." The order further states, "The parties agreed when filings were to occur and no timeliness objections were made. The court deems such later objections to have been waived" Accordingly, the motion to strike was denied.

2. Law and Analysis

"A prevailing party who claims costs must serve and file a memorandum of costs within 15 days after the date of service of the notice of entry of judgment" (Rule 3.1700(a)(1).) The deadline is not jurisdictional. (*Haley v. Casa Del Rey Homeowners Assn.* (2007) 153 Cal.App.4th 863, 880; *Sanabria v. Embrey* (2001) 92 Cal.App.4th 422, 426.) Therefore, extensions of time are permitted. (Rule 3.1700(b)(3).) Stipulated extensions "must be confirmed in writing, specify the extended date for service, and be filed with the clerk. In the absence of an agreement, the court may extend the times for serving and filing the cost memorandum ... for a period not to exceed 30 days." (*Ibid.*)

Preliminarily, it is questionable whether the deadlines of rule 3.1700 applied given the parties' contractual agreement for fees and costs to be awarded in amounts determined by the trial court. In *Gorman v. Tassajara Development Corp.*, *supra*, 178 Cal.App.4th 44, the litigants reached a "global settlement" under which it was agreed the plaintiffs were "entitled to recover costs as authorized by law as if they were prevailing parties in the Action." (*Id.* at pp. 52–53.) The plaintiffs then filed a "Motion for Attorneys' Fees and Costs." (*Id.* at p. 56.) The motion was opposed, but the plaintiffs argued the defendant forfeited any objections to their claimed costs by not filing a motion to tax costs. (*Id.* at p. 68.) A motion to tax costs is governed by rule 3.1700 and must be filed "15 days after service of the cost memorandum." (*Id.*, subd. (b)(1).) However, the appellate court held, "The wording of the settlement agreement and the subsequent conduct of the parties provided substantial evidence for the trial court to conclude that the parties had stipulated to an alternative procedure for awarding costs, dispensing with the usual formalities of a complete cost memo and a motion to tax costs." (*Gorman, supra*, at p. 70.)

Assuming the applicability of rule 3.1700, District 40's claim involves two issues. The first is what constitutes a "memorandum of costs" for purposes of rule 3.1700(a)(1). As aptly framed by Wood, the question is whether a party claiming costs is required to use certain Judicial Council forms. If the documents filed with Wood's motion on January 27, 2016, qualified as a memorandum of costs, the second issue is whether the filing was timely.

The difference between mandatory and optional forms is explained in *In re Marriage of Sharples* (2014) 223 Cal.App.4th 160 at page 166:

"Rules 1.30, 1.31, and 1.35 distinguish 'mandatory forms' from 'optional forms.' Mandatory judicial forms '*must* be used by all parties'; optional forms '*may* be used by parties.' (Rules 1.31(a), 1.35(a), italics added.) Mandatory forms are required to include the words, "Form Adopted for Mandatory Use," "Mandatory Form," or "Form Adopted for Alternative

Mandatory Use” (rule 1.31(c)); optional forms must bear the words, “Form Approved for Optional Use” or “Optional Form” (rule 1.35(c)).”

The Judicial Council has approved a form entitled “Memorandum of Costs (Summary)” (MC-010) and a corresponding worksheet (MC-011). Both say, “Form Approved for Optional Use,” i.e., they are not mandatory. (Rule 1.35(a), (c); see *Kaufman v. Diskeeper Corp.*, (2014) 229 Cal.App.4th 1, 9 [referring to MC-010 and MC-011 as “optional forms”].) Therefore, the timeliness of Wood’s cost memorandum was not dependent upon the use of these forms.

Rule 3.1700(a)(1) states, “The memorandum of costs must be verified by a statement of the party, attorney, or agent that to the best of his or her knowledge the items of cost are correct and were necessarily incurred in the case.” On January 27, 2016, McLachlan and O’Leary filed and served sworn declarations identifying and attaching itemized statements of their costs incurred in the AVGC. The trial court’s ruling necessarily implies a finding that counsel’s declarations and attachments satisfied the requirements of rule 3.1700. District 40 fails to demonstrate error in this regard. (See *Pacific Southwest Airlines v. Dowty-Rotol, Ltd.* (1983) 144 Cal.App.3d 491, 495 [affirming denial of motion to strike based on plaintiff’s substantial compliance with requirements for cost memorandum]; cf. *California Recreation Industries v. Kierstead* (1988) 199 Cal.App.3d 203, 209 [no prejudicial error where plaintiffs requested attorney fees in memorandum of costs instead filing a noticed motion].)

The next question is whether Wood’s cost bill needed to be filed on or before January 12, 2016, i.e., within 15 days of the notice of entry of judgment. District 40 notes it did not stipulate to the extension for Wood’s fees motion until January 22, 2016, implying the cost memorandum was already late. District 40 further contends the stipulation did not apply to requests for costs. However, the trial court had already extended the filing deadline beyond the 15-day window in its order dated January 8,

2016. The trial court also found the parties understood the extension was for a motion regarding fees *and* costs.

The trial court's findings appear partially based on its knowledge of what occurred during the unreported conference on January 8, 2016. They are also impliedly based on credibility determinations, which are not subject to appellate review. (See *Nissan Motor Acceptance Cases* (2021) 63 Cal.App.5th 793, 812 ["we may not second-guess the trial court's credibility determinations"], 820 ["we must defer to the trial court's credibility findings"].) Supporting the trial court's findings are the fact the 2015 Settlement contemplated a forthcoming "*motion* for attorneys' fees and costs" (italics added), and District 40's failure to dispute the timeliness of the initial request for costs. "When, as here, 'the evidence gives rise to conflicting reasonable inferences, one of which supports the findings of the trial court, the trial court's finding is conclusive on appeal.'" (*Johnson v. Pratt & Whitney Canada, Inc.* (1994) 28 Cal.App.4th 613, 623.)

Furthermore, regardless of the original intention behind the scheduling order of January 8, 2016, the trial court had authority to extend the deadline for Wood's cost memorandum by up to 30 days. (Rule 3.1700(b)(3).) Such extensions may be granted after the initial 15-day deadline has expired. (Cf. *Robinson v. U-Haul Co. of California* (2016) 4 Cal.App.5th 304, 326 [trial court may grant extension of rule 3.1702 deadline for fees motions after the deadline has passed]; *Lewow v. Surfside III Condominium Owners Assn., Inc.* (2012) 203 Cal.App.4th 128, 135 [same].) Wood's counsel filed declarations with attached costs summaries within 30 days of service of the notice of entry of judgment. By ruling on the merits of Wood's claim of entitlement to costs, the trial court effectively extended the cost memorandum deadline within the limits permitted by rule 3.1700(b)(3). (See *Anthony v. City of Los Angeles* (2008) 166 Cal.App.4th 1011, 1016, fn. 2 [implied extension of rule 3.1700 deadline under similar circumstances].)

Wood's memorandum of costs and worksheet, filed on May 11, 2016, are reasonably construed as court-ordered supplements to the original costs memoranda

timely filed on January 27, 2016. In any event, District 40 did not file its motion to strike until May 31, 2016. The memorandum of costs was electronically filed and served 20 days earlier. Pursuant to rule 3.1700(b)(1), “Any notice of motion to strike or to tax costs must be served and filed 15 days after service of the cost memorandum. ... If the cost memorandum was served electronically, the period is extended as provided in Code of Civil Procedure section 1010.6(a)(4).” The latter provision allows for only two extra court days. (Code Civ. Proc., § 1010.6, subd. (a)(4)(B).) These facts independently support the trial court’s finding of waiver/forfeiture. For all the above reasons, the motion to strike was properly denied.

C. Amount of Costs Awarded

Wood alleges the trial court erred by taxing specific costs. We disagree with those arguments. However, there are discrepancies and computational errors in Wood’s own costs requests and in the trial court’s award. The trial court’s ruling is internally contradictory to a degree warranting remand for further consideration and clarification. Except as specified in this discussion, remand proceedings on the issue of costs shall be limited to reconciling the arithmetical inconsistencies.

1. Discrepancies and Computational Errors

In the initial fees and costs motion, Wood’s counsel claimed to have incurred \$92,280.14 in total costs from May 5, 2008, through January 27, 2016. This figure did not account for the 2013 Settlement. However, McLachlan declared he and O’Leary had already recovered \$17,038.08 in costs from the 2013 Settlement and were thus seeking adjusted costs of \$75,242.06.

According to other court documents, the costs recovered in the 2013 Settlement totaled \$17,037.71, not \$17,038.08. We surmise McLachlan was rounding up and mistakenly typed “.08” instead of “.00.” The difference of \$0.37 is de minimis, but it is noted for the sake of completeness.

McLachlan later filed a supplemental declaration claiming his office had incurred additional costs of \$1,397.42 through March 25, 2016, thus bringing the total adjusted costs up to \$76,639.48.

On May 11, 2016, Wood's counsel filed their memorandum of costs and worksheet (the "cost bill") using Judicial Council forms. The total amount of *nonadjusted* costs claimed on the form was \$90,226.86. The next day, McLachlan filed a brief to explain certain aspects of the cost bill. The brief reads, in relevant part:

"The cost bill filed on May 11, 2016 totals \$90,226.86 and, as noted above, includes costs for both Class Counsel. That sum is larger than [the amount requested]. In 2013, Class Counsel were paid a portion of their costs pursuant to that prior settlement. The balance of costs being sought ... is \$76,639.48."

McLachlan's brief cited to his March 2016 declaration as evidence of the adjusted total of \$76,639.48. However, when the costs recovered in the 2013 Settlement (using McLachlan's figure of \$17,038.08) are added to that adjusted total, the sum is \$93,677.56. To reiterate, the amount of nonadjusted costs identified on the cost bill was \$90,226.86, which is what the trial court used to calculate the award (see below). In the appellate briefing, Wood's counsel maintain the total adjusted costs claimed through May 2016 was \$76,639.48, not realizing the trial court understood the amount to be only \$73,188.86 based on their cost bill and the rounded sum of costs recovered in the 2013 Settlement ($\$90,226.86 - \$17,038.00 = \$73,188.86$).

On May 31, 2016, District 40 moved to tax "at least \$16,119.35 in prohibited costs." On June 27, 2016, Wood's attorneys moved for a supplemental award of fees and costs. They requested additional costs of \$1,838.37 above the amount claimed in the cost bill. The trial court ruled on both motions in an order dated August 15, 2016.

As explained, the trial court adopted the numbers provided in the cost bill and rounded the 2013 Settlement recovery to \$17,038. It thus assumed the adjusted costs through May 2016 were \$73,188.86. In one part of the order, the trial court said it was

taxing costs in the amount of “\$24,031.84,” resulting in an award of “\$49,157.02” for costs incurred through May 2016. The motion for additional costs of \$1,838.37 was granted. Although not expressly stated in the order, those figures indicate a total award of \$50,995.39.

The problem is that elsewhere in the ruling, the trial court’s breakdown of taxed items far exceeds the referenced sum of \$24,031.84. As detailed in the written order, costs were taxed as follows:

Expert witness fees not ordered by court:	\$1,625.00
Copy costs other than exhibits:	\$4,667.64
Postage and mailing:	\$1,717.98
Transcripts not ordered by the court:	\$2,073.33
Parking:	\$2,011.31
Air Fare:	\$5,579.97
Westlaw/Lexis:	\$9,532.15
“Attorney Service”:	\$1,518.81
Taxis:	\$609.65
Hotel:	\$623.56
Rental Car:	\$144.80
Federal Express:	\$2,112.37
“Consultant Fees re: Class List”:	\$1,335.00
Mileage:	\$472.42
“Veritext Call”:	\$90.00
Total	\$34,113.99

As an added wrinkle, the amount listed for Federal Express charges was clearly a typographical error. Federal Express costs were claimed in the amount of \$212.37, not \$2,112.37. Even accounting for this \$1,900 discrepancy, the costs taxed on a category-by-category basis total \$32,213.99, not \$24,031.84. Therefore, under the trial court’s assumption of Wood’s claimed adjusted costs being \$75,027.23 (\$73,188.86 + \$1,838.37), the total award would be \$42,813.24 (\$75,027.23 – \$32,213.99).

An appellate court may correct clerical errors on its own motion to reflect the true facts. (*People v. Mitchell* (2001) 26 Cal.4th 181, 185.) Here there are discrepancies we

cannot explain. Therefore, remand is appropriate to allow the trial court to recalculate and clarify the amount of costs taxed and awarded.

2. Wood's Claims re: Taxing of Costs

Wood's counsel argue the trial court erred by taxing costs in the categories of (1) expert witness fees not ordered by the court; (2) copy costs other than trial exhibits; (3) postage and mailing expenses; and (4) trial transcripts not ordered by the court. They argue the trial court should have exercised discretion to allow the costs pursuant to Code of Civil Procedure section 1033.5, subdivision (c)(4). However, recovery of those categories of items is expressly disallowed by subdivision (b) of the same statute. A trial court does not have discretion under subdivision (c)(4) of Code of Civil Procedure section 1033.5 to allow costs prohibited under subdivision (b). (See *Olson v. Automobile Club of Southern California* (2008) 42 Cal.4th 1142, 1148 ["subdivision (c)(4) describes items that 'may be allowed or denied in the court's discretion' if not enumerated in subdivisions (a) and (b)"].) Therefore, the argument fails.

Counsel further contend the trial court should have discretionarily allowed various costs not expressly prohibited by statute. The trial court declined to do so because the cost bill provided "no explanation that would justify inclusion as allowable costs for the specified items." The challenge to this ruling is insufficiently developed and rejected for that reason (see *Paterno v. State of California* (1999) 74 Cal.App.4th 68, 106 ["An appellate court is not required to examine undeveloped claims"]), except for one category substantively discussed in the opening brief: travel expenses Wood alleges were "directly incurred at the request of the trial court."

"Where costs are not expressly allowed by the statute, the burden is on the party claiming the costs to show that the charges were reasonable and necessary." (*Foothill-De Anza Community College Dist. v. Emerich* (2007) 158 Cal.App.4th 11, 29.) The issue "presents a question of fact for the trial court and its decision is reviewed for abuse of

discretion.”” (*Id.* at pp. 29–30.) Wood argues the trial court should have awarded costs for things like travel to Sacramento for settlement conferences, but the dates and amounts of those costs are not specified in the appellate briefing. The cost bill was even more generalized, e.g., claiming \$5,579.77 for “Airfare.”

In order to determine which expenses in the cost bill pertained to court-mandated proceedings in Northern California, the trial court would have needed to cross-reference documents counsel had filed several months earlier and puzzle out how discrete line items related to, and added up to match, the lump sums claimed on the Judicial Council form. The endeavor might have revealed certain travel was unavoidable, but the reasonableness of a given expenditure would not necessarily have been apparent. Just as an appellate court is not required to “scour the record unguided” (*City of Santa Maria v. Adam* (2012) 211 Cal.App.4th 266, 287), a trial court need not perform such detective work—especially where, as here, the record is truly massive. Wood fails to show the trial court abused its discretion by requiring greater specificity than was provided.

Finally, counsel argues the disallowed costs should have been “allocated” to the 2013 Settlement to avoid conferring a “windfall” to District 40. This argument was touched upon at the motion hearing, with McLachlan asking the trial court to assume statutorily disallowed costs had already been paid by the parties who settled in 2013. The court responded, “Well, I think that in terms of the earlier payment [of] costs, that does not validate, necessarily, any [unrecoverable] costs.”

The allowance of costs to which parties are not entitled as a matter of right, and any apportionment of the same, are discretionary decisions. (See *El Dorado Meat Co. v. Yosemite Meat & Locker Service, Inc.* (2007) 150 Cal.App.4th 612, 617.) The trial court’s ruling “should not be disturbed on appeal unless it is ““clearly wrong.””” (*Ibid.*) Wood’s argument does not meet this standard.

V. Orders re: Periodic Payments

The trial court made conflicting rulings as to the Public Water Suppliers' ability to satisfy the fees and costs award in annual installments. The Wood Class and District 40 respectively appeal the orders made in the opposing party's favor. Wood's positions are correct.

A. Government Code Section 970.6

"The Government Code establishes the general procedures for the payment of claims for money or damages against local public entities. (Gov. Code, §§ 970–971.2.) Specifically, Government Code section 970.6 provides for spreading payments over a 10-year period." (*Community Redevelopment Agency v. Force Electronics* (1997) 55 Cal.App.4th 622, 628, fn. omitted.) The relevant language is as follows:

"(a) The court which enters the judgment shall order that the governing body pay the judgment, with interest thereon, in not exceeding 10 equal annual installments if both of the following conditions are satisfied:

"(1) The governing body of the local public entity has adopted an ordinance or resolution finding that an unreasonable hardship will result unless the judgment is paid in installments.

"(2) The court, after hearing, has found that payment of the judgment in installments as ordered by the court is necessary to avoid an unreasonable hardship." (Gov. Code, § 970.6, subd. (a).)

Wood's counsel alluded to Government Code section 970.6 (section 970.6) during the attorney fees hearing on April 1, 2016, in relation to what McLachlan called the Small Districts' "poverty argument." He argued their alleged budgetary constraints did not justify a reduction of the fee award since "they have a government code election. ... They can spread this out over ten years." Subsequently, in the order dated April 25,

2016, the trial court said all Public Water Suppliers “may opt to pay such fees or costs over a ten year period in accord with the law.”¹⁴

On June 28, 2016, the trial court issued its order clarifying the allocation of liability for Wood’s fees and costs. Over Wood’s objection, the order included language stating District 40 and the Small Districts “shall be entitled to pay this judgment in 10 equal payments over a period of 10 years.” When the issue came up again at a subsequent hearing, the trial court said, “I think, frankly, what I was thinking at the time was that they would have to do whatever is required by the code in order to take advantage of that.”

In the order dated August 15, 2016, the trial court made an apparent effort to clarify its prior rulings: “The court has previously determined that the fee and cost award is several and not joint. The percentage of each obligation is as previously ordered. The court has also provided that the public entity parties against whom fee and costs are awarded may opt in accordance with the law to make payments over a ten year period with interest in accordance with the law. See Government Code Section §970.6.”

District 40 makes a perfunctory argument for the earlier orders to be affirmed, claiming the trial court declared its “right to make periodic payments.” But clearly the statutory requirements were not satisfied. There is no evidence the governing body of District 40, i.e., the Los Angeles County Board of Supervisors, “adopted an ordinance or resolution finding that an unreasonable hardship will result unless the judgment is paid in installments.” (Gov. Code, § 970.6, subd. (a)(1).) The trial court did not hold a section

¹⁴In the appellate briefing, filed before the Small Districts reached a settlement with Wood, it is argued McLachlan’s statement was a binding admission of the Public Water Suppliers’ entitlement to relief under section 970.6. We reject this argument because the statement did not unequivocally concede entitlement to relief as opposed to the ability to seek such relief. (See *Stroud v. Tunzi*, *supra*, 160 Cal.App.4th at p. 385 [“An unclear or equivocal statement does not create a binding judicial admission”].) Moreover, the comment exclusively pertained to the Small Districts and was intended to rebut their so-called “poverty argument.” McLachlan even noted, “District 40 does not make this poverty argument.”

970.6 hearing, and it made no findings of unreasonable hardship. (See *id.*, subd. (a)(2).) Any such implied findings are devoid of evidentiary support. Therefore, the rulings must be reversed.

B. Government Code Section 984

When it became evident the trial court would require proof of eligibility under section 970.6, District 40 claimed it was entitled to make periodic payments under a different statute, Government Code section 984 (section 984). The statute provides, in relevant part: “If, after making any deductions pursuant to Section 985 of the Government Code, the judgment on a tort claims action against a public entity that is not insured is greater than five hundred thousand dollars (\$500,000), the public entity may elect to pay the judgment in periodic payments as provided in this subdivision.” (§ 984, subd. (d).) The provision goes on to explain that despite the preceding language, the threshold is no longer \$500,000. The amount changed in 1990 and perpetually increases according to a specified formula.¹⁵

The parties dispute how the minimum threshold is calculated and whether District 40’s financial obligation, i.e., 74.76 percent of the sum awarded to Wood’s counsel, is above or below the threshold. The trial court did not reach this issue. Instead, it agreed with Wood’s argument that District 40’s obligation to pay attorney fees does not constitute a “judgment on a tort claims action against a public entity.” (§ 984, subd. (d).)

Wood relied on *Lozada v. City and County of San Francisco* (2006) 145 Cal.App.4th 1139 (*Lozada*), arguing that attorney fees are legally defined as costs, not

¹⁵“Effective January 1, 1990, the five hundred thousand dollar (\$500,000) threshold amount shall be five hundred fifty thousand dollars (\$550,000). Effective January 1, 1992, that amount shall be six hundred thousand dollars (\$600,000). Effective January 1, 1994, that amount shall be six hundred fifty thousand dollars (\$650,000). Effective January 1, 1996, that amount shall be seven hundred twenty-five thousand dollars (\$725,000), and thereafter, the seven hundred twenty-five thousand dollar (\$725,000) amount shall be increased 5 percent on January 1 of each year.” (Gov. Code, § 984, subd. (d).)

damages, and such an award does not constitute a judgment on a tort claim. During the second hearing on this issue, the trial court said, “It appears to me that *Lozada* does apply.” In its minute orders, District 40’s attempt to invoke section 984 was summarily denied.

Section 984 is not discussed in *Lozada*. The opinion focuses on Government Code section 905, which establishes a prelitigation claim procedure applicable to “all claims for money or damages against local public entities” except as otherwise specified therein. The issue in *Lozada* was whether “a public safety officer, when seeking actual damages and civil penalties in addition to declaratory and injunctive relief for alleged violations of the Public Safety Officers Procedural Bill of Rights Act (Gov. Code, § 3300 et seq. (POBRA)) [is] required to present a claim to the public entity employer pursuant to the ‘Government Claims Act’ (Gov. Code, § 900 et seq.)[.]” (*Lozada, supra*, 145 Cal.App.4th at pp. 1146–1147, fn. omitted.)

Wood relies on an excerpt from *Lozada* explaining that mere inclusion of an attorney fees request in the pleadings is not determinative of whether the claim presentation statutes apply. (*Lozada, supra*, 145 Cal.App.4th at p. 1160.) In other words, “the claim for attorney fees cuts neither for nor against application of the claim filing requirement as to the action as a whole.” (*Ibid.*) Within this discussion, the appellate court noted “the recovery of attorney fees such as those sought here are not a separate item of monetary relief or damages to which the Government Claims Act applies. When authorized by statute, awards of attorney fees are defined as costs, not damages.” (*Ibid.*)

Although *Lozada* is not controlling, other authorities support the crux of Wood’s argument. Fee awards “‘are properly made to plaintiffs’ attorneys rather than to plaintiffs themselves.’” (*Flannery v. Prentice* (2001) 26 Cal.4th 572, 582.) Counsel made this point below, and their focus on attorney fees being classified as costs is relevant. “Indeed, the Supreme Court has explained that cost awards ‘are, in fact, separate and complete judgments in themselves.’” (*Stockton Theatres, Inc. v. Palermo* (1961) 55

Cal.2d 439, 443.) So when the court must still determine *if* one side should pay certain expenses of their opponent, there is no money judgment as to those expenses unless and until the court decides they are recoverable.” (*Felczer v. Apple Inc.* (2021) 63

Cal.App.5th 406, 415.) As such, the award to Wood’s counsel does not seem to be a “judgment on a tort claims action against a public entity,” which is the phrase used in section 984 but not defined therein or elsewhere.

District 40 argues “section 984 applies because the Wood Class’ complaint falls within the scope of the Government Tort Claims Act.” However, a line of authority holds that “[i]n determining whether the Claims Act applies, the critical question is whether the recovery of money or damages was the primary purpose of [p]laintiffs’ claims.” (*Canova v. Trustees of Imperial Irrigation Dist. Employee Pension Plan* (2007) 150 Cal.App.4th 1487, 1493.) District 40 cites one such case, *Gatto v. County of Sonoma* (2002) 98 Cal.App.4th 744. The opinion explains “the proposition that where a claimant seeks both damages and nonmonetary relief from a public entity in the same action, the applicability of the claim filing requirement turns on whether the damages sought are ancillary to the equitable relief also sought, in which case the claim filing requirement is inapplicable, or the reverse is true, in which case the filing requirement applies.” (*Id.* at p. 761.) The *Lozada* opinion, issued by the same district and division that published *Gatto*, also discusses these principles. (*Lozada, supra*, 145 Cal.App.4th at pp. 1166–1169.)

If the test is whether the primary purpose of Wood’s lawsuit was to obtain equitable relief or damages, District 40’s argument fails. The Wood Class did plead causes of action for damages in addition to seeking declaratory and injunctive relief. However, as argued by McLachlan below and acknowledged by the trial court in other postjudgment proceedings, the Wood Class’s lawsuit was essentially defensive to the Public Water Suppliers’ claims of superior prescriptive groundwater rights. The goal of

the class was to preserve the right to use the wells on their properties to pump water from the basin.

Perhaps most tellingly, the claim presentation requirements of Government Code section 905 et seq. were apparently disregarded and not enforced, which would not happen in an ordinary tort action for money and/or damages. (See generally *California Restaurant Management Systems v. City of San Diego* (2011) 195 Cal.App.4th 1581, 1591–1592 [discussing claim presentation requirement in a class action context].) “Timely claim presentation is not merely a procedural requirement, but is a condition precedent to the claimant’s ability to maintain an action against the public entity.... [¶] The failure to timely present a claim to the public entity bars the claimant from filing a lawsuit against that public entity.” (*Id.* at p. 1591.)

Given the unique nature and circumstances of this case, the award of fees and costs to Wood’s counsel is not accurately described as a judgment on a tort claims action against a public entity. The ruling on the inapplicability of section 984 will therefore be affirmed. Having concluded the statute does not apply, we do not reach the question of how the threshold amount described therein is calculated.

VI. Attorney Fees on Appeal

In their briefing, Wood’s counsel request an award of attorney fees on appeal. District 40 does not respond. Rule 3.1702(c) provides that a party claiming attorney fees on appeal must file a motion for fees within the time required for serving and filing a memorandum of costs under rule 8.278(c)(1). Under rule 8.278(c)(1), a party claiming an award of costs must file a memorandum of costs within 40 days of the issuance of the remittitur. Since the matter is being remanded for further proceedings, we defer to the trial court to rule on issues of fees on appeal.

DISPOSITION

The orders from which the parties' appeals are taken are affirmed in part and reversed in part. The rulings determining issues of entitlement to attorney fees, paralegal fees, and costs, and whether and/or how such fees and/or costs should be apportioned, are affirmed. The rulings as to the amount of fees and costs awarded are reversed. All rulings expressly or impliedly finding Los Angeles County Waterworks District No. 40 satisfied the conditions of Government Code section 970.6, subdivision (a), are reversed. The rulings made with regard to Government Code section 984 are affirmed. The matter is remanded for further proceedings consistent with this opinion.

Counsel for the Wood Class shall recover their costs on appeal.


PEÑA, Acting P.J.

WE CONCUR:



SMITH, J.



SNAUFFER, J.

Exhibit B

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Consolidated Actions:

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
County of Los Angeles, Case No. BC 325 201

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 364 553

Richard A. Wood v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 391 869

Judicial Council Coordination
Proceeding No. 4408

Lead Case No. BC 325 201

**ORDER AFTER HEARING ON
APRIL 1, 2016**

- (1) "Second Supplemental" Motion by
Willis Plaintiffs for Attorneys'
Fees, Costs and Incentive Award;
- (2) Motion by Wood Plaintiffs for
Award of Attorneys' Fees, Costs
and Incentive Awards;
- (3) Motion for an Order Setting the
Parameters for Class Counsel's
Future Release and Motion for
Order Regarding Payment of
Outstanding Fees of the Class
Administrator

Judge: Honorable Jack Komar, Ret.

"Second Supplemental" Motion by Willis Plaintiffs for Attorneys' Fees, Costs and Incentive Award
Motion by Wood Plaintiffs for Award of Attorneys' Fees, Costs and Incentive Awards

Counsel for the Richard Wood and Rebecca Willis Classes have filed motions requesting attorneys' fees and costs. The motions were heard in Department One of the Santa Clara County Superior Court on April 1, 2016 at 1:30 p.m. pursuant to notice regularly given. Counsel appeared in person and telephonically, as reflected in the minutes of the court. By agreement of the parties, the matters were heard in Santa Clara County.

The moving, opposition, and reply papers for each motion were read and considered by the court and the parties orally argued the matters. The motions were ordered submitted. The court makes the following orders:

OBJECTIONS TO EVIDENCE.

The written objections to evidence filed by counsel for the Public Water Suppliers (PWS) are sustained. The filings were untimely, contained hearsay, dealt with settlement discussions which are privileged, and in many instances, arguments and evidence submitted was irrelevant and would not be of value in deciding the issues before the court. The court notes, however, that many of the materials submitted were of the courts records of the proceedings in various phases of trial and filings at case management hearings and to that extent are proper subjects for consideration by the court in its own consideration of the issues before the court based on the court's own records, whether or not cited by the parties..

The basic thrust, apparently, of the late materials filed by the parties seem to relate to the public's interest in the proceedings. The court is aware of the general public's interest in the proceedings within the adjudication area. That is a different public benefit and interest than is required in Code of Civil Procedure Section 1021.5, as discussed below.

THE MOTIONS

Counsel for both the Wood Class and the Willis Class seek attorneys' fees under theories of prevailing party and pursuant to Code of Civil Procedure Section 1021.5 as a private attorney general. The circumstances for each are different.

CASE HISTORY GENERALLY

This series of coordinated and consolidated cases initially arose in 1999 with actions brought by private real property owners seeking declaratory relief and to quiet title to their water rights. The actions were brought against appropriators who were producing water from the aquifer.

By 2005, other actions were initiated, first by the Public Water Supplier (PWS) who were producing water for municipalities and others, essentially seeking to establish prescriptive rights to water as well as declaratory relief, contending that the adjudication area was in overdraft. The PWS also prayed for a physical solution to limit all pumping from the aquifer and to bring it into balance and preserve the aquifer. In 2005 all pending related actions were ordered coordinated in these proceedings.

The Antelope Valley Adjudication area is comprised of over 1000 square miles and has a population in excess of 70,000 persons who depend on the aquifer and imported water for their needs. Several public water suppliers have for decades produced water from the aquifer for use both inside and outside of the adjudication area. The federal government as the largest land owner within the adjudication area (Edwards Air Force Base) produces water for military and related purposes within the adjudication area. The so-called "Land Owner" parties are agricultural, industrial, and individuals who also have pumped groundwater underlying their real property, often for decades.

The federal government is an important and necessary party to the adjudication because of its federal reserve rights in the adjudication area for military defense and research and because of its obligations to protect the environment and to further the public safety and good. The federal government was initially served at the direction of the court. The U.S. Attorney General thereafter raised issues of jurisdiction based on the comprehensive adjudication requirements of the Federal McCarran Act.

To satisfy the McCarran Act objections, and to ensure that all persons and other parties would be subject to the court's judgment, with the encouragement of the court, two class actions were created, coordinated, and later consolidated with all pending actions for purposes

of trial, to ensure that the coordinated actions would be a comprehensive adjudication for purposes of retaining jurisdiction over the federal government and so that any physical solution could be enforced against all persons claiming water rights. With the creation of the class actions, the court had jurisdiction over all persons who claimed either patent or latent water rights..

WILLIS NON-PUMPER CLASS

The Willis Class is composed of every land owner in the adjudication area (excepting only those who chose to opt out or who were otherwise parties to the adjudication) who did not and had not previously produced water from the adjudication area. In its class action complaint, the class sought declaratory relief and other related causes of action against the Public Water Suppliers' claims of prescription but did not sue or seek relief against any of the land owner parties who had been sued by the PWS.

In 2011, the Willis Class entered into a settlement with the PWS, stipulating and acknowledging that each class member was entitled to a non-allocated, correlative right as a dormant overlying owner. The settlement resulted in the PWS relinquishing any prescriptive claims against the class of non-pumpers in return for the class agreement to limit its correlative water rights to 85% of the federally adjusted safe yield, essentially ceding 15% of its dormant correlative water rights to the aquifer to the PWS. The PWS agreed to not seek future prescriptive water rights against the Class. At the time, it was unknown what the evidence would establish as the actual quantity of the Federal Reserve right. The settlement also occurred prior to the court rendering its partial statement of decision in Phase Three but after the court heard the evidence which established that the aquifer was in overdraft.

The Willis stipulated settlement and the judgment thereon did not grant any specific allocation or right to pump any specific amount of water, if any, from the aquifer (nor could it, since the agreement was limited to the claims the parties to the class action had against each other). It was not intended to allocate the specific right to pump water from the class members' land because the status of the aquifer was unknown at the time and the vested rights of all landowners who had not been sued by the class was also unknown and not bound by the

stipulation. Moreover, the nature of any physical solution, if needed, was unknown. The physical solution, it was understood, could require a reduction in actual pumping and forbid new pumping from the aquifer (as it ultimately did).

The court approved the stipulation and entered judgment thereon in 2011, and following a motion for the same, awarded fees and costs to Willis Class counsel under Code of Civil Procedure Section 1021.5. It was expressly agreed in the stipulation that the class would not seek further fees and costs except in very narrow circumstances as described below.

WOOD CLASS OF SMALL PUMPERS

The Wood Class was comprised of property owners who pumped less than 25 acre feet of water per year. The class sought, *inter alia*, declaratory relief against only the PWS (a later suit filed on behalf of the class against the land owner parties who were water producers and users, allegedly for tactical purposes, was never served and ultimately abandoned).

In 2015, the Wood Class entered into a stipulation for judgment with several of the smaller public water suppliers and received agreed upon fees and costs from those settling public water producers (with the exception of the City of Lancaster). The settling parties included the Phelan-Piñon Hills Community Services District, Palmdale Water District, Rosamond Community Services District and the City of Lancaster.

Thereafter, the Wood Class entered into a stipulation and agreement for judgment with the remaining PWS against whom it had brought suit. The stipulation and judgment was conditioned on all of the PWS and the Landowner parties entering into a settlement which would be known as the "Global Settlement," and which by its terms would incorporate the Wood Class stipulation and proposed judgment, so that there would be a single judgment encompassing all coordinated and consolidated actions, including the Willis Class, the Wood Class, the PWS, and the Landowner parties, and the federal and state governments.

The court thereafter approved the Wood Class settlement and made its approval expressly contingent on its approval of the "Global Settlement."

"GLOBAL SETTLEMENT"

In 2015, virtually all other parties who were participating in the litigation entered into the global settlement, proposing to the court a physical solution to the overdraft problem to which all settling parties agreed to be bound, reducing all pumping by all active pumpers, including the Wood Class, allocating to each a specified reduced water right, and regulating any new requests to produce water from the aquifer in accordance with the objective requirements of restoration of the aquifer.

Following an evidentiary hearing, the court adopted the physical solution as its own and approved the “global settlement” and the Wood Class settlement.

GLOBAL SETTLEMENT FEES AND COSTS PROVISIONS

The “global” stipulation for settlement provides that “the PWS and no other parties . . . shall pay all reasonable Small Pumper Class attorneys’ fees and costs . . . through the date of the final judgment in an amount agreed to by the PWS and the Small Pumper Class, or as determined by the court.” PWS reserved the right to seek contribution for reasonable class fees and costs from each other and from non-stipulating parties. See Paragraph 11 and 12 of the stipulation judgment.

The scope and meaning of the fee provision in the so-called global settlement is disputed. The Wood Class contends that it means that the PWS is bound to pay the fees and costs of Wood Class counsel, either by agreement as to amount, or if there is no agreement as to amount, then the amount shall be determined by the court. The PWS, on the other hand, assert that if the parties cannot agree, then the entire question of whether PWS should pay any fees and costs is to be determined by the court based on the law applied to the facts in the case.

In examining the language in paragraphs 11 and 12 of the stipulation, no other evidence of intent being offered by either party, , it would appear that the PWS agreed to pay such fees and costs as the court decided was reasonable if the parties could not agree as to the “amount.” In the absence of extrinsic evidence of the discussions and negotiations of the parties related to this issue, the court is limited to the contract language alone. The court examines the entire contract under the provisions of the Civil code, and in particular Section 1641.

Paragraph 12 specifically provides, “that in consideration for the agreement to pay Small Pumper Class attorneys’ fees and costs as provided in paragraph 11 above, the other Stipulating Parties agree that during the Rampdown established in the Judgment, a drought water management program (“Drought Program”) shall be implemented as provided in Paragraphs 8.3, 8.4, 9.2 and 9.3 of the Judgment.”

While perhaps Paragraph 11 is ambiguous on the question, Paragraph 112 weighs in favor of the interpretation of the Wood Class.

Apart from whether the Wood Class interpretation is correct, the court concludes that the Wood Class counsel is entitled to fees and costs pursuant to CCP 1021.5 as well as a partially prevailing party.

While the PWS contend that the facts in this case do not provide a basis for an award of fees and costs under CCP 1021.5 and that neither the Wood Class nor the Willis Class is a prevailing party, at least as to the Wood Class fees and costs, the court concludes that the PWS are obligated for reasonable fees and costs based upon the language in the stipulation and as well based upon 1021.5 of the CCP and the prevailing party doctrine as discussed below

Whatever other decision on fees and costs, it is understood that the Palmdale Water District, Rosamond Community Services District, City of Lancaster, and Phelan-Piñon Hills Community Services District who had settled with the Wood Class earlier and paid (or released in the case of Lancaster) a negotiated amount of attorneys’ fees and costs to the class counsel, are excluded from the fee request.

FEE AND COST CLAIMS BY ATTORNEYS FOR THE WOOD CLASS

Counsel for the Wood Class claim a lodestar total of 5,815.1 hours attorney hours and 842.6 paralegal hours and acknowledge that the earlier settlements with four of the water producers resulted in payment for 1276.3 hours- total fees of \$719,829 (with an estimated hourly rate in excess of \$500.00 hourly) and that costs in the sum of \$17,038.00 were paid.

The current request is for the remaining lodestar hours of 4538.8 and 679.5 paralegal hours at an hourly rate of \$720. for attorneys. The dollar request is for \$3,267,936 based on the

Lodestar and \$80,224.00 for paralegals' work at hourly rates of \$110.00 and \$125.00. Counsel request a multiplier of 2.5 claiming that the novelty and complexity of the case, the outcome, the 8 year duration of counsel's participation, the risks of loss and uncertainty, the quality and efficiency of counsel's involvement, the inability to take on other work, and the personal and financial toll the work has taken on counsel, justify the multiplier.

PWS object to the request by counsel for the Wood Class on the grounds summarized as follows:

1. The Wood Class is not a prevailing party;
2. Attorneys' fees are not reasonable at \$720.00 hourly;
3. There is double billing by two lawyers for the same appearances, travel, and attendance at attorney conference and mediation sessions;;
4. There is block billing;
5. Some work billed by attorneys should have been done by clerical staff and paralegals;
6. There should not be any multiplier;
7. CCP 1021.5 is not applicable because there is no public benefit;
- 8 Several hours are billed for work not done or appearance not made.
9. There should not be a monetary incentive fee to class Representative Richard Wood though there is no objection to Mr. Wood receiving an increased water allocation of 2 additional acre feet a year as reflected in the judgment.

DECISION

Code of Civil procedure Section 1021.5 described as a codification of the "Private Attorney General" doctrine, authorizes an award of fees to a successful party who brings an action to enforce an important public right affecting the public interest if a significant benefit has been conferred on the general public or a large class of persons. The notion of a public right assumes there is an interference with, withholding or denial of a public right by governmental or other conduct.

Counsel for the Wood class postulates the theory that the PWS by asserting a prescriptive right to take water from small overlying land owners, among others, has committed a wrong which justifies the application of CCP 1021.5.

However, a claim of a prescriptive right is authorized by law and cannot be a wrong, whether by government or private interests. The claim of prescription results from nothing more than an assertion that the statute of limitations bars opposition to a claim of wrongful taking as with adverse possession. The use of prescription as a sword instead of a defense does not convert it into a wrong.

The Antelope Valley Coordinated and Consolidated cases are unique in that the basic objective of all included actions was to determine individual and public water rights, whether of public or private entities. The actions, include those brought by those public entities who produce and provide water to the general public, by overlying real property owners as farmers, large and small, who produce water for agricultural purposes, by industries who depend on water for their production and existence, and by individuals and households whose very existence depends on pumping small quantities of water from a well on one's own property. The State of California as a land owner and water user, as a co-guardian of the environment, and the federal government as guardian of the security of the nation and the environment, became involved as parties and actively participated in an effort to ensure that if the court found the basin was in overdraft and needed protection, its participation would help to effect a good outcome, as well as protect their own interests.

In the Phase Three trial, the evidence and the court's findings established that the aquifer was suffering from insufficient ground water recharge associated with over-pumping throughout the basin for decades, that the aquifer was damaged by the overdraft, and that continued pumping would likely result in further detriment to the aquifer and the potential loss of water rights by all overlying land owners, whether agricultural, industrial, or even small land owners who pumped their own water for household and domestic uses. The essence of all actions by all parties seeking declaratory relief mandated that there be a physical solution so that both the aquifer and all interested parties were protected.

The Public Water producers, all of whom may be characterized to some extent or other as appropriators, each sought to establish a priority prescriptive right to produce water from the aquifer from all other parties, including the Wood Class members. But the PWS also sought a physical solution that would preserve and restore the aquifer so that all parties, and the public interest, would benefit. The Wood Class declaratory relief action against the PWS appeared to be essentially defensive to prescriptive claims.

Absent the use of class actions, it would have been impractical to litigate the issues with 70,000 individual parties. Without an adjudication binding on the federal government and approximately 65,000 non-pumpers of the Willis Class subject to the judgment, the ability to effectually manage a physical solution would have been impossible. Based somewhat perhaps on the problem in this case, the legislature has recently enacted legislation that would simplify the court's jurisdiction in this type of situation. But that solution is at least 15 years too late for the Antelope Valley.

At the time, the court could not have adjudicated the cases without lawyers voluntarily representing of the two classes of parties which became known by the names of the representatives of the classes: the Willis Class and the Wood Class.

While it is contended in opposition to the fee request that there was no public benefit under CCP 1021.5, the court concludes that the opposite is true. First, the global settlement could not have been binding on all persons within the adjudication area without the Willis Class and the Wood Class of small pumpers. Secondly, it was necessary to have all persons bound in order to bind the federal government as the largest land owner in the adjudication area. Thirdly, the Willis Class 2011 stipulation and Wood Class 2015 stipulation permitted the court to approve an enforceable physical solution that will stop ongoing degradation of the aquifer. The creation of the Willis Class preserved correlative rights of approximately 65,000 parties to the rights of overlying owners against present and future claims of prescription by the PWS. The Wood Class preserved the rights of small pumpers (approximately 4000 parties) to a specific but reduced and limited amount of water each year, protected the class from

further claims of prescription, limited increase pumping in the future, and permitted the court to approve reduced allocations of water to all parties in the aquifer.

The court also notes that while the public water producers each were intent on preserving its right to produce water for the public good, considerable time and expense was expended to establish the need to preserve the aquifer and attempt to restore it to health and ensure its long term physical integrity. To the extent that the adjudication provided a means to correct a wrong, all parties producing water without limitation or external controls were contributing to the degradation of the Antelope Valley aquifer, including the PWS, the Wood Class, the federal and state governmental entities, as well as the land owner parties who were pumping and the non-pumpers who insisted they had an unfettered right to pump. The settlements and the adjudication over a period of fifteen years have thus provided great public benefit.

The Wood Class counsel of necessity actively represented the class interests in the case from its inception up to and including the approval of the “global settlement” and the entry of judgment. The continued representation was necessary even after the settlement because the class settlement with the PWS was conditioned on the approval of the global settlement and a physical solution, incorporating the Wood Class proposed judgment into the Global Settlement Judgment.

All of the above justify the conclusion and determination that the provisions of CCP 1021.5 are met and justify a finding that the public was benefitted by class counsel’s representation. In addition to the public generally, the Class of around 4000 small pumpers also received a benefit by the cap on any prescriptive claims against their water rights in the future. The class is also a partially prevailing party as set forth below.

PREVAILING PARTY STATUS

The action brought here by the Wood Class was specifically intended to counter the claims of prescription brought by the Public Water Producers against all parties in the adjudication area. That claim was settled as part of the settlement between the class and the

PWS, preserving but limiting the pumping rights of the Wood Class members but also and preventing any further claims of prescription. The court finds that the Wood Class is a partial prevailing party and that the class is entitled to reasonable fees and costs.

However, the PWS and the Landowner parties are also partial prevailing parties in the adjudication with regard to those parties against whom they sought relief. While the PWS relinquished claims, in part, to prescription rights, it also gained prescription rights against some of the parties and achieved through perseverance and the expenditures of considerable public funds, a physical solution by agreement or trial findings of what may be described as virtually all parties to the actions, including a few non-stipulating parties and defaulting parties.. Based on that fact, the PWS may be said to have partially prevailed in the case but not as to the principal claims of the Wood Class.

HOURLY RATE FOR COUNSEL AND PARALEGAL

The court is familiar with the compensation rates of counsel practicing in California, and in particular, in urban areas. While the opposition to the claim suggests that the court should evaluate the fee rates by looking to rural areas and lawyers' fees in the rural Antelope Valley, the court is satisfied that the venue of the action is the proper locale to evaluate attorney's fees.

While the rates requested are not far out of line with current large firm attorney fee rates for experienced lawyers in the Los Angeles area, it is not disputed that neither counsel had much experience with ground water litigation and that the rates requested should be reduced to reflect that fact. The counsel did have expertise in class action law and practice but not water law and have had to consult with other lawyers having that expertise as well as conduct legal research. Counsel became involved in the case in middle 2008, and while they seek a high level of fees for the entire 8 years, the court concludes that rates fell in 2008 and gradually rose from that reduced level over the period of the last eight years.

In 2008, as the entire country entered into what has been called "the Great Recession," law firms were dissolving, some were declaring bankruptcy, lawyers were being laid off or

fired, salaries reduced, clients were looking for firms offering lower fees, and many lawyers were leaving the profession. Based on the observations of the court, averaging the hourly rate acknowledging these factors, along with rising fees more recently, the court will approve a fee rate for each counsel of \$500.00 hourly. When counsel volunteer for cases such as this there also must be an element of *pro bono publico* involved, especially when the obligor who will pay the fees is a public entity supported by tax dollars. As officers of the court, lawyers are not (or should not be) mere mercenaries.

The payment to paralegals is an obligation of the lawyers who engage them and their hourly rates are reasonable - nor have counsel disputed them except to argue that the paralegals should have done more of the work and the lawyers less.

OBJECTIONS TO DETAILED BILLINGS OF THE WOOD CLASS LAWYERS

As summarized above, the PWS argue that the attorneys engaged in block billing, double teamed unnecessarily, engaged in settlement negotiations with land owner parties, billed for work they did not perform, unnecessarily performed legal research on issues they should have been familiar with, performed work that was clerical and administrative in nature, and engaged in work after the Wood Class Settlement that was not necessary.

Credible evidence by way of sworn declarations established a presumption that work billed for was necessary. Work and time spent to assist in the global settlement involving other than the Wood Class Claims was necessary to ensure that the Wood Class settlement could be approved (it was contingent on the Global Settlement). The limited billing for two attorneys' time appears appropriate given the nature of the case. The court notes that rarely were other counsel without assistance from other associate lawyers. Most of the so-called block billing broke out the work done by items, reflecting time spent on each. The court is satisfied that work billed for was performed and was necessary. Retrospectively attempting to evaluate whether work was truly necessary or could have been done differently is an impossible task absent clear and incontrovertible evidence (of which there is none here). The court has presided over this case since 2005 and has observed the work of Wood Class counsel from the inception

of the class and is satisfied that the hours claimed were reasonably spent on the case for those 8 years.

TOTAL FEES

The court declines to apply a multiplier to the fee award and finds that fees should be based upon a rate of \$500.00 hourly.

As a prevailing party and only a partial contributor to the public benefit under CCP 1021.5, the court makes the following fee award:

Michael McLachlan: 4184.9 hours @ \$500 per hour for a total fee award of \$2,092,450. attorneys fees;

Daniel O'Leary: 353.9 hours @\$500 per hour for a total fee award of \$176,950.;

Total Paralegal fees of \$80,224.

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COSTS

It is generally agreed that costs are not available under CCP 1021.5. However, costs are available to a prevailing party under the provisions of CCP 1033 et seq. Moreover, the stipulation for judgment provides that the issue of the amount of fees and costs is left to the discretion of the court or the agreement of the parties. See the Stipulation for Entry of Judgment and Physical Solution, Paragraphs 11 and 12.

Counsel for the Wood Class is directed to file a Memorandum of Costs under the provisions of the Code of Civil procedure. The court will hear any motions to tax costs or other challenges to the cost bill in accord with the Code of Civil Procedure and the Rules of Court..

The allocation of fees between the public water producers should be apportioned according to percentages of water received as a result of the global settlement and the

judgment. The fee and cost award shall be several against all public water producers save the parties who have previously settled and paid fees and costs. Moreover, any public water producer may opt to pay such fees or costs over a ten year period in accord with the law.

RICHARD WOOD INCENTIVE

As an incentive award, Mr. Wood is granted 2 additional acre feet a year for a yearly total under the judgment of 5 acre feet a year, consistent with the terms of the stipulation of the parties.

WILLIS CLASS FEE REQUEST

Counsel for the Willis Class now seeks additional fees and costs from the PWS (and the Land Owner parties) based on its post 2011 settlement participation.

The Willis Class as non-water producers settled the class action and the PWS Claims with the only parties who made a claim against the class (the PWS who sought prescriptive rights and other relief) in 2011. The settlement preserved the non-pumper class rights to a correlative share of 85% (which is apparently less the 15% amount attributed to the PWS claim of prescription) of the federally adjusted safe yield of the aquifer along with their agreement to be bound by a court created physical solution. The Willis Class participation through the time of the stipulated settlement in 2011 was beneficial to the public interest and Counsel for the class received attorney's fees and costs in excess of \$1,000,000 for such representation and public benefit.

Counsel for the WILLIS CLASS failed to establish post 2011 stipulation/judgment benefit to the public under CCP 1021.5 or to its class members by their involvement in the proceedings after that date. Moreover, it was not a prevailing party in any proceedings post the 2011 judgment.

Contrary to the claims of counsel,

1. None of the work of counsel for the class materially benefitted or positively affected any part of the Global Settlement and Judgment- the rights of the Willis class were the rights of all non-pumpers and were never threatened after the stipulation in 2011.
2. The class correlative rights were as to 85% of the federally adjusted safe yield which meant that they were immune from prescription by the only party who had such a claim-i.e., the PWS, which immunity the class obtained in the 2011 settlement by relinquishing 15% of its otherwise correlative rights basin-wide to the PWS.
3. The class had stipulated to be bound by whatever physical solution as nonpumpers the court might establish to resolve aquifer overdraft.
4. The overlying owners were not an adverse party to the claims of the Willis Class and in fact there were no claims by the class as non-pumpers to an allocation of specific water production. The findings of the court in trial Phases 3 and 4 established that there was no surplus from which any new pumping could occur without causing further detriment to the aquifer, so that it was necessary that the court curtail and reduce existing pumping by all water producers, public and private, until the aquifer was in balance. As a matter of law the court could not take water rights from a water producing entity whose use was reasonable and beneficial and give those rights to a previously non pumping party. And, the Willis Class never requested an allocable quantity of water to be pumped.
5. The Willis Class was unsuccessful in every request and application to the court. As the court stated frequently to all parties, on the record, if the parties who were water producers failed to come up with a solution, the court would be required to impose such on an involuntary basis- but that could not affect the stipulated relationship between the PWS and the Willis Class;
6. Willis Class participation was neither mandatory nor appropriate beyond ensuring that its stipulation and judgment would be incorporated into the final judgment. However, no party ever objected or made any attempt to modify the stipulation and judgment or to prevent its enforcement and the PWS uniformly always requested

incorporation of the Willis Class judgment into the Global settlement and judgment without modification.

7. There was no need for the class to be present for the court to make reasonable and beneficial use findings as to the water producers and users, including overlying owners, who pumped and produced water, noting that no claims were made against the class' correlative rights. There were no new claims or causes of action which would require the defense by class counsel.

8. All the benefits to the public and the class occurred in spite of the misplaced opposition of the class counsel to the physical solution which the class counsel now claims to have been at least a partial cause.

9. Class did not prevail and has already been paid for fees for all work prior to the 2011 stipulation and judgment.

10. The only parties against whom the court could award fees and or costs to the Willis Class are the PWS but there being no adversity in fact or law between the class and the PWS, such remedy is unavailable. Moreover, by the terms of the stipulation, the class agreed not to seek further fees and or costs from the PWS except under three very specific circumstances as specified in Paragraph VIIID of the stipulation for settlement, none of which are applicable here:

- a) If counsel was ordered to participate in the proceedings;
- b) If counsel engaged in reasonable efforts to defend against new claims or causes of action made against the class;
- c) Enforcement of a public right under CCP 1021.5.

The court did not require an appearance by the class in any phase of the trial after the stipulation in 2011.

The court makes the further following findings:

1. The class was not a prevailing party on any major issue;
2. The Court denied pre-participation enforcement fees when motion for such was made given the absence of good cause;

3. There was no legal adversity between the Willis Class and the PWS after the judgment was entered in 2011, having totally settled the declaratory relief claims of the class and eliminating any further claims of prescription against the class members by the PWS. Nor was there legal adversity between Willis Class and the Landowners or any other parties in the case since there were no claims by the landowners, or others, against the ownership interest of the class members.
4. All substantive objections made by the class during the Phase 6 proceedings were overruled as being without merit or foreclosed by the stipulation and judgment;
5. No competent evidence established that the proposed physical solution endangered any rights of Willis Class members nor was there any competent or credible evidence that any member of the class was prevented from exercising any rights under the stipulations or harmed by the physical solution;

There was no basis for an incentive award for the new class representative based on the presentation of any evidence offered by members of the class.

The court therefore denies the right to fees and costs as claimed by counsel for the Willis Class.

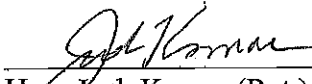
The court also denies any incentive to the current class representative. While he did testify during the physical solution prove up, his testimony was unnecessary to any issue the court was required to decide. His primary purpose seems to have been to oppose the physical solution based on a hypothetical use of his owned real property.

WOOD CLASS REQUEST FOR ORDER SETTING PARAMETERS FOR TERMINATION OF APPOINTMENT AS CLASS COUNSEL AND REQUEST FOR ORDER ON ADMINISTRATOR FEE PAYMENT.

As reflected in the minutes of the court, the judgment is not final, there is no request to withdraw at this time, and the court denies the request without prejudice. The request for payment of administrator fees was taken off calendar without prejudice.

SO ORDERED.

Dated: April 25, 2016



Hon. Jack Komar (Ret.)
Judge of the Superior Court

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
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THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Coordination Proceeding Special Title (Rule
1550(b)) ANTELOPE VALLEY GROUNDWATER CASES
(JCCP 4408) Included Actions: Los Angeles
County Waterworks District No. 40

Plaintiff,
vs.

Antelope Valley Groundwater Cases (JCCP 4408)

Lead Case No.1-05-CV-049053

Hon. Jack Komar

Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668

Defendant.

PROOF OF SERVICE
Electronic Proof of Service

AND RELATED ACTIONS

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Mon. April 25, 2016 at 3:32 PM PDT and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Mon. April 25, 2016 at 3:32 PM PDT

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Executed on April 25, 2016 at Oakland, California.

Dated: April 25, 2016

For WWW.SCEFILING.ORG

Andy Jamieson

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG

Electronic Proof of Service
Page 2

Document(s) submitted by Rowena Walker of Santa Clara County Superior Court on Mon. April 25, 2016 at 3:32 PM
PDT

1. Order: Order After Hearing on April 1, 2016: (1) "Second Supplemental" Motion by Willis Plaintiffs for Attorneys' Fees, Costs and Incentive Award; (2) Motion by Wood Plaintiffs for Award of Attorneys' Fees, Costs and Incentive Awards; (3) Motion for an Order Setting the Parameters for Class Counsel's Future Release and Motion for Order Regarding Payment of Outstanding Fees of the Class Administrator

Exhibit C

8/18/2016

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

Judicial Council Coordination
Proceeding No. 4408

Included Consolidated Actions:

Lead Case No. BC 325 201

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
County of Los Angeles, Case No. BC 325 201

**ORDER AFTER HEARINGS ON
JULY 28, 2016**

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

Judge: Honorable Jack Komar. Ret.

Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 364 553

Richard A. Wood v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 391 869

*Antelope Valley Groundwater Litigation (Consolidated Cases) (JCCP 4408)
Superior Court of California, County of Los Angeles, Lead Case No. BC 325 201
Order After Hearings on July 28, 2016*

Document received by the CA 5th District Court of Appeal.

1 SUPPLEMENTAL MOTION BY WOOD CLASS FOR ATTORNEYS FEES AND COSTS
2 AND MOTION TO STRIKE COST BILL OR TAX COSTS BY THE PUBLIC WATER
3 SUPPLIERS ("PWS")

4 ORDER

5 The Motion to strike the cost bill, or alternatively to tax costs, by the Public Water producers and
6 the supplemental motion for fees and costs by the Wood Class were heard on July 28, 2016, at
7 10:00 a.m. pursuant to motions regularly noticed and served. Counsel appearing and on
8 CourtCall are noted in the minutes of the court. Following oral argument, the matters were
9 ordered submitted. The Court orders as follows hereinafter.

10 PRELIMINARY

11 The motion filed by the Wood Class relates to fees and costs incurred after the final judgment
12 was entered on December 28, 2015. The fees and costs were incurred by counsel in connection
13 with the following matters:

- 14 1. The attorneys' fees and costs motion which was heard on April 1, 2016, which resulted
15 in an award of fees and unspecified costs;
- 16 2. The Ritter motion to set aside a default;
- 17 3. The Robar prove up;
- 18 4. The Lane motion;
- 19 5. The Tapia motion;
- 20 6. Miscellaneous matters related to the above and Water Master issues.

21 The prejudgment motion for fees and costs was heard on April 1, 2016 and a fee and cost order
22 was signed by the court on April 25, 2016, finding that the Wood Class counsel was entitled to
23 fees and costs based upon the three factors summarized below. The said Order is incorporated
24 herein as though set forth in full:

25 1) The "global" stipulation and Judgment between the parties which authorized the court
26 to determine reasonable fees and costs if the parties could not agree to the same. It limited the fee
27 and cost award to the specific named Public Water Suppliers;

28 2) CCP 1021.5 "Private Attorney General" public benefit principles;

1 3) Prevailing party status under the terms of CCP 1032(b) and 1032 (a)(4).¹

2 While the Wood Class recovery in the judgment was non-monetary, it nevertheless
3 provided economic benefit to the class of around 4,000 persons which was protected from further
4 claims of prescriptive water rights and the members of the class member were assured of the
5 right to pump annual amounts of water from their real property. The public was protected as well
6 by limiting water production in the aquifer as a whole.

7 The right to fees and costs provided for in the “global” stipulation and confirmed in the
8 judgment limited fees and costs to be paid only by the named Public Water Providers. The PWS
9 were to “pay all reasonable Small Pumper Class attorneys’ fees and costs . . . through the date of
10 the final judgment.”

11 The original motion by the Wood Class which requested attorneys’ fees was based on
12 Code of Civil Procedure Section 1021.5 and on the stipulation and judgment which addressed a
13 procedure for both fees and costs. The Order of April 25, 2016 determined the amount and
14 entitlement to fees for class counsel and reserved the amount of costs until a more specific
15 clarifying memorandum was filed. The court directed the use of the Judicial Council Form
16 because counsel’s declaration was not clear to the court.

17 The class filed the Judicial Council Memorandum of Costs Form and the Public Water
18 Suppliers responded with a Motion to Strike as being untimely or to Tax costs.

19 Following briefing by the parties, the supplemental fee and cost motion, as well as the
20 motion to strike or tax costs, were heard on July 28, 2016. Because the motions overlap, they are
21 considered together in this single order.

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27 ¹ The CCP 1032(a)(4) provides that “when any party recovers other than monetary relief, and in situations other than as specified
28 . . . (net monetary recovery and dismissals) . . . the prevailing party shall be as determined by the court . . . and the court, in its
discretion, may allow costs, or not.” CCP 1032 (a)(4). CCP 1032 (b) provides that a prevailing party is entitled to costs as of
right.

1 THE MOTION TO STRIKE THE COST BILL IS DENIED

2 The Motion to strike/tax contends that the memorandum of costs was untimely because it
3 was filed more than 15 days after the judgment was entered on December 28, 2015. Thus the
4 time sequence is important.

5 The Judgment was signed on December 23, 2015 and entered on December 28, 2016.²
6 On January 8, 2016, approximately 11 calendar days after the judgment was entered, the court
7 held a status and case management conference to schedule hearings on fee and cost awards and
8 other post judgment matters. At that time, the moving and opposing parties here implicitly
9 agreed that Wood Class counsel could file its motion for fees and costs on January 21, 2016 (24
10 calendar days after the judgment was entered) and the matter was to be set for hearing thereafter.
11 By agreement of the parties, the filing date was extended to January 28, 2016 (31 calendar days
12 after entry of judgment). On that date, the class filed its request for fees and costs, including a
13 declaration setting forth costs expended to that date with attachments.

14 The parties agreed when filings were to occur and no timeliness objections were made.
15 The court deems such later objections to have been waived in that there was agreement to the
16 filings. An agreement to the scheduled filing dates without objection may be deemed to waive
17 what might otherwise be a late filing. It is not a waiver of the right to move to tax or to contest
18 the amount or reasonableness of the costs and fees claimed.

19 Oppositions to the substance of the fee and cost requests were filed in timely manner and
20 the court heard argument thereon on April 1, 2016 and issued an order dated April 25, 2016. The
21 order found entitlement to both fees and costs but ordered the Wood Class to file a memorandum
22 of costs under the provisions of the Code of Civil procedure and the Rules of Court because the
23 declaration which claimed costs which were not clear to the court. The motion to strike the cost
24 bill as untimely is denied.

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28 ² As entered, the caption failed to include the Wood Class by name but did include the Judicial Council Coordination number
which of necessity included the Wood Class as the matters were both coordinated and consolidated. The oversight was corrected
nunc pro tunc.

1 THE MOTION TO TAX IS GRANTED IN PART.

2 While the Public Water Suppliers contend that certain post judgment costs in the amount
3 of \$3,569.96 are improperly claimed because paid after the judgment, the evidence presented is
4 that such costs were incurred prior to judgment and paid thereafter. These costs are properly
5 charged in any event because the specific post judgment costs claimed were proper- see below.

6 ITEMS TAXED

7 The global stipulation and judgment provides that the court may award reasonable costs
8 only. While the term reasonable is not otherwise defined, the court finds that the parties had
9 reference to Code of Civil Procedure Section 1033.5 (Costs- Items allowable and Not Allowable)
10 because costs were to be reasonable. No extrinsic evidence is presented to the contrary. There is
11 a difference in expenses that a lawyer may charge his or her client by agreement and those costs
12 which are collectable on a cost bill as of right. There is also a difference in costs that are
13 assessable as a prevailing party versus those costs which are chargeable pursuant to an
14 agreement.

15 The various items in the memorandum of costs which are not allowable with reference to
16 CCP §1033.5 are as follows and the costs bill is taxed as to the total amounts indicated:

- 17 1. Expert witness fees not ordered by the court: \$1,625;
18 2. Photo copy costs (other than exhibits) \$4,667.64;
19 3. Postage and mailing charges: \$1,717.98;
20 4. Trial Transcripts not ordered by the Court: \$2,073.33;
21 5. Category 13 (other) Parking: \$2,011.31; Air Fare: \$5,579.97; West Law/Lexis: \$9,532.15;
22 Attorney Service: \$1,518.81; Taxicab: \$609.65; Embassy Suites Hotel: \$623.56; Rental Car:
23 \$144.80; Federal Express: \$2,112.37; Consultant Fees re Class List: \$1,335; Mileage: \$472.42;
24 Veritext Call: \$90.³

25 It is also noted that the cost bill includes total claimed costs of \$90,226.86 thorough the
26 judgment date but counsel for the class acknowledges the class has received costs in the sum of
27

28 ³ 1. listed items 1 through 4 are "not allowed" by CCP 1033.5 and listed item 5 (category 13) has no explanation that would justify inclusion as allowable costs for the specified items.

1 \$17,038.00 by way of an earlier settlement with several of the parties. The court previously
2 approved the settlement but did not evaluate the specific propriety of any of the costs items
3 which were not presented as other than a lump sum portion of the whole. Accordingly,
4 subtracting the amount of costs received by way of settlement, the total claimed costs here are
5 \$73,188.86. Subtracting the costs taxed of \$24,031.84. The Class is entitled to pre-judgment
6 costs of \$49,157.02.

7 SUPPLEMENTAL REQUEST FOR POST JUDGMENT COSTS AND FEES

8 Class counsel is entitled to costs and fees for post-entry of judgment fees and costs
9 expended. The basis for recovery of the fees and costs incurred in opposing the motions by the
10 Robar, Tapia, Lane and Ritter, motions that could impact the final judgment and its validity, and
11 the issues relating to the Water Master, justify the fees and costs sought on the same basis as the
12 class effort to secure attorneys fees and costs for pre-judgment work. The Class is entitled to
13 both in reasonable amounts.

14 The actions taken by counsel for the Wood Class post judgment to preserve the judgment
15 were incurred, properly, as part of its obligations as a stipulating party and contributed to
16 preserve the rights of all parties in the judgment. Fees and costs incurred therein are found to be
17 compensable on the same basis as the findings made by the Court in the award of fees and costs
18 in the first instance, in particular under CCP §1021.5.

19 The Wood Class seeks attorneys' fees for 269.75 hours of work post entry of judgment
20 and 34.9 hours paralegal times. The fees sought are for work done in furtherance of establishing
21 the post judgment fee award as well as efforts to protect the judgment. While the court
22 appreciates the skill and adroit work of additional counsel engaged by class counsel for
23 assistance on the fee award request, the court finds in this case that such was unnecessary and
24 finds that placing the arguments of counsel in the form of an expert witness declaration was
25 unnecessary, added nothing to the law which the court is required to follow in fee awards, and it
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1 would be unreasonable to assess the Public Water Producers additional attorneys' fees in this
2 case.⁴

3 The court finds the other hours claimed are reasonable. Accordingly, Class Counsel is
4 entitled to attorneys' fees for 260.6 hours and 34.9 hours of paralegal time (paralegal time at the
5 actual rate paid by counsel). The court has previously fixed attorneys' fee at the sum of \$500.⁵
6 hourly based upon the value of the services over an 8 year period of fluctuating fee rates and the
7 nature and complexity of the legal representation. Counsel again asks for a higher rate for the
8 post judgment matters because the economy has changed and lawyers are charging higher rates
9 commensurate with the improved economy.

10 The court evaluates the nature of the legal services rendered in these post judgment
11 matters, all of which are essentially routine, and require a much lower level of skill and
12 knowledge than in the proceedings up to judgment and concludes that \$500 hourly is a
13 reasonable reimbursement rate. Fees are awarded in the sum of \$130,300 and paralegal costs in
14 the actual sum of \$4362.50.

15 POST JUDGMENT COSTS ARE APPROVED

16 The post judgment cost requests are \$1,838.37. Such costs were reasonably incurred and are
17 approved.

18 OTHER

19 The court has previously determined that the fee and cost award is several and not joint. The
20 percentage of each obligation is as previously ordered. The court also has provided that the
21 public entity parties against whom fees and costs are awarded may opt in accordance with the
22 law to make payments over a ten year period with interest in accordance with the law. See
23 Government Code Section §970.6. The court grants the same option accorded to such parties
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25

26
27 ⁴ To the extent Mr. Pearl's fees are as an expert witness, they are stricken and taxed as not being at the direction of the court. To
the extent they are as attorneys' fees, they are not reasonably chargeable to the PWS.

28 ⁵ The court notes Class Counsel's argument that the court approved a settlement with some parties which gave counsel fees of
\$550 hourly. Those were fees negotiated by the parties themselves and did not represent the court's judgment as to what fees
should have been awarded.

1 with regard to the costs awarded as well as the fees and costs in the supplemental fee and cost
2 order. All such obligations are several and not joint.

3 CONCLUSION

4 Good cause appearing, the Motion to strike is denied. The motion to tax is granted in part as
5 specified and fees are awarded as above.

6 SO ORDERED.

7
8 Dated: _____

August 15, 2016

[Signature]

Hon. Jack Komar (Ret.)
Judge of the Superior Court

c/o Glotrans
2915 McClure Street
Oakland, CA94609
EMAIL: Support@Glotrans.com

Coordination Proceeding Special Title (Rule 1550(b)) ANTELOPE VALLEY GROUNDWATER CASES (JCCP 4408) Included Actions: Los Angeles County Waterworks District No. 40

Lead Case No.1-05-CV-049053

Hon. Jack Komar

Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 353 840. RIC 344 436. RIC 344 668

Defendant.

PROOF OF SERVICE
Electronic Proof of Service

AND RELATED ACTIONS

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Fri. October 6, 2017 at 3:34 PM PDT and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically uploaded to the Antelope Valley Watermaster's website, <http://www.avwatermaster.org>, on Fri. October 6, 2017 at 3:34 PM PDT .

An electronic mail message was transmitted to all parties on the electronic service list maintained for this case at www.avwatermaster.org. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 6, 2017 at Oakland, California.

Dated: October 6, 2017

For WWW.AVWATERMASTER.ORG

Andy Jamieson

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Document received by the CA 5th District Court of Appeal.

1 ANTELOPE VALLEY WATERMASTER DOCUMENTS
2 ANVELOPE VALLEY WATERMASTER - WWW.AVWATERMASTER.ORG

3 Electronic Proof of Service
4 Page 2

5 Document(s) submitted by Systems Administrator of Glotrans on Fri. October 6, 2017 at 3:34 PM PDT

6 1. Ord After Hearing: Order After Hearings on July 28, 2016
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Document received by the CA 5th District Court of Appeal.

Exhibit D

Michael D. McLachlan (State Bar No. 181705)
LAW OFFICES OF MICHAEL D. McLACHLAN, APC
44 Hermosa Avenue
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
(Honorable Jack Komar)

Lead Case No. BC 325201

Case No.: BC 391869

**NOTICE OF MOTION AND
MOTION FOR AWARD OF
ATTORNEY FEES, COSTS AND
INCENTIVE AWARD**

**[filed concurrently with
Declarations of Michael D.
McLachlan, Daniel M. O'Leary,
Richard M. Pearl, Richard A.
Wood, and David B. Zlotnick]**

Location: Dept. TBA
Santa Clara Superior Court
191 N. First Street
San Jose, California
Date: March 21, 2016
Time: 1:30 p.m.

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on March 21, 2016, at 1:30 p.m., or as soon
3 thereafter as the matter may be heard, at 191 North First Street, San Jose,
4 California, in a department to be determined by the Court, Richard Wood moves
5 for approval of an award of attorney fees, costs and an incentive award.

6 Plaintiff brings this motion pursuant to California Code of Civil Procedure
7 section 1021.5.

8 The Motion is based on this Notice, the Memorandum of Points and
9 Authorities, the Declaration of Michael D. McLachlan, the Declaration of Daniel
10 M. O'Leary, the Declaration of Richard M. Pearl, the Declaration of Richard A.
11 Wood, the Declaration of David B. Zlotnick, the various documents attached
12 thereto, the records and file herein, and on such evidence as may be presented at
13 the hearing of the Motion.

14
15 DATED: January 27, 2016

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

16
17 Michael D.

18 McLachlan

By:

19 MICHAEL D. MCLACHLAN

20 Attorneys for Plaintiff and the Class

Digitally signed by Michael D.
McLachlan
DN: cn=Michael D. McLachlan, o=Law
Offices of Michael D. McLachlan, ou,
email=mike@mclachlanlaw.com, c=US
Date: 2016.01.27 16:44:10 -08'00'

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 After nearly eight years of litigation, through five phases of trial consuming
4 nearly 6,000 hours of attorney time, Plaintiff Richard Wood entered into a
5 Stipulation of Settlement (“Agreement” or “Settlement”) with eight Non-Settling
6 Defendants: California Water Service Company, Desert Lake Community
7 Services District, Littlerock Creek Irrigation District, Los Angeles Waterworks
8 District No. 40 (“District 40”), North Edwards Water District, Palm Ranch
9 Irrigation District, Quartz Hill Water District , and the City of Palmdale
10 (collectively, the “Settling Defendants”).¹ This Settlement has received final
11 approval from the Court and judgment has been entered.

12 Class counsel now seeks approval of an award of attorney’s fees at a
13 lodestar of \$3,348,160, with a multiplier of 2.5, and costs of \$75,242.06. Plaintiff
14 also seeks an incentive award in the form of a more complete water right of 5
15 acre-feet per year or, alternatively, a monetary payment of \$25,000.

16 **II. RELEVANT FACTS**

17 **A. History of the Small Pumper Class Action**

18 The Court is familiar with the history of this action and the details
19 surrounding the Small Pumper Class (the “Class”). Briefly, Plaintiff Richard
20 Wood (“Plaintiff”) filed this action on June 2, 2008 to protect his rights, and
21 those of other Antelope Valley landowners who have been pumping less than 25
22 acre feet year (“afy”) of groundwater from the Antelope Valley Groundwater
23

24 ¹ In 2013, the Class settled with the following Defendants: City of
25 Lancaster, Palmdale Water District, Phelan Piñon Hills Community Services
26 District, and Rosamond Community Services District. Pursuant to the 2015
27 Stipulation for Entry of Judgment, which has been approved by the Court under
28 the master judgment, these Settling Defendants are not subject to this fee motion.
Per the terms of the 2015 Settlement, the City of Palmdale is not subject to
attorneys’ fees or costs because it dropped its prescription claims in 2008.

1 Basin (“Basin”). Plaintiff filed this action so that he and the members of the Class
2 could continue to extract groundwater from the Basin for reasonable and
3 beneficial use. This action was, in large measure, filed to contest claims of
4 prescriptive rights asserted by the “Settling Defendants.” The court certified
5 Class by Order dated September 2, 2008, in which the court defined the Wood
6 Class as:

7 All private (i.e., non-governmental) persons and entities that own
8 real property within the Basin, as adjudicated, and that have been
9 pumping less than 25 acre-feet per year on their property during any
10 year from 1946 to the present. The Class excludes the defendants
11 herein, any person, firm, trust, corporation, or other entity in which
12 any defendant has a controlling interest or which is related to or
13 affiliated with any of the defendants, and the representatives, heirs,
affiliates, successors-in interest or assigns of any such excluded
party. The Class also excludes all persons and entities that are
shareholders in a mutual water company.

14 After three rounds of Class Notice in 2009, 2013, and 2015, as well as a
15 litany of motions to add or drop Class members, the total Class size at
16 judgment was just a few people shy of 4,300.

17 **B. The Litigation**

18 Class Counsel was first contacted about this litigation in the summer of
19 2007, and subsequently declined to participate for a variety of reasons.
20 (McLachlan Decl., ¶ 44.) Class Counsel for the Willis Class, with some assistance
21 from Mr. McLachlan, tried for eight months to located counsel for the Small
22 Pumper Class, to no avail. (Zlotnick Decl., ¶¶ 5-9; McLachlan Decl. ¶ 45; O’Leary
23 Decl. ¶ 8.)

24 Ultimately, in May of 2008, Class counsel agreed to represent Richard
25 Wood, and shortly thereafter filed a Complaint on behalf of the Class. Class
26 counsel litigated the matter through at least five phases of trial, and several other
27 related evidentiary hearings, while simultaneously engaging in long-running
28 settlement discussions. The Declaration of Michael D. McLachlan contains a

1 more detailed summary of the types of work that were performed over these eight
2 years. (¶¶ 8-25.)

3 **C. The Settlements**

4 In 2013, the Class reached a partial settlement with four of the defendants
5 (see FN 1, *ante*) on terms substantially similar to the final settlement, but
6 containing less detail on elements of the physical solution than the 2015
7 Settlement. (McLachlan Decl. ¶ 23.) In 2015, the Class settled with the
8 remaining eight defendants in the *Wood* action, identified above in Section I.

9 As part of the final settlement, the Settling Defendants released their
10 prescription claims against the Class. The terms of this Settlement were
11 memorialized, in part, in the Judgment and Physical Solution (the “Judgment”)
12 entered by the Court in December of 2015. The terms of the Settlement allows
13 larger-producing Class members to pump up to 3 acre-feet of water per year, but
14 does not over-allocate water to the Class because the Class’ allocation is
15 predicated on an average water use of 1.2 acre-feet per year (a number closely
16 supported by Mr. Thompson’s report). (McLachlan Decl., ¶ 27.) Hence, there is
17 flexibility and respect for the diverse forms of historical water use within the
18 Class. And nearly all of the Class members will be free from any cutbacks or
19 replacement assessments, which cannot be said for any other party but for the
20 United States. The settlement also minimizes the burdensome costs of installing
21 and monitoring meters, and instead leaves the watermaster with a more flexible
22 system whereby the bulk of the smaller water users in the Class can be left alone.

23 Of particular note is the fact that Class members have substantial
24 protection from future reductions of their water rights, unlike nearly any other
25 overlying party in this adjudication. The Class is not subject to Section 18.5.10
26 (“Change in Production Rights in Response to Change in Native Safe Yield”) of
27 the Judgment because the Class is not listed on Exhibit 3 or 4. (McLachlan Decl.,
28 ¶ 28.) There are only three parties in this position: (1) The United States; (2) the

1 State of California; and (3) the Small Pumper Class. Additionally, the Class has
2 preserved its rights under Water Code section 106, which provides priority to
3 domestic use over farming. (Judgment §§ 5.1 and 5.1.3.1.) These provisions give
4 the Class members a very strong chance of persisting in their way of lives
5 indefinitely into the future, and well-beyond the ability of Class counsel to protect
6 their interests in Court. Class counsel have done everything possible protect the
7 Class members' existing rights, but also to ensure that the Class members are in
8 the best possible position in the future. (*Ibid.*)

9 **D. Attorneys' Fees and Costs Incurred.**

10 Class counsel have worked a total of 5,815.1 attorney hours and incurred
11 842.6 hours of paralegal time on this case. (McLachlan Decl., ¶ 29; O'Leary
12 Decl., ¶ 3.) In conjunction with the 2013 Settlement and by stipulation of the
13 parties, Class Counsel was paid attorneys' fees totaling \$719,829 and costs in the
14 amount of \$17,038. (McLachlan Decl., at ¶ 30.) Pursuant to the 2013
15 settlement, Class Counsel have been compensated for 1276.3 hours of attorney
16 time, and 163.1 hours of paralegal time, leaving a total of 4,538.8 attorney hours
17 and 679.5 paralegal hours at issue in this motion. (*Id.* at ¶ 32.)

18 To date, Class counsel has incurred a total of \$92,280.14 in litigation costs
19 and expenses. (McLachlan Decl., ¶ 33; O'Leary Decl., ¶ 4.) Pursuant to the 2013
20 settlement, Class counsel were paid \$17,038.08 for cost reimbursement by the
21 settling defendants, leaving the total sum at issue in this motion of \$75,242.06.
22 (McLachlan Decl., at ¶ 34; O'Leary Decl., ¶ 4.)

23 Class counsel requests a lodestar rate of \$3,348,160, based on hourly rates
24 of \$720 for the 4538.8 hours claimed by Plaintiff's two attorney and \$110-125 per
25 hour for the 679.5 paralegal hours claimed, as shown in the following chart:
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TIMEKEEPER	TOTAL HOURS	HOURLY RATE	TOTAL
Michael D. McLachlan	4,184.9	\$720	\$3,013,128
Daniel M. O'Leary	353.9	\$720	\$254,808
Paralegals	314.2	\$110	\$34,562
Paralegals	365.3	\$125	\$45,662
TOTAL			\$3,348,160

The requested hourly rates are reasonable market rates. (Pearl Decl. ¶¶ 10-15; McLachlan Decl. ¶ 42.)

E. The Attorney Fee Multiplier

Class counsel request of multiplier of 2.5. There are a wide array of facts supporting this multiplier request, including (in summary form): the novelty and complexity (McLachlan Decl., ¶¶ 8-25); the excellent outcome for the nearly 4,300 members of the class (¶¶ 26-28; Wood Decl., ¶ 20); the case's long duration (eight years); the risks of loss and uncertainty (McLachlan Decl., ¶¶ 44-50); the high quality and great efficiency of the work (¶¶ 36-41); the inability to take on other business (¶¶ 51-54); as well as the great personal and financial toll this case has taken on counsel (¶¶ 51-54). (McLachlan Decl., ¶ 43; *see generally*, O'Leary Decl., ¶¶ 5-9; Pearl Decl., ¶¶ 19-28.) In short, this is a highly unique, long-running case of great public importance, and one that was highly undesirable to the pool of available and qualified attorneys' who turned the case down. (Zlotnick Decl., ¶¶ 5-9; McLachlan Decl. ¶ 45; O'Leary Decl. ¶ 8.)

F. Incentive Award to Richard Wood

Richard Wood has represented the Class with the highest possible level of excellence and devotion. (McLachlan Decl., ¶¶ 63-64.) Indeed, in 15 years of class action experience, Class Counsel has never had a single client, nor even a collection of clients, put 2,200 hours and nearly \$10,000 of their own money into

1 a lawsuit without ever uttering single complaint. (*Id.* at 63; Wood Decl., ¶¶ 3-4.)
2 This is unheard of. From start to finish, Richard Wood held fiercely and
3 decisively to the interest of the Class in every detail, and the result we achieve is
4 as much a testament to his refusal to accept anything less than what he believed
5 to be fair. (McLachlan Decl., ¶ 64.) The benefit that he has conferred on the
6 Small Pumper Class and the Antelope Valley as a whole cannot be overstated.

7 Setting aside the money he spent and time commitment in fighting for the
8 Class, Richard Wood set his own personal interests aside. Mr. Wood has
9 historically pumped more water than the average Class member, and so had some
10 incentive to go it on his own and prove up a larger water right than 3 acre-feet per
11 year. (Wood Decl., 6-19.) He surrendered that right to look out for all the Class
12 Members. (McLachlan Decl., ¶ 64.) Mr. Wood’s actual water use varies between
13 3.5 and 5.0 acre-feet per year – or, in a dry year, about 2 acre-feet above the
14 allocation provided to Class Members in the Judgment. (Wood Decl., ¶ 11.) This
15 water use has been reliably established and is consistent with reasonable and
16 beneficial uses for his property. (*Id.* at ¶¶ 12-19, Exs. 11-13.)

17 **III. ARGUMENT**

18 **A. An Award of Fees And Costs Is Appropriate under C.C.P §** 19 **1021.5**

20 Attorneys’ fees and expenses are recoverable from the Defendants under a
21 “private attorney general” theory pursuant to Code of Civil Procedure § 1021.5.
22 (*Serrano v. Priest* (1977) 20 Cal.3d 25, 49.) Fees and reasonable litigation costs
23 are awardable under the “private attorney general” doctrine embodied in § 1021.5
24 where: (1) the claims litigated by counsel have vindicated an important right
25 affecting the public interest has been enforced; (2) a significant benefit has been
26 conferred on the general public or a large class of persons; and (3) the necessity
27 and financial burden of private enforcement are such that an award is
28

1 appropriate, and, in the interest of justice, the fee should not be paid out of the
2 recovery. (*Beasley v. Wells Fargo Bank* (1991) 235 Cal.App.3d 1407, 1413.)

3 For example, in *Beasley*, the plaintiffs recovered excess fee assessments
4 levied against thousands of bank customers. The court found that “such
5 [consumer protection] actions have long been held to be in the public interest.”
6 (*Id.* at 1418.) Thus, the court concluded that there was an important interest at
7 stake. (*Id.*) The significance of the benefits is determined from a “realistic
8 assessment, in light of all the pertinent circumstances, of the gains which have
9 resulted in a particular case.” (*Woodland Hills Residents Association v. City*
10 *Council* (1979) 23 Cal.3d 917, 939; see *Press v. Lucky Stores, Inc.* (1983) 34
11 Cal.3d. 311, 321 n.10 (action affecting 3,000 persons conferred significant
12 benefit).)

13 Each of the three criteria for the payment of “private attorney general” fees
14 set forth in § 1021.5 is met in this case. Both the action and the Settlement have
15 vindicated important rights to the use of water, and specifically, the surrender of
16 prescriptive rights that threatened to take the water away from over 4,300
17 residents of the Antelope Valley. Beyond the Class members, this action created a
18 massive benefit to the public at large, likely in perpetuity, i.e. persons not even
19 born yet will benefit greatly from the stable groundwater basin for generations to
20 come. Without the Class, it cannot be disputed that there would have been no
21 comprehensive adjudication. (See, e.g., McLachlan Decl., Ex. 9, 5:14-6:5 (“The
22 benefit to all others living or owning property in the Antelope Valley is enormous
23 . . .”).) There can be little argument that no individual Class member would have
24 stepped up to incur millions of dollars of attorneys’ fees to litigate for the Class,
25 as the individual stake of any Class member is comparatively small.

1 **B. The Court Should Grant the Attorney Fee Request in Full.**

2 **1. The Legal Framework**

3 California courts approve the use of a lodestar enhanced by a multiplier in
4 awarding attorneys' fees under a statutory fee-shifting approach. (*Dept. of*
5 *Transportation v. Yuki* (1995) 31 Cal.App.4th 1754; *Salton Bay Marina, Inc. v.*
6 *Imperial Irrigation Dist.* (1985) 172 Cal.App.3d 914, 954.) The "lodestar and
7 multiplier" approach is also the most common approach used to award fees
8 under the "private attorney general theory."

9 The baseline of the lodestar method is determined by multiplying the
10 reasonable number of hours expended by the reasonable hourly rate. (*See, e.g.,*
11 *Serrano*, 20 Cal.3d at 48-49.) However, the lodestar is merely the *starting point*
12 for the calculation of reasonable attorneys' fees, and California courts have
13 endorsed turning to factors more subjective than a mere hourly fee analysis to
14 determine the "multiplier" to be applied to counsel's time. (*Rebney v. Wells*
15 *Fargo Bank* (1991) 232 Cal.App.3d 1344, 1347.) These include the risk of non-
16 payment, delay in counsel's receipt of their fees, the quality of counsel's work and
17 the novelty and difficulty of the issues involved. (*Serrano*, 20 Cal.3d at 49;
18 *Beasley*, 235 Cal.App.3d at 1419-20. *Coalition for Los Angeles County Planning*
19 *v. Board of Supervisors* (1977) 76 Cal.App.3d 241, 251 (consideration of
20 additional factors such as risk and skill "required"); *Lealao v. Beneficial*
21 *California Inc.* (2000) 82Cal.App.4th 19, 42-43 (discussing California's
22 "relatively permissive attitude on the use of multipliers."); *Rader v. Thrasher*
23 (1962) 57 Cal.2d 244, 253 (contingent recovery of fee, "since it involves a gamble
24 on the result, may properly provide for a larger compensation than would
25 otherwise be reasonable").)

26 While there is no firm rule concerning multipliers (*Lealao*, 82 Cal.App.4th
27 at 40) the factors generally considered in applying a multiplier include: (1) the
28 time and labor required; (2) the novelty and difficulty of the questions presented;

(3) the requisite legal skill necessary; (4) the preclusion of other employment due to acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) the time limitations imposed by the client or the circumstances; (8) the amount at controversy and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) the “undesirability” of the case; (11) the nature and length of the professional relationship with the client; and (12) awards in similar cases. (*See generally Serrano*, 20 Cal.3d at 49.)

Many of these factors have been expressly adopted by California courts in one form or another, and nearly all are present in this case, some to a very significant degree. This issue is discussed further below, and covered at length in the McLachlan, O’Leary, Pearl, and Zlotnick Declarations.

2. The Lodestar Amount Requested Is Reasonable

The hours incurred were all reasonable given the monumental scope of this litigation and the eight year duration of the case. Indeed the write-offs, judicious billing, and lack of nearly any double-billing, are plainly evident in the 243 pages of detailed billing records. (Pearl Decl., ¶¶ 16-18; McLachlan Decl., ¶¶ 36-41.)

The total attorney time used in the calculation was 4,538.8 hours (including 30 hours for future work), with 679.5 hours of paralegal time (excluding hours paid in the 2013 settlement). (McLachlan Decl. ¶¶ 29-32.) While the production of detailed billing records is not required for the purpose of awarding legal fees under C.C.P section 1021.5, Class Counsel nevertheless has submitted their complete, unredacted² fee bills should the Court wish to examine the work performed in more detail. (McLachlan Decl., Ex. 3; O’Leary Decl, Ex. 1.)

The hourly rate of \$720 an hour is slightly below what could be requested in the current market rates, but is entirely reasonable. The Pearl Declaration and Exhibits contain a substantial amount of evidence regarding market rates. (at ¶¶

² There is a single work-product redaction related to this motion.

1 10-14.) Indeed, \$720 per hour is a lower rate than those of many firms in Los
2 Angeles. (Pearl Decl., ¶ 12, Ex. C.) The 2013 fees survey for Ty Metrix/Legal
3 Analytics found that third quartile partner rates in 2012 were \$812 per hour –
4 nearly one hundred dollars higher. (Pearl Decl., ¶ 12, Ex. D.) Average partner
5 rates for big firms in 2013 were \$880 per hour. (*Id.*, Ex. E.)

6 A year ago, Class Counsel was approved by the Central District of
7 California at a rate of \$690 in a class context. (McLachlan Decl., ¶ 42.) The rate
8 of \$720 per hour is an upward adjustment of just over 4% over that Court-
9 approved rate of \$690 per hour.

10 One of the other methods employed by Courts in assessing an appropriate
11 hourly rate is the Laffey Fee Matrix, which is frequently used in Federal Court's
12 across the County, as well as by California Superior Courts. (*See, e.g., Fernandez*
13 *v. Victoria Secret Stores, LLC* (C.D. Cal. 2008) 2008 WL 8150856 *14-15
14 (showing detailed application of the matrix); *Nemecek & Cole v. Horn* (2012) 208
15 Cal.App.4th 641, 651 (upholding an hourly rate established by the Laffey Matrix).)
16 The Laffey Matrix is a publicly available and regularly updated study of average
17 hourly billing rates.³ The Matrix presently lists an hourly rate of \$796 per hour
18 for attorneys with 20+ 19 years of experience, and a paralegal rate of \$180 per
19 hour, both of which are well in excess of the discounted rates requested.

20 Furthermore, the Laffey method requires the hourly rate to be adjusted
21 based upon the cost of living in the location where the services were performed,
22 as against the baseline. The cost of living in Los Angeles is approximately 4.37%
23 higher in Los Angeles than the baseline (District of Columbia) and thus the
24 appropriate hourly rate would be in excess of \$800 per hour. For these reasons,
25 the rate of \$720 is certainly reasonable.

26
27
28 ³ www.LaffeyMatrix.com

1 **3. A Multiplier of 2.5 Is Appropriate in this Case.**

2 The contingent risk involved in this case is significant, and is often
3 considered the most important factor in setting a multiplier. (Pearl Decl., ¶ 20.)
4 “It is well-established that lawyers who assume a significant financial risk on
5 behalf of their clients rightfully expect that their compensation will be
6 significantly greater than it would be if no risk or delay was involved, *i.e.*, under
7 the traditional arrangement where the client is obligated to pay for costs and fees
8 incurred on a monthly basis.” (*Ibid.*) Attorneys enter into such contingency fee
9 arrangements only if they can expect to receive significantly higher effective
10 hourly compensation in successful cases, particularly in cases that are expected to
11 be hard fought and where the result is uncertain. “That is how the legal
12 marketplace works, and market value fees are the standard that fee-shifting
13 statutes are intended to provide: as the courts have recognized, such
14 arrangements do not result in any “windfall” or undue “bonus” for the attorney;
15 rather, they are “*earned compensation*,” reflecting the need for fee awards to
16 mirror the legal services market by compensating attorneys for the risk of non-
17 payment, which in many cases involves thousands of hours of time spent and
18 dollars advanced.” (*Ibid.*; see *Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1138.)

19 Court-awarded fees that reflect that risk of loss make contingent
20 representation competitive in the legal marketplace. (*Id.* at 1132-1133.) Indeed,
21 that view was affirmed again by the California Supreme Court in *Graham v.*
22 *DaimlerChrysler Corp.* (2004) 34 Cal.4th 553, 579, and other cases. (*Building a*
23 *Better Redondo Beach, Inc. v City of Redondo Beach* (2012) 203 Cal.App.4th
24 852, 874; *Taylor v. Nabors Drilling USA, LP* (2014) 222 Cal.App.4th 1228, 1251.)
25 For these reasons, a significant lodestar enhancement for contingent risk is
26 necessary in this case to reflect the true and full market value of Plaintiff’s
27 attorneys’ work.
28

1 A fee enhancement is particularly appropriate here because the of the huge
2 amount of time and money invested in the case over an eight year period, with
3 only a small fraction of it being compensated in year six. The several
4 decertification motions, long-running expert witness problems, and many other
5 hostile motions filed throughout the entire span of the case – even after
6 settlement, e.g. the Willis conflict motion – constantly threatened to bring an end
7 to the case. There was also constant opposition to settlement efforts, and one
8 derailed settlement attempt in 2011. But in the face of this, and the extreme
9 financial hardship posed by this case (McLachlan Decl., ¶¶ 57-58), Class Counsel
10 continued to fight. This action also presents exceptional novelty, and complex
11 issues not reflected in any published opinion in U.S. history. The interjection of a
12 class proceeding into a non-class litigation by itself magnified the difficulty of the
13 litigation many fold. The high level of work required significantly impacted
14 counsel’s ability to take on other good, paying work. (McLachlan Decl. ¶¶ 51-54.)

15 Furthermore, it is difficult to dispute that the outcome was excellent for the
16 Class. (McLachlan Decl., ¶¶26-28; Wood Decl., ¶ 20). Under such
17 circumstances, courts frequently apply a multiplier of at least two times the
18 lodestar. (3 H. Newberg & A. Conte, *Newberg on Class Actions* (3d ed. 1992), §
19 14.03 at 14-5 fns. 20 & 21 and cases cited therein. *See Ketchum v. Moses* (2001)
20 24 Cal.4th 1122, 1129-39 (affirming multiplier of 2.0); *see also Vizcaino v*
21 *Microsoft* (9th Cir. 2000) 290 F.3d 1043, 1051-54, *cert. denied sub nom.*,
22 *Vizcaino v. Waite*(2002) 537 U.S. 1018 (survey of decisions in common fund class
23 action cases showing multipliers between 2 and 4 are common).

24 A number of relevant cases are discussed in the Pearl Declaration, at
25 paragraphs 27 and 28. Many of these cases have very similar procedural and
26 factual similarities (although none appear to involve litigation of this level of
27 complexity). For example, in *Thompson v. Santa Clara County Open Space*
28 *Authority* (Santa Clara County Superior Court No. 1-02-CV-804474), the

1 plaintiffs sued for return of improper special tax assessments County-wide that
2 were imposed by a public agency. (*Silicon Valley Taxpayers' Assn., Inc. v. Santa*
3 *Clara County Open Space Authority*, (2008) 44 Cal.4th 431, 439-40.) In that
4 litigation, which also lasted for eight years, the Court awarded a multiplier of
5 2.85, finding many of the same enhancement factors present in this case. (Pearl
6 Decl., Exs. G & H.) It would be difficult to argue that the establishment of a
7 permanent right to water is not a more significant public benefit that overturning
8 a relatively small tax assessment. (*See also* McLachlan Decl., Exs. 8 (at 21:22-
9 28), 9 (at p. 5-6), & 11 (at 37:20-38:12).)

10 Based upon the law and facts of this case, a 2.5 multiplier is entirely
11 justified.⁴

12 **C. The Outstanding Litigation Costs Should Also Be Awarded.**

13 To date, Class counsel has incurred a total of \$92,280.14 in litigation costs
14 and expenses. (McLachlan Decl., ¶ 33; O'Leary Decl., ¶ 4.) Pursuant to the 2013
15 settlement, we have been paid \$17,038.08 for cost reimbursement by the settling
16 defendants, leaving the total sum at issue in this motion of \$75,242.06.

17 (McLachlan Decl., at ¶ 34; O'Leary Decl., ¶ 4.) All of these costs are standard
18 items incurred and charged in litigation.

19 **D. Allocation of Fees and Costs Among the Defendants.**

20 The attorneys' fees and costs could be awarded jointly and severally as to
21 the seven defendants in question, or the Court could allocate them. The issue of
22 allocation is discussed in more detail in the McLachlan Declaration, at
23 paragraphs 59 to 62. Class Counsel does not have strong feelings about how the
24

25
26 ⁴ As noted above in Section II.E, the facts supporting the award of a
27 multiplier are voluminous, and discussed in more detail in the supporting
28 declarations.

award should be imposed among the Settling Defendants, should they or the Court feel strongly about allocating the total award and incentive payment.

E. Richard Wood Should Be Granted An Incentive Award Commensurate With to the Incredible Level of Service He Has Rendered.

Plaintiff has set the all-time bar for service by a class representative – service levels that will likely stand unsurpassed for as long as the Judgment in this matter lasts. Richard Wood requests an incentive payment of an additional two acre-feet per year production right beyond the 3 acre-feet afforded him under the Judgment. This water right would put afford Mr. Wood a right equal to the water he actually uses (Wood Decl., ¶ 11.), and not put him in worse position than had he not elected to serve his fellow Small Pumpers so admirably.

Since Mr. Wood can reasonably establish this higher than average water use historically, this request is not so much in the vein of an incentive award, but rather a request that he be allowed to establish a water right above that set for the Class. (*Id.* at ¶¶ 12-19, Exs. 11-13.) Since Mr. Wood can reasonably establish this water use history, he could prove such a right. As such, in granting the right to two additional acre-feet per year, assessment free, the Court is not giving Mr. Wood something that he could not have established at law. The fact that this right is not diminished by prescription or rampdown is entirely consistent with the Judgment provisions applicable to all Class Members. Class counsel knows of nothing in the law that prevents the Court from exercising its discretion and equitable powers in this regard, particularly given the fact that Judgment has now been entered for the Class. For these reasons and given incredible level of service Mr. Wood provided to the Class and to the entire Antelope Valley, the request for the additional two acre-feet per year, standing alone, is entirely reasonable.

1 The Stipulation for Entry of Judgment provides that none of the stipulating
2 parties object to Richard Wood receiving an additional right of 2 afy, in lieu of a
3 monetary payment. (Stipulation For Entry of Judgment and Physical Solution, ¶
4 13.) Plaintiff believes there will be no objections to this request from any non-
5 stipulating party.

6 If the Court will not grant this request, and instead believes that it can only
7 award a monetary incentive payment, such payment should be in the amount of
8 \$25,000. (McLachlan Decl., Ex. 12, 4:17-6:10 (and cases cited therein for award
9 of \$25,000 incentive award).) While this sum comes nowhere close to
10 compensating Mr. Wood for his time, it is at the upper end of the range of such
11 awards. (*Ibid.*) It will cover the \$10,000 in out of pocket costs Mr. Wood has
12 incurred, and will pay him at a rate of \$6.85 per hour for his time – a fairly
13 insulting figure. If Class Counsel could find sufficient authority for doubling this
14 monetary award in this context, it should be more like \$50,000 or more. The
15 upper bounds for monetary awards only seem so to underscore that the proper
16 means of compensating Mr. Wood is with the additional water right. But if not,
17 \$25,000 would buy Mr. Wood some portion of than two acre-feet per year.

18 **IV. CONCLUSION**

19 For all of the foregoing reasons, Plaintiff Richard Wood requests that the
20 Court approve a lodestar rate of \$3,348,160, with a multiplier of 2.5, and costs of
21 \$75,242.06.

22 Further, Richard Wood should be awarded water right of up to 5 acre-feet
23 per year, or alternatively, \$25,000.

24 DATED: January 27, 2016

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

25 Michael D.
26 By: McLachlan

Digitally signed by Michael D. McLachlan
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27 MICHAEL D. MCLACHLAN
28 Attorneys for Plaintiff and the Class

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
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THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Coordination Proceeding Special Title (Rule
1550(b)) ANTELOPE VALLEY GROUNDWATER CASES
(JCCP 4408) Included Actions: Los Angeles
County Waterworks District No. 40

Plaintiff,
vs.

Antelope Valley Groundwater Cases (JCCP 4408)

Lead Case No.1-05-CV-049053

Hon. Jack Komar

Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668

Defendant.

PROOF OF SERVICE
Electronic Proof of Service

AND RELATED ACTIONS

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Wed. January 27, 2016 at 4:52 PM PST and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Wed. January 27, 2016 at 4:52 PM PST

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Executed on January 27, 2016 at Oakland, California.

Dated: January 27, 2016

For WWW.SCEFILING.ORG

Andy Jamieson

Electronic Proof of Service
Page 2

Document(s) submitted by Michael McLachlan of Law Offices of Michael D. McLachlan APC on Wed. January 27, 2016 at 4:52 PM PST

1. Ntc:Mtn for Atty Fees: NOTICE OF MOTION AND MOTION FOR AWARD OF ATTORNEY FEES, COSTS AND INCENTIVE AWARD

Exhibit E

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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
(Honorable Jack Komar)

Lead Case No. BC 325201

Case No.: BC 391869

**DECLARATION OF MICHAEL D.
MCLACHLAN IN SUPPORT OF
MOTION FOR AWARD OF
ATTORNEYS' FEES, COSTS AND
INCENTIVE AWARD**

Location: Dept. TBA
Santa Clara Superior Court
191 N. First Street
San Jose, California
Date: March 21, 2016
Time: 1:30 p.m.

1 **DECLARATION OF MICHAEL D. MCLACHLAN**

2 I, Michael D. 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 2. I am co-counsel of record of record for Plaintiff Richard Wood and
7 the Class, and have been since 2008. I am duly licensed to practice law in
8 California. I make this declaration in support of the Motion for Approval of
9 Award of Attorney Fees and Costs.

10 **PERSONAL BACKGROUND**

11 3. I graduated with honors from the University of California at Berkeley
12 in 1990. I graduated from the University of Southern California School of Law in
13 1995, where I was a member of the University of Southern California Law Review.

14 4. During my twenty-year 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.

18 5. Since opening my own firm nearly thirteen years ago, I have
19 continued to focus nearly all of my efforts on complex litigation in state and
20 federal courts, the vast majority of which has been class action litigation.

21 6. I have been appointed as lead class counsel on many occasions, and
22 have tried, arbitrated, and argued class action cases on appeal in state and
23 federal courts throughout California and in other states and federal trial and
24 appellate courts across nation.

25 7. I also have extensive experience litigating complex cases involving
26 groundwater, having worked on all but one Superfund case filed in Los Angeles
27 County over the past twenty years, as well as the Love Canal case while working
28 for the U.S. EPA in Washington D.C. prior to law school. While I do not have a

1 degree in hydrogeology, I have substantial experience in the field over many
2 years of time working with hydrogeologists and hydrologists in a variety of
3 contexts. I have taught a 'groundwater for lawyers' class on several occasions,
4 and have published papers on matters impacting groundwater.

5 **WORK PERFORMED**

6 8. This action has been litigated vigorously on behalf of the Class for
7 nearly eight years. We have participated in all Phases of trial from Phase 2 going
8 forward, except that we largely sat out the mini-trial for Phelan Pinon Hills
9 Community Services District in 2014 because the settlement with Phelan in 2013
10 resolved the Class' claims with Phelan (but for issues impacting the physical
11 solution).

12 9. Since the Court is familiar with much of my work on this matter, I
13 will not summarize it in detail. The nature of that work in detail can be readily
14 ascertained from the 231 pages of my legal bills I attach hereto as **Exhibit 3**, as
15 well as the legal bills from Mr. O'Leary (Exhibit 1 to O'Leary Declaration).

16 10. We have worked on this matter now for over eight years, and
17 conducted a wide array of tasks necessary to ligate the case through three phases
18 of trial (Phase 1 predated me). I first started working on this matter in 2007, and
19 conducted some preliminary analysis at that time regarding the viability of the
20 case, but did not start work in earnest until the Spring of 2008. I believe Mr.
21 O'Leary and I have represented the class with appropriate vigor and in the
22 highest standards of practice possible under the rather unique situation
23 presented by this case.

24 11. The amount of work performed on this case is extensive. Since my
25 initial involvement in the case, there have been more than 10,000 documents
26 filed with the Court. According to the Court website statistics, Class Counsel has
27 made approximately 320 filings, with more than 280 of those being substantive
28

(i.e. non-telephonic appearance notice) filings. I have sent and received over 26,000 individual pieces of correspondence and e-mail on this matter.

A. Client Contact.

12. Also reflected on my fee bills is a considerable amount of communication with Class members. This case has been unlike any other class action I have ever experienced or heard about, in large part because of the highly engaged nature of the Class members. This is not surprising in light of the fact that each of the Class members, by definition, has only two means of obtaining water for their homes: groundwater and water hauled in by truck. Because groundwater is the only viable option for sustaining an existence on these properties, the level of concern about this litigation was very high.

13. While there has been some limited paralegal interaction with Class members, given the complexity of the issues involved and the importance of this suit to Class members, I have had to field nearly all of the substantive phone calls and e-mail inquiries. I would estimate – and this is somewhat of a “guesstimate” because I did not record every call and e-mail in my notes or timesheets – that I have personally spoken by telephone to at least 400 to 500 class members over the last eight years.

14. I have also attended numerous in person meetings with larger numbers of Class members, often at the request of the leaders of the rural town councils that exist throughout the Antelope Valley. These client interactions have been very instrumental in formulating a settlement proposal and drafting the details of the physical solution relative to the Class members.

B. Discovery.

15. There has been extensive written discovery and depositions, and class counsel have reviewed thousands of pages of evidence, deposition transcripts, expert witness reports, and trial testimony, in addition to conducting extensive legal research and analysis regarding all of the relevant legal claims of

1 the Class and the Settling Defendants. I have taken and defended a number of
2 depositions in that matter, and played a primary role in organizing discovery.

3 **C. Expert Work**

4 16. My billing statements also reflect a considerable amount of time in
5 law and motion and substantive work related to the Court-appointed expert,
6 Timothy Thompson. My attention to the issue of obtaining a Court-appointed
7 expert began prior to my accepting this case in May of 2008 and continued
8 throughout this litigation in one form or another. There are at least 25 separate
9 motions and ex parte applications filed directly related to the Court-appointed
10 expert. Between 2009 and the end of 2012, the Public Water Suppliers, who
11 ostensibly claimed to support the Small Pumper Class at the time of its formation
12 in 2008, vigorously opposed every effort of Class Counsel to secure the Court-
13 appointed expert. And after that expert was appointed, they advocated for many
14 years that he should not be allowed to commence any substantive work. That
15 stay was not lifted until late 2012.

16 17. Once the stay was lifted, the Public Water Suppliers refused to
17 timely pay the expert's invoices. This situation necessitated numerous filings
18 with the Court and eventually led Cardno Entrix to suspend work on this matter
19 for an extended period of time. As of March of 2014, the outstanding unpaid bills
20 owed Cardno Entrix was nearly \$83,000. Aside from the substantial personal
21 stress this caused *vis a vis* impending and passing discovery and trial dates, it
22 made the process of settlement negotiation particularly difficult because I was left
23 to reasonably estimate Class water use based only on non-scientific evidence
24 gathered from the Class members who had contacted us. As the Court may recall,
25 this scenario resulted in the Small Pumper Class being the only party who was
26 not able to present water use evidence at the Phase 4 trial.

27 18. I also spent a considerable amount of time on substantive work
28 related to the expert analysis. I put a good deal of time into developing the survey

1 paradigm, and my office did substantial amounts of work administering this
2 project (and much of that work was clerical work that was not billed). Perhaps
3 the largest portion of that work was the dissemination of over 1,000 letters to
4 Class members to solicit participation in the survey, as well as the collection and
5 organization of Class member records relevant to the expert work. On the back
6 end, after a settlement was reached, I also had to perform considerable public
7 records research to obtain evidence necessary to expand Mr. Thompson's
8 assessment of current Class water use back in time to cover the prescriptive
9 period and address the issue of self-help in light of public water suppliers'
10 insistence on establishing prescription in the context of the prove-up trial.

11 **D. Case Management**

12 19. As the Court may recall, I have drafted the majority of the Case
13 Management Orders in this matter since I started working on the case. I have
14 been on the liaison committee since its inception, and have taken a primary role
15 in structuring the litigation proceedings.

16 **E. Law and Motion Practice.**

17 20. A very significant portion of the time spent on this matter was on law
18 and motion proceedings, which were constant and ongoing throughout the case.
19 While there were a number of smaller administrative motions, there were also a
20 very large number of highly substantive and unique contested law and motion
21 matters beyond just the typical class certification, discovery, and settlement
22 approval motions typical in class proceedings. Indeed, the majority of the
23 motions we filed or opposed were within these categories.

24 **F. Settlement**

25 21. If asked, I would say my most significant contributions have been in
26 leading and driving settlement discussions. I doubt that anyone, including the
27 defendants in *Wood*, will dispute that I have played a major and significant role
28 in resolving this litigation. I am the only attorney who has been integrally

involved in every phase of the ongoing settlement discussions, roughly summarized as follows: (1) Mr. Bill Dendy, a privately retained mediator; (2) James Waldo, a privately retained mediator from Washington (who I located and was central in hiring); (3) Justice Ronald Robie, who acted as a volunteer mediator for nearly two years; and (4) the final phase beginning in 2013, which was unmediated.

22. It is fair and accurate to say that many of the concepts embodied in the Judgment and Physical Solution adopted by the Court were developed at early stages of the mediation and carried forward. The same can be said about the methods for allocating the native safe yield, as reflected on Exhibits 3 and 4 of the Judgment and Physical Solution. The Waldo proceedings excluded all counsel but for myself, and on a few occasions, I believe Mr. Kalfayan and/or Zlotnick may have attended. I and/or Richard Wood attended nearly all of the Waldo settlement meetings. The same is true of the meetings with Justice Robie, which were far fewer in number but nonetheless productive in certain respects.

23. The primary goal of this litigation has always been to resolve the prescriptive rights claims of the adverse public water supplier defendants. As such, Mr. O'Leary and I spent considerable time over the years trying to resolve the *Wood* case by itself. In 2013, we reached an informal global agreement with all the defendants in *Wood* to resolve all of these claims in the same fashion as with the *Willis* case, i.e. with no definite allocation of water but with agreement between the parties as to the bounds of the Class' water rights, subject to later adoption by the Court in a physical solution. As the settlement paperwork was being drawn up, District 40 pulled out of the settlement, and then pressured the other water suppliers to do the same. District 40 and these other smaller water suppliers elected to continue to litigate with the Class.

24. At this time in the Fall of 2013, there was considerable growing frustration at the many aborted settlement efforts, and the perception that

District 40 was primarily responsible for derailing those efforts. I was contacted privately by counsel for a few of the parties regarding commencing a very limited, closed door settlement process with a few lawyers. In November of 2013, myself and counsel for eight other parties commenced the process of negotiating and drafting a physical solution. This process continued and expanded and ultimately lead to the Judgment and Physical Solution (as well as the related Small Pumper Class Settlement) recently signed by the Court.

25. As a member of the settlement committee, I also personally handled the resolution of the claims of the majority of the “newly stipulating” parties who joined the settlement after it was initially filed with the Court. I continue to work in that regard.

THE RESULTS ACHIEVED

26. While few parties to a settlement ever get all of what they want, it is my opinion that the deal achieved for the Small Pumpers is excellent, and embodies essentially every element that Mr. O’Leary, Mr. Wood, and I set out to obtain. The Class is highly diverse, as noted in the expert report of Mr. Thompson. But notwithstanding that great diversity of water use, the final settlement did not receive even a single objection from any of the nearly 4,300 Class members.

27. The settlement allows larger Class members to pump up to 3 acre-feet of water per year, but does not over-allocate water to the Class because the Class’ allocation is predicated on an average water use of 1.2 acre-feet per year (a number closely supported by Mr. Thompson’s report). Hence, there is flexibility and respect for the diverse forms of historical water use within the Class. And nearly all of the Class members will be free from any cutbacks or replacement assessments. The settlement also minimizes the burdensome costs of installing and monitoring meters, and instead leaves the watermaster with a more flexible system whereby the bulk of the smaller water users in the Class can be left alone.

28. Of particular note is the fact that Class members have substantial protection from future reductions of their water rights, unlike nearly any other overlying party in this adjudication. The Class is not subject to Section 18.5.10 (“Change in Production Rights in Response to Change in Native Safe Yield”) because the Class is not listed on Exhibit 3 or 4. There are only three parties in this position: (1) The United States; (2) the State of California; and (3) the Small Pumper Class. Additionally, the Class has preserved its rights under Water Code section 106, which provides priority to domestic use over farming. (Judgment §§ 5.1 and 5.1.3.1.) I believe these provisions give the Class members a very strong chance of persisting in their way of lives indefinitely in the future and well beyond our ability to protect their interests in Court. Mr. O’Leary and I have been at all times highly focused on the fact that this Judgment will very likely outlive us all, as well as the great hardship for any one Class member to have to hire an attorney to litigate issues in the future. I believe we have done everything possible to ensure that the Class members will not have to return to Court after their counsel have been relieved of duty.

TOTAL HOURS

29. My firm has expended 5,304 attorney hours and 755.1 paralegal hours on this litigation to date.¹ All of the attorney time is mine, and the paralegal time is that of a number of paralegals who have worked for my firm over the years, all directly under my supervision. Mr. O’Leary has incurred 511.1

¹ These numbers include a reasonable estimate of time to be spent on the reply briefing and hearing on this Motion. Hence, the fee bills submitted with this motion total 5,274 attorney hours through January 27, 2016. I have added an additional 30 hours of attorney time for work to be performed after the filing of this Motion (for which I will more accurately account in the Reply papers).

1 attorney hours and 87.5 paralegal hours.² The total attorney time spend on this
2 case was thus 5,815.1 hours, with 842.6 hours of paralegal time.

3 30. In 2013, Class Counsel reached a settlement with several defendants
4 in this case, and pursuant to that settlement, received \$719,892.29 in
5 reimbursement for attorneys' fees (including paralegal time). (**Exhibit 4** (Order
6 Granting Motion for Approval of Award of Attorney Fees and Costs), at 1:13-18
7 [Dkt No. 7997].) Pursuant to the settlement agreement, Class Counsel agreed to
8 reduced hourly rates for attorney time of \$550 per hour and \$110 for paralegal
9 time. By Order dated January 15, 2014, the Court approved this attorneys' fees
10 award as reasonable. (*Id.* at 2:9-12.)

11 31. I will note that there is some real question as to whether the 2013
12 settlement would have occurred had we insisted on full market hourly rates and
13 pursued the multiplier. I did not like having to forego compensation we had
14 earned, but that settlement was important to the Class, and may well have been
15 necessary to keep Class Counsel solvent for the last two years.

16 32. Pursuant to the 2013 settlement, Class Counsel have been
17 compensated for 1276.3 hours of attorney time, and 163.1 hours of paralegal time,
18 leaving a total of **4,538.8 attorney hours and 679.5 paralegal hours** at
19 issue in this motion.

20 LITIGATION COSTS ADVANCED

21 33. As of this date, my office has incurred a total of \$85,858.86 in case
22 costs. A detail of these costs, excluding interest, is attached as **Exhibit 5**. Mr.
23 O'Leary has incurred \$6,421.28, for a total of \$92,280.14.

24
25 ² The 87.5 hours of paralegal time incurred Mr. O'Leary relate to his
26 portion of paralegal hours jointly incurred by both of our firms in the early years
27 of this case. All of this paralegal time is reflected on my firm's fee bills because it
28 was not sensible or practicable to try to divide those shared paralegal hours, and
also because I supervised that work and thus reviewed the paralegal billing
entries.

34. Pursuant to the 2013 settlement, we have been paid \$17,038.08 for cost reimbursement by the settling defendants, leaving the total sum at issue in this motion of **\$75,242.06**. I have reviewed my cost bills, as has my paralegal, quite closely and all of the costs are typical cost items I charge, and all are covered in my retainer agreement with Richard Wood.

35. For the last five years, I have held an average of \$50,000 of these case costs on my line of credit (not including two personal loans pending for several years). I cannot run my firm, cover overhead, and survive year to year with large sums of cash tied up in a case like this. Because my practice is contingent, a non-recourse line of credit has run at slightly over 12%. Although I have not calculated it exactly, over the life of this case I have incurred nearly \$30,000 in interest, which is not reflected on my cost summary. Had we not secured a significant victory for our clients, this out-of-pocket expenditure would never have been recovered; as it is, the portion of these costs incurred for expert witnesses will have to be paid from the fees we will recover.

FEE BILLS

36. The fee bills do not include hundreds (likely several thousand) hours of secretarial and law clerk time. While many class attorneys bill for this time, even though the law allows for it, it has been my practice not to do so in state court cases. The administrative staff time devoted to this case that is not recorded or billed for were services that I have had to pay for these past eight years, and total at least \$140,000 in labor costs of my firm (and Mr. O'Leary's to a much smaller extent).

37. The hours billed on my fee invoices do not reflect all of the work I have performed on this case, as a good deal of administrative and substantive work has been written off or not recorded. For example, I estimate that I have not recorded at least 250 phone calls over the nearly eight years, due largely to the busy pace of my practice and of this case, and due to the difficulty of

1 recording time while travelling or driving (during which I typically return phone
2 calls). I have also spent a substantial amount of time in timekeeping and
3 reviewing my bills, most of which was not billed. I cannot accurately state the
4 amount of unrecorded or written down time, but it is certainly in excess of 300
5 hours over the span of the lawsuit.

6 38. My billing practice, which is generally shared by Mr. O'Leary, is as
7 follows. I bill in six minute increments, and round up or down to the nearest
8 tenth of an hour, e.g. if a project takes eight minutes, I bill 0.1 hours. I record my
9 time as the day goes along, and typically review it at the end of the day. More
10 often, I aggregate two or more small tasks so that the total time accurately
11 reaches the nearest tenth of an hour. As such, my bills sometimes show two
12 seemingly unrelated tasks billed together at a 0.1 or 0.2. If there is a small task
13 that I have recorded that cannot be aggregated and must be rounded down to a
14 0.0, I record that as "n/c" (no charge).

15 39. The Court will note that there is very little overlap in the billing
16 entries between Class Counsel. I typically staff cases in a lean fashion, without
17 compromising results. For that reason, there is not a single instance where both
18 Mr. O'Leary and I (or even a paralegal) attended a deposition. Indeed, on only a
19 few particularly important occasions did we both attend trial or hearings
20 together. That is not to say that overlap is not necessary, common or prudent
21 practice in the legal profession (as has been the case with Willis Class counsel).
22 But I do not do that unless it is truly necessary. The unfortunate side-effect to
23 this is that in this case, it forced me to do about ninety percent of the work. The
24 complex and cumulative nature of daily events could not be adequately
25 communicated in full to another attorney, and as such the passage of time and
26 momentum had me doing most of the work.

27 40. The result of this is that, unlike issues raised on the Willis Class fee
28 motion in 2011 relative to double-billing, the Court should find no occasions

1 where one attorney was spending time holding the other's briefcase, so to speak.
2 I did of course communicate constantly with Mr. O'Leary, and we did work jointly
3 on many projects, but always one of the two of us performed nearly all of the
4 work on any one project. Hence, our efficiency was about as high as it possibly
5 could be.

6 41. I am not shy in using paralegals where the work to be performed is
7 properly paralegal work. As can be seen by the billing records, we used 842.6
8 hours of paralegal time on this case. Like most contingent lawyers, I use sound
9 judgment in deploying my staffing resources, as well as my own time. The
10 division of labor in my office, which at all relevant times has also included Mr.
11 O'Leary's office, is one lawyer (two if you include Mr. O'Leary), paralegals, and
12 administrative staff.

13 42. My last class fee motion filing was in January of 2015, *Anderson v.*
14 *County of Ventura*, C.D. Cal. No. CV 13-03517 SJO (VBKx). In that case, the
15 Court approved my hourly rate at \$690 per hour. We are requesting \$720 per
16 hour, which is about a 4% upward adjustment in the year that has passed since
17 *Anderson*. I believe the evidence and authority cited by Richard Pearl in his
18 declaration is supportive of this hourly rate. I am generally aware of the rates the
19 Plaintiff's attorneys in Los Angeles of my caliber and experience are charging and
20 are being awarded, and \$720 per hour is reasonable market rate. Through late
21 2013, I had billed paralegal time at \$110 per hour, and had not updated that
22 billing rate in many years. After the 2013 settlement, I raised my paralegal billing
23 rates by \$15 per hour, to \$125. I have left the earlier hours at \$110 per hour, even
24 though those rates are well below market rates for paralegal work.

25 **THE FACTORS THAT JUSTIFY A LODESTAR MULTIPLIER**

26 43. In addition to my hours and rates, there is a wide array of relevant
27 facts that justify the full amount of fees we have requested here, including the
28 multiplier of 2.5. In general, the case's long duration (eight years), the risks of

1 loss and uncertainty, the high quality and great efficiency of the work, the
2 excellent outcome for the nearly 4,300 members of the class, the inability to take
3 on other business, as well as the great personal and financial toll this case has
4 taken on me, all weigh in favor of a 2.5 multiplier. I have already discussed some
5 of these factors (i.e., the novelty and complexity (¶¶ 8-25, *ante*), the great
6 efficiency (¶¶ 36-41, *ante*), the excellent results (¶¶ 26-28, *ante*); the other factors
7 also strongly support this request.

8 **The Great Risk My Firm Took**

9 44. To begin with, this representation was entirely contingent and highly
10 risky, for many reasons. I was first asked to participate in this litigation during
11 the summer of 2007. I was later contacted by David Zlotnick in October of 2007,
12 but due to my schedule and some other concerns, I declined to participate at that
13 time. I spent a number of hours assessing it before turning it down in November
14 of 2007 (see Zlotnick Declaration ¶ 7.) I turned it down initially because of my
15 schedule and largely because of the great level of complex and novel issues that
16 the case presented – which, ironically, was some of the intrigue that ultimately
17 convinced me to take the case in 2008. Among my many concerns in 2007 was
18 the likelihood that, in addition to the very high levels of risk and uncertainty
19 inherent in the case, Class counsel would almost certainly have to invest several
20 hundred thousand dollars for testifying expert work on various issues, including
21 the water usage of the Class. At that time, I was aware that the California
22 Supreme Court was soon to issue its opinion in *Olsen v. Automobile Club of*
23 *Southern California*, (2008) 42 Cal.4th 1142, which would reconsider and
24 potentially overturn *Beasley v. Wells Fargo Bank*, (1991) 235 Cal.App.3d 1407
25 (holding that expert witness fees could be recovered under Section 1021.5).³ I
26

27 ³ The concerns over the barrier presented by the need for a substantial
28 amount of expert witness advice and testimony were directed to the Court's

1 also knew that the case would have to be done on a contingent fee basis – there
2 was no mechanism for charging the class my fees or reasonable expectation that
3 anyone would have a stake large enough to pay for the work required.

4 45. In 2007 and into early 2008, I did give Mr. Zlotnick a number of
5 potential names of class action attorneys to contact, and did in fact contact at
6 least five – a number that is likely an underestimate as I did not keep records of
7 those calls – on my own in an effort to help him, to no avail. I remained in
8 sporadic contact with Mr. Zlotnick over the next six months. During that time I
9 made a few more calls to class lawyers I knew, again to no avail. In or about early
10 May of 2008, he informed me that he had exhausted all potential contacts and
11 was unable to find a qualified attorney willing to take on the matter. He asked
12 me to reconsider the matter and I agreed to discuss it with him and to come to a
13 court hearing in this case.

14 46. Attached as **Exhibit 7** is a true and correct copy of the relevant
15 portions of the hearing transcript of December 18, 2007.

16 47. The inherent problems with the inability to recover expert costs, and
17 hence the inability to retain work product experts, has been extremely
18 challenging. So much so that unless and until the law changes in this regard, I
19 would never take this sort of case again. Being put in the profoundly anxiety
20 provoking and stressful position of being ever on the verge of failing to provide
21 the class with the services it needed , on the one hand, and being forced to donate
22 large sums of unrecoverable case costs to a seriously risky lawsuit,⁴ is not a
23 situation I would wish on anyone. This is the reality Mr. O’Leary and I lived in
24 for the entirety of this litigation, and it ultimately led us to file a motion to
25
26

27 attention at the outset by letter, a copy of which is attached as **Exhibit 6**. (D.E.
28 1317.) These issues continued to be a major challenge throughout the litigation.

15
**DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION
FOR AWARD OF ATTORNEYS’ FEES AND INCENTIVE AWARD**⁰¹³²

1 decertify the Class out of concern that the Class could not be adequately
2 represented without expert work, and fear that one or both of us would be
3 bankrupted having to fund those non-recoverable costs ourselves.

4 48. On a particle day-to-day level, not having access to an expert for over
5 seven years on a case of this technical nature, made it extremely challenging to
6 litigate. If I did not have more than 20 years' experience working with
7 hydrologists, hydrogeologists, and engineers, as well as my own science
8 background, it would have been impossible to adequately represent the Class.

9 49. In the early phase of my involvement in this litigation, I conducted a
10 nationwide survey of cases, as well as an internet search, in order to determine
11 whether a class action had ever been attempted in a context like this. I found no
12 published opinions or publicly available reference to such a Class proceeding.

13 50. The resolution of this case was far from a sure thing. We settled the
14 *Wood* matter in 2011, only to have that settlement fail to reach final approval.
15 There have been two separate motions to decertify the Class, and at least three
16 substantive phases of trial (as well as at least one that was avoided) that could
17 have had partially or entirely adverse consequences for the Class and its counsel.
18 The Class was ultimately spared the ravages of prescription through settlement.
19 However, there is no guarantee that the settlement will survive the two to five
20 year appellate process if that occurs.

21 **The Preclusion of Other Employment**

22 51. Throughout this case, I have had many occasions where I had to turn
23 down cases, both large and small. This occurred on at least ten occasions. Since
24 nearly all of my work comes by referral from other lawyers, typically on more
25

26
27 ⁴ On this point, I refer to the *Olsen* case referenced above, and the fact that
28 the Class could not be adequately represented without substantial expert work.
Indeed, the billings of Cardno-Entrix and GSI in this matter total over \$204,000.

1 difficult or complex matters, the necessity of turning down such cases has meant
2 that my referral sources have formed other relationships.

3 52. Often the pace of work on this case has completely overwhelmed my
4 practice. For example, during the six-month window of time immediately before
5 and during the Phase 3 trial, I worked 596.3 hours on this matter. This level of
6 work made it extremely difficult to work on other matters, including legal
7 matters. The protracted trial timeframe – spanning over three months – caused
8 me to have to surrender one matter set for trial then, and to forgo taking on the
9 trial of another substantial matter, both of which were successfully litigate
10 contingent matters. On those matters, I lost several millions of dollars and fees.

11 53. In 2011, I had to turn down a large (eight-digit) contingent matter
12 involving unpaid medical services for a major surgery center. When I informed
13 the potential client that I could not make the case my primary focus, which it
14 certainly merited, they retained other counsel. That case has since partially
15 settled, and the counsel has been paid in excess of \$3 million. In 2012, I had to
16 turn down a huge (nine-digit) medical billing underpayment contingent case for
17 one of the larger chain medical providers in Southern California – a matter that
18 later settled for a large sum of money. Again in 2013, I had to decline to take a
19 large (over \$10,000,000) contingent contact matter for a famous entertainer who
20 was in a dispute with Walmart.

21 54. Over the years, I also had to decline the opportunity to substitute
22 into two hourly matters. I do not actively market for hourly work, but when it
23 comes, I am very reticent to turn it down. But the time demands of this case have
24 been high and fairly constant. The related problem this case has caused is my
25 inability to hire a quality attorney to assist in my practice, and the inability to
26 direct the marking of my practice in the direction that I would like to take it. My
27 practice has effectively been hi-jacked for the last eight years. At the age of 48,
28 this is problematic for many obvious reasons.

1 55. Attached as **Exhibit 8** is a true and correct copy of the relevant
2 portions of the hearing transcript of April 27, 2009.

3 56. Attached as **Exhibit 9** is a true and correct copy of the Court's Order
4 After Hearing on Motion by Plaintiff Rebecca Willis and the Class For Attorneys'
5 Fees, dated May 4, 2011.

6 **THE EXTREME BURDEN THIS CASE HAS PLACED ON ME AND**
7 **MY FAMILY**

8 57. The great draw on my time this case caused, as well as the lack of
9 income flowing from that work, created an extreme financial hardship on my
10 practice and on me personally, making it highly undesirable from a personal
11 standpoint for me and my family. The long hours required by this case has made
12 it difficult to raise or even enjoy my small children and family. I have spent much
13 of my family vacation time working on this case, in large part because of the ever-
14 changing calendar and the heavy law and motion practice. For example, during
15 my new years' vacation in Tahoe in 2013, I spent over 30 hours working on the
16 attorney fee motion reply papers because of the holiday filing deadline. I have
17 had to work extensively while visiting my wife's family, and on essentially every
18 other vacation I have taken during this case. The work during the nights and
19 weekends has been a substantial burden as well. The loss of personal time has
20 been nearly as hard as the economic difficulties wrought by this case.

21 58. I have borrowed sums in excess of six-figures, and worked constantly
22 for the last three years to make ends meet and keep my practice afloat. This
23 financial hardship lead directly to my losing my long-time home in 2012, and I
24 remain a renter today (this alone has cost me hundreds of thousands of dollars in
25 rent and appreciation, as well as peace of mind). I have never experience a
26 period of financial hardship like this in my life, and it took a profound toll on me
27 personally, on my wife, and on my marriage. It probably goes without saying that
28 if I knew the course that this case was going to take, I would have turned Mr.

Zlotnick down a second time in 2008. That was a decision that profoundly impacted my life and practice.

ALLOCATION AMONG DEFENDANTS

59. The allocation formula for each of the settling defendants was based on the same formula used in the Willis Settlement, which turned on relative groundwater production numbers of the ten defendant water suppliers. In the event it is of relevance to the Court, attached as **Exhibit 10** is a true and correct copy of the allocation table used by the Settling Defendants to set the payment percentages in the Settlement Agreement. The percentages for these defendants are: (1) Palmdale Water District, 27.37%; (2) Phelan Piñon Hills CSD, 2.67%; and (3) Rosamond CSD, 5.12%.

60. The Willis allocation table is based upon relative groundwater production by the various public water suppliers during the period of 2000-2006. The numbers found in this table come from the Summary Expert Report, discovery documents, and data produced by the water suppliers in this litigation. The percentages for each of the non-settling defendants are stated below, first as a percentage among the ten water suppliers, and then as a percentage among the remaining seven, for purposes of this motion:

Defendant	Relative Percentage (All Ten Defendants)	Percentage Among Non-Settling Defendants For this Motion
District No. 40	48.62	74.94
Quartz Hill Water Dist.	4.79	7.38
Littlerock Creek I.D.	5.15	7.94
California Water Svc. Co.	1.78	2.74
Desert Lake C.S.D.	0.92	1.42

Palm Ranch I.D.	2.97	4.58
North Edwards W.D.	0.65	1.00
	Total %	100.00

61. At least in some limited capacity, the Water Supplier Defendants have more recently used a slightly modified allocation, the foundation of which is not known to me. We do not care how the Water Suppliers allocate the fees and costs, so if they wish to propose alternative numbers, we likely have no opposition to that. Liability for the fee award also could be imposed on a joint and several basis.

62. I will also note that pursuant to the Stipulation for Entry of Judgment and Physical Solution, these settling defendants have agreed to bear the attorneys' fees and costs for the Small Pumper Class (and have expressly excluded from such liability, Defendants Palmdale Water District, Rosamond Community Services District, and Phelan Pinon Hills Community Services District). (Stipulation for Entry, ¶ 11.) These non-settling defendants have received consideration for this in the form of specific provisions in the Judgment and Physical Solution. (Stipulation For Entry, ¶ 12.)

INCENTIVE AWARD TO RICHARD WOOD

63. Richard Wood has represented the Class with the highest possible level of excellence and devotion. Indeed, in 15 years of class action experience, I have never had a single client, or even a collection of clients, put over 2,200 hours and \$10,000 of their own money into a lawsuit without ever uttering single complaint. At every turn in this case, he was engaged and assisting us in any and all means possible. His profound insights into the politics, environment, and workings of the Antelope Valley were of great use. The benefit that he has conferred on the Small Pumper Class and the Antelope Valley as a whole cannot be adequately put into words.

64. From start to finish, Richard held fiercely and decisively to the interest of the Class in every detail, and the result we achieve is as much a testament to his refusal to accept anything less than what he believed to be fair. It must also be said that in fighting for the Class, Richard put his own personal interest aside, beyond even the money he spent and time commitment. Richard has historically pumped more water than the average Class member, and so had some incentive to “go it on his own” and prove up a larger water right than 3 acre-feet per year. He surrendered that right to look out for all the Class Members. This should be acknowledged, and while he could not seek a different right during trial, he should not be penalized for his sacrifice. In the grant of an incentive award, Richard should be permitted to exercise a water right closer to that which he pumps. He has earned that much, if not more.

65. Attached as **Exhibit 11** is a true and correct copy of the relevant portions of the hearing transcript of October 25, 2013.

66. Attached as **Exhibit 12** is a trued and correct copy of the Court's Order in *In re Cathode Ray Tube Antitrust Litigation*, (N.D.Cal., Jan. 13, 2016) Case No. 07-5944 JST.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of January, 2016, at Hermosa Beach, California.

Michael D.
McLachlan

Digitally signed by Michael D.
McLachlan
DN: cn=Michael D. McLachlan, o=Law
Offices of Michael D. McLachlan, ou,
email=mike@mcclachlanlaw.com,
c=US
Date: 2016.01.27 15:52:01 -08'00'

Michael D. McLachlan

Exhibit 3

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: Dec 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	AMOUNT
12/1: Emails to and from Zimmer re water production .1; review and summary of discovery responses for information on historical purveyor production and overdraft status 1.7; analysis re Sheep Creek motion .3; call with client re injunction motion .2; call with Joyce .2; call with Sheehan .9; listen to Ariki interview online .7; finish review and summary of IRWMP and related docs .4;	4.5	
12/2: review and summary of pleadings for allegations on overdraft status 1.1; call with Judge Cahill's assistant re mediation .2; email from client .1; evaluation of Leroy Simons as potential mediator, including emails to landowner counsel .3;	1.7	
12/3: Research into John Cherry as potential expert and emails and calls to same .6; emails re handling Sheep Creek stip, review and execution of same .3;	.9	
12/4: Research and analysis of potential experts for small pumpers group 2.4; review documents on 3 proposed Willis experts .2; emails to and from David Watson .1; emails to Cherry .1; internet research for information on planned development of wells and new production by purveyors 1.2; research on background of Kalfayan experts .7; emails to and from Zimmer on experts .2; legal research on jury trial issue in class action context 1.6;	6.5	
12/5: Calls to several hydrology experts .6; review of databases from Hedlund .3;	.9	
12/8: Emails to and from Hedlund .1; analysis of LO expert summary table from Zimmer .2; participate in LO conf call .6;	.9	
12/9: Further review of mailing list and emails to Hedlund .4;	.4	
12/10: Evaluation of prior discovery for need to compel prior responses and preparation of summary grid re same 2.6; call from Waldo and email to Dunn re mediation costs .3; call with Leggio on settlement .2; email to LOs re settlement status .2; emails to and from Kuhs .1; analysis of discovery to purveyors .4; emails to and from RK re same .1; evaluation of pattern discovery idea .2;	4.1	
12/12: Call and email to and from Dunn .1;	.1	
12/14: Review Nebeker's settlement proposal .2;	.2	

0140

JA 158752

12/15: Prepare and revise notice of class action and file same 1.4;	1.4	
12/17: Call with Bunn .8; evaluation re revisions to notice .2; email to court and RK .2; calls with Bunn and Dunn re class notice and emails to same .5; legal research for injunction motion 2.5; email to and from Waldo .1; review of class website .5; call with RK .5; conf with DOL .3;	5.6	
12/18: Internet research for potential experts and numerous phone calls re same 1.6;	1.6	
12/23: Conf call re discovery .3;	.3	
12/29: Review of responses to discovery .2; email to RK .1;	.3	
12/30: Work on CMC statement .5; email and call with RK re notice problems .3;	.8	
12/31: Email to Dunn and Bunn re objections to Willis notice procedure .3; review and modify DO insert on jury trial right .5; email to and from Dougherty .1;	.9	
TOTAL ATTORNEY HOURS	31.1	

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: November 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
11/3: Review stip .1; attend trial and memo re same 4.1; review Dendy letter .1; emails to and from client and Fife re mediator .5; email re motions .2; research and analysis re ability to enjoin issuance of will serve letter 1.4; legal research on necessity to proceed in rem 2.8;	9.2	
11/4: Attend trial and memo re same 5.2; review corr .1;	5.2	
11/5: Attend trial and memo re dame 3.3; email to counsel re new mediator .3; call to L Fowler re mediation .7; review Waldo qualifications and call two references .4; call with client .3;	5.0	
11/6: Emails with Dunn re mediators .1;	.1	
11/7: Emails from LO counsel re next phase issues .2; call with Joyce .5; review Gene list of experts .1; call to RK re notice and trial .4; review mass of will serve and water supply documents and summary of same 3.6; meet and confer email .2; call from class member .4;	5.4	
11/8: Review further records form Joyce and supplement memo 1.3; emails re meeting .1;	1.4	
11/10: Emails re phase 3 meeting .2;	.2	
11/11: Travel to and attend LO meeting re phase 3, memo re same 4.8; review jury trial memo and research re same .6; review recusal memo .2;	5.6	
11/12: Emails with Fowler re mediation .3; review court ruling .1;	.4	
11/14: Emails and call with Fowler .3; review joint CMC .2	.5	
11/15: Review expert list .1; long call with Waldo re mediation position 1.0; call with Hedlund re list .1;	1.2	
11/16: Emails from Leggio and Fife .1;	.1	
11/17: Numerous emails re CMC statements .2; review and comment on same .4; email re Phelan .3; LO conf call, memo to file 1.4; email to Green .1; email re class list .1; further CMC emails .2;	2.7	
11/18: Emails with LO counsel re D40 .4; legal research on inverse condemnation about enjoining public use 3.4; emails to and from DO re class .1; emails to and from RGK re trial issues .3; review Fife well memo .2; email to RZ re McCarran .3;	4.7	

0142

JA 158754

11/19: Review Tejon statement draft .2; attention to drafting and revision of CMC statements .8; review McCarran section and numerous emails re same .4;	1.4	
11/20: Prepare and revise class notice 2.1; emails with DE re principals meeting .2; conf with DO re same .1; further changes to CMC language .2; emails and call with client .3; email to RK re notice issues .2; many emails re strategy and CMC issues .5;	3.6	
11/21: Review numerous CMC statements .7; review RK discovery .1; prepare CMC statement re class notice and revise same .9; call with Hedlund .1; travel to and attend LO meeting, memo re same 3.5; review Lever Decl. .1; review and markup of joint CMC statement .4; emails to and from Fowler re Waldo .3; email to LO counsel re Waldo .5; emails with SH and DZ re class issues .3;	6.9	
11/22: Email from client re notice .2; review John U letters re overdraft .2;	.4	
11/23: Review DZ notice proposal .2; conf with DO .1;	.3	
11/24: Review motion to intervene .1; prepare for CMC, review latest filings .8; extensive drafting of class notice filing and 15+ emails to and from DZ re same 2.8; many emails from LO counsel re discovery, hearing and planning .4; legal research on class notice issues .7; LO ground conf call .8;	5.6	
11/25: Travel to and attend CMC in San Jose 9.4; long email to Dunn re mediation .4; call to JAMS for Cahill info .3; long email to LO counsel re mediator options .6; calls with several LO counsel .2; emails to and from LO counsel re mediation .3;	11.2	
11/26: Call with RGK re many issues 1.5; prepare and serve discovery .8; long call with Waldo re mediator gig .9; review PRA request to Phelan .1; review and markup proposed order, long email to DZ re class notice handling .7; email to Dunn re mediator .4; emails to DZ re jury trial .2; numerous email to LO counsel re injunction motion .3; email to Dunn on database .1; email to RK re complaint .1; emails with John U on water resource .1; analysis and review of integrated water management plan 1.3	6.5	
TOTAL ATTORNEY HOURS	77.6	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: October 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
10/1: email and call with client .2; summary of Rhone depo 2.7; summary of Utley depo and analysis of exhibits 3.3	6.2	
10/2: Emails and call with client .3; review and summary of Oberdorfer depo 3.4; analysis and review of many trial briefs 1.1; review voluminous law and motion filings .9	5.7	
10/3: Summary of Durbin depo 4.1; review further law and motion filings .8;	4.9	
10/5: Review exhibit lists .2;	.2	
10/6: Attend Phase 2 trial 5.2; summary re same .6	5.8	
10/7: Attend trial and meeting with Zimmer/Joyce/RK 4.1; summary re same .5	4.6	
10/8: Attend trial 3.8; review trial filings .5; memo re trial summary .5	4.8	
10/9: Attend trial 3.1; call with client .2; memo re trial .6;	3.9	
10/10: Attend trial 4.8; summary memo re trial .7	5.5	
10/13: Attention to drafting joint notice 2.2;	2.2	
10/15: Review numerous depo notices .2	.2	
10/21: Review motion to continue trial .3; prepare summary memo of trial exhibits 1.0	1.3	
10/22: Review Brunick memo .1;	.1	
10/23: Emails from R Walker .1	.1	
10/24: Courtcall status conference .3; review 12 trial filings of today .7; emails re trial status .1;	1.1	
10/27: Depo of Sheehan 1.0; emails re LO meeting .1;	1.1	
10/29: Review motion to quash filings .3;	.3	
10/30: Email to client .1; review Anaverde trial filings .6;	.7	

0144

JA 158756

10/31: Attend landowner principals meeting in Valencia 3.7; review docs from Lieniger .3;	4.0	
TOTAL ATTORNEY HOURS	52.7	
TOTAL PARALEGAL HOURS		

EXPENSES	AMOUNT
DDS	
Lexis online research	
Fedex	0
In Houses Copy @ .15/page	
postage	
Fax / long distance phone	
TOTAL EXPENSES	
TOTAL TIME AND EXPENSE	\$

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: Sept 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
9/2: Emails to and from Dendy .2; review cert order .1; review RK Mil .2; review 3 other court orders this day .1;	.6	
9/3: Review Blum and Orr letters, US designation .1; review cost sharing proposal .1;	.2	
9/4: Call to Merrill re depo and document repository .3; email to all counsel .1;	.4	
9/5: Numerous (25+) emails to and from counsel re trial and discovery issues .9; call with client .5;	1.4	
9/6: Email and call with client re basin issues .4;	.4	
9/7: Emails with counsel re class notice .2;	.2	
9/8: Many emails with counsel re notice and trial issues .8; conf call with LO counsel, memo to file 1.1; review Merrill pricing, call to same re questions .3; email to counsel re same .2; many emails from Fife re other basins and settlement issues .3; review and analysis of Chino and SM settlements and memo re same 1.4;	4.1	
9/8: Review and summarize depo notices .3	0	.3
9/9: Review depo notices .1; review CMO .1; emails to and from client and Dendy .2; commence review and analysis of voluminous discovery responses of COLA, D40, QH, Lancaster and Palmdale, and PWD 6.4	6.8	
9/10: Review AVEK settlement .1;	.1	
9/11: Review Davis motion and related filings, research re same .9; emails re call .1; class notice conf call and memo to file .5;	1.5	
9/12: Commence summary memo of discovery responses by LCID, CWC, PWD 7.4	0	7.4
9/12: Review Dunn decl .1; long email to RK re notice issues .6; emails re depo .1; emails to and from RK re documents .2;	1.0	
9/13: Emails with DZ re notice .3;	.3	
9/14: Review Weinstock letter .1;	.1	

0146

JA 158758

9/15: Emails re LO calls .1;	.1	
9/17: Review new AVEK term sheet and comments .2; prepare notice to participate .2; call to DZ re notice .2; review Davis stip .1;	.7	
9/18: Review corr of this day .1; email to and from DZ re settlement issues .8;	.9	
9/20: Review Willis settlement comments .2;	.2	
9/22: LO call and memo to file re same 1.3; emails from LL re trial issues .1;	1.4	
9/24: Review and summary of litany of law and motion filings 1.3; attend Joe S deposition and memo to file re same 3.7;	5.0	
9/25: Emails re depos .2; emails with reporter .1;	.1	
9/26: Review and summary of US discovery response .2;	.2	
9/26: continue summary of discovery responses 4.9; prepare summary of notices of intent .5;	5.4	5.4
9/28: Review and summary of Utley depo 4.6	4.6	
9/29: Attend court hearing and memo to file re same .6; review RK MIL .2; attend Durbin depo and memo to file re same 8.6; many emails re class notice .4;	9.8	
9/30: Review and analysis of numerous MILs .9; summary of Rhone depo 2.1	3.0	
9/30: Prepare summary of experts and disclosures 1.4;	0	1.4
TOTAL ATTORNEY HOURS	48.5	
TOTAL PARALEGAL HOURS		15.1

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: August 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	AMOUNT
8/1: Work on redrafting CMO and notice 2.0; numerous calls and emails to counsel re same 1.2;	3.2	
8/2: Emails to and from client and DOL .2;	.2	
8/3: Emails and calls to and from Tseng/assistant and provide info to same .4; t/c with client .5;	.9	
8/4: Modify ex parte .7; conf call with landowner counsel 1.0; attention to courtcall hearing .1; review reply from Fife .1; review AVAC brief .1;	2.0	
8/5: Prepare reply brief on cert motion 1.1; review Herrema brief on trial location and comment .1; email to Dunn .1; review draft CMC statement .2;	1.5	
8/6: Review numerous documents from Joyce .3; emails and calls to and from LO counsel re: CMC issues .5;	.8	
8/7: Review CMC statements .2; emails to and from client and DOL .2; review class database .3;	.7	
8/8: Email to client and call to same .2; read and summarize Mojave and San Fernando cases 1.3	1.5	
8/10: Review press release by client and call to same .4;	.4	
8/11: Emails to and from client and Dendy .2; prepare for and participate in hearing 1.8;	2.0	
8/12: Review objections to CMO and settlement agenda .2; emails to and from DZ on notice .2;	.4	
8/13: Email to client .2; review and analysis of depo sharing proposal from Merrill .3; analysis and review of physical solutions in three other basins .8; research on di minimis exemptions for small pumers 2.3	3.6	
8/18: Emails to and from DZ re class notice .2;	.2	
8/20: Review Dunn letter .1;	.1	

0148

JA 158760

8/21: Prepare order re certification .2;	.2	
8/23: Review draft notice from DZ .2; call with client .3;	.5	
8/25: Emails and calls with Dunn and Bunn .1;	.1	
8/27: Email to LO counsel re group depo pricing .5; call with DZ .2; email to Bunn .1; call with Balke on depo system .2;	1.0	
8/29: Review Balke email .1; email to RK .1;	.2	
TOTAL ATTORNEY HOURS	19.5	

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: July 2008

Bill To:
Antelope Valley Water Suppliers

For:
Legal services, Antelope Valley Water litigation

DESCRIPTION	HOURS	PARALEGAL
7/1: Call from Janet Goldsmith .1;	.1	
7/2: Emails to and from Dougherty re discovery .1;	.1	
7/3: review settlement notes .1; review of prior discovery and email to Joyce .6; prepare and file request for dismissal .1; emails to and from client . 1;	.9	
7/7: review settlement proposal from Fife .2; landowner conf call .7;	.9	
7/10: Review joint CMC insert and emails to LO counsel re same .2; call with Zimmer .1;	.3	
7/11: Research on local water conservation ordinances and enforcement of same 2.3; review objection to class cert motion .1; review CMC drafts and emails re same .3;	2.7	
7/12: Review motion to modify and opp to motion to certify .3;	.3	
7/14: Review cmc statement and prepare modifications to same .6; email to Herrema .1; landowner conf call .5;	1.2	
7/15: Review Lancaster's discovery responses .3;	.3	
7/16: Calls to counsel re: CMC statement and review final version of same .4;	.4	
7/18: Review CMC statements .1; review settlement meeing documents .2; emails to and from Dunn .1; email from Dendy re settlement proposals and review same .1; review banking document .2;	.7	
7/20: Call and emails to and from client and editing of settlement framework document .9;	.9	
7/21: Travel to and attend CMC and meeting with landowner counsel after 2.9; phone calls and emails to counsel .3; emails and calls to client .6; email to Dunn and call to counsel .3; emails and call with Dendy on class settlement issues 1.1; email to Dunn .3; emails to and from client .2;	5.7	
7/22: Travel to and attend settlement meeting 5.4; review and analysis re class list .4;	5.8	

0150

JA 158762

7/23: Review report on settlement conference .2; attention to drafting confidentiality agreement for settlement meetings .6; email to DO .1;	.9	
7/25: call and email to Dunn .2; analysis of Willis motion .2; emails to and from client .1;	.5	
7/28: Email and call to Dunn .2; call with Orr and memo re same .9; meeting with O'Leary on class issues .5; landowner conf call .6;	2.2	
7/29: Emails and calls to counsel on CMO issues 1.5; two calls with Leininger .5; research on expert motion .8; review opp to motion to strike and demurrer opp .3; emails to and from Orr on CMO .1;	3.3	
7/30: Drafting of CMO including emails and calls to and from various counsel re same 5.8; research on expert appointment motion .4	6.2	
7/31: Emails to and from client .1; numerous calls and emails to LO counsel and revise CMO 2.8; emails with Orr .1; emails to and from Dendy .2; email to Lieniger .2;	3.4	
TOTAL ATTORNEY HOURS	36.7	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE June 2008

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
6/1: Emails to and from Fife .3;	.3	
6/2: Review DZ fee memo .2; prepare retainer and email to client .3; review Willis discovery responses .2; preparation of complaint and all related documents 3.0; call with client re same .2; participate in landowner call .8; email to Fife .1;	4.8	
6/3: Long email to DZ and RK .3; email to and from Putnam .2; emails to and from RK re Scalmini meeting and related issues .3; emails to and from Dunn and Pfaeffle re class definition .2; review settlement meeting documents .2; prepare and file notice of related cases .3; prepare notice of errata .2; emails to and from Markman and client re settlement conference .1; emails to and from client on complaint revisions .3; emails to and from Dendy re settlement issues .2; call with Joyce .4;	2.7	
6/3: Continue pleading summary 2.3; commence comprehensive party/pleading summary 3.9	0	6.2
6/4: Emails to and from Sanders .2; emails to and from Putnam .2; calls to clerk re hearing problem .2; letter to court re ex parte on June 9 .3; calls to and from various counsel re class definition problems .6;	1.5	
6/4: Continue party/pleading status summary 2.6	0	2.6
6/5: Review Fife ex parte draft .2;	.2	
6/6: Email from RK .1: legal research in Hutchings book on various water law issues 2.8;	2.9	
6/7: Emails to and from Fife .2; review ex parte .2; review demurrer .3; email to RK .1;	.8	
6/9: Attend settlement meeting 4.7;	4.7	
6/11: Participate in telephonic hearing .5; review Dendy memos .2; emails to and from client re Dendy meetings .3; review joinders .1; emails to and from RK .1; email to Fife .1;	1.3	
6/12: Emails to and from RK .1;	.1	
6/13: Review prior discovery from Joyce .4; commence preparation of RFP and rogs 1.7;	2.1	

0152

JA 158764

6/16: Review ex parte and related papers .2; preparation of motion for class certification 1.3; legal research re class cert issues .1.3	2.8	
6/17: Emails to and from Dunn and Pfaeffle .2; emails to and from DZ .1; call from potential class member .3; analysis of database from Hedlund .3; emails to and from Fife .3; emails to and from Dunn .2; emails to and from DZ and RK re expert meeting .1; attention to calendaring cert motion .1;	1.6	
6/18: Review order .1; prepare notice of association .1; analysis re Doe amendment and prepare same .3; preparation of amended complaint .5; review protective order .2; emails to and from RK .2; call with Dunn .1; review Dendy notes .1; email to DOL re case .2; review expert CVs from Fife .2;	2.0	
6/19: Attend landowner meeting in Burbank and conf with counsel afterward 5.6; emails to and from client .2; emails to and from Fife .1;	5.9	
6/20: Complete motion for class certification and MDM declaration 4.7; calls to and from landowner counsel re class definition issues .5; emails re same .2; call from potential class member and email to RK .5; call with Dunn and email re same .3; numerous emails to landowner counsel on class issues .5; emails to and from Court .1; analysis of potential Doe defendants .3; review answer of Palmdale .1; modify and file first amended complaint .5;	7.7	
6/21: Emails to and from Dougherty .3;	.3	
6/23: Participate in landowner conf call .8;	.8	
6/24: review ex parte applications .3; preparation of ex parte application and MDM declaration .9; prepare notice of designation .2; call with Goldsmith .1;	1.5	
6/25: Participate in ex parte hearing .5; review minute order .1; prepare order for court .2; attend settlement conference meeting 4.5; emails to and from RK and DZ .1;	5.4	
6/26: Review and analysis of technical comm. report and preparation of questions for Scalaminini 6.8	6.8	
6/27: Travel to and attend meeting in San Diego with Scalaminini 7.2;	7.2	
6/28: Emails to Fife and Zimmer .3;	.3	
6/29: Emails to numerous LO counsel .4;	.4	
6/30: Emails to and from Fife .2; prepare summary of J Scal meeting and further review and analysis of expert report and exhibits 3.1	3.7	
TOTAL ATTORNEY HOURS	67.8	
TOTAL PARALEGAL HOURS		8.8

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: Aug. 2007-May 2008

Bill To:
Antelope Valley Water Suppliers

For:
Legal services, Antelope Valley Water Adjudication

DESCRIPTION	HOURS	PARALEGAL
8/3/07: Calls and email from potential class representatives Tseng and Lu .7; review pleadings and case file information and assessment of case and issues 2.4; legal research re several issues in water law 1.5;	4.6	
8/9: Corr with clients re several issues .4;	.4	
8/13: Further review of pleadings .5;	.5	
10/31: Ten plus emails to and from Zlotnick re case and review class materials 1.2; call with same .4;	1.6	
11/1: Emails to and from DZ .2;	.2	
11/5: Attend court hearing and meeting with several lawyers and DZ re numerous issues re class 3.8	3.8	
11/8: Legal research on 1021.5 viability and related class issues, memo re same 5.4;	5.4	
11/16: Call with DZ .2;	.2	
11/19: Call to DZ .2;	.2	
4/24/08: Emails to and from DZ .1;	.1	
5/2: Calls with Zlotnick, memo to file .2;	.3	
5/4: Research on court website .4; attention to locating potential class representative, including numerous calls re same 1.7;	1.7	
5/5: Attend status conference and hearings at court, and meeting with attorneys and R. Wood 3.7	3.7	
5/6: Call and email to Fife .1; research and analysis re expert issues 1.4; call with Jeff Dunn .6; emails and calls with client .4; review Willis complaint .2; Call with DZ and memo to file .4; call to defense counsel re background .3;	2.7	
5/8: Email from Fife .1; research on expert issues 1.8; legal research on expert cost recovery issues .9	2.8	
5/9: Research re potential experts and many calls to same 4.1;	4.1	

5/13: Legal research on appointment of expert 1.0; commence letter to Judge .3; call with Steve Johnson .3; review Zimmer letter .1; further research and calls on experts 1.5;	1.7	
5/14: Complete draft of letter to Judge and revise same .9; review of prior filings in the case and preparation of summary memo of same 2.7;	3.6	
5/15: Emails to and from Lemieux re expert issue and calls to Johnson .3; further legal research re 1021.5 legal fees issues, and memo re same 2.4;	2.7	
5/16: Review settlement conference memo and agenda and calls with landowner counsel re status of prior discussions .7; commence review of Hutchins book on CA water law and preparation of memo on key legal issues 3.5; prepare instructions re pleadings to pull .3;	4.5	
5/16: Download and assemble index of important prior pleadings 2.6; commence case history summary 4.7	0	7.3
5/19: Call with Lemieux .2; emails to and from same .1; attention to locating other expert witness, including calls to LO counsel and web research 1.1; email to Johnson .1; review CMO and discovery responses filed this date .2; many emails to and from Fife on expert issue .2;	1.9	
5/20: Call from Nebeker .2; call with client .2; review CMC statements .3; continue review of Hutchings book on procedural issues of water adjudications and groundwater water rights sections 2.6;	3.3	
5/21: Phone calls to numerous counsel on class definition issues .6; review CMC statements .2; emails to and from client .4; research on class issues in property rights arena 2.4;	3.6	
5/22: Attend status conference and meeting with counsel afterward 3.0;	3.0	
5/23: Emails to and from client re settlement .3; continue review of prior filings in case and summary memo of pertinent pleadings 2.6;	2.9	
5/26: Email from client .1;	.1	
5/27: Review class order and emails to and from client .1; review CMC orders .1;	.2	
5/28: Call with Zlotnick .2; commence preparation of class complaint .6; evaluation re prior pleadings filed .6;	1.4	
5/29: Emails to and from client re settlement meeting .2; review agenda and settlement points and call with several LO counsel .3; additional research on 1021.5 fee recovery issues 1.0;	1.5	
5/30: Attend settlement meeting and conference with various counsel after re: class issues 4.2;	4.2	
TOTAL ATTORNEY HOURS	66.6	
TOTOAL PARALEGAL HOURS		7.3

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: December 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
12/2: Long email to Bunn re settlement .6	.6	
12/4: Email to and from Valentine and DR .4;	.4	
12/7: Review Paxton email and PM settlement documents .6; email to Dunn re same .1; long call with Betty Gambone .7; call and emails to and from class members .4; email to Gene re drafting .1; review minutes of PM .1;	2.0	
12/8: Call from 2 class members .4;	.4	
12/9: Many (15+) mails to and from JD, DO, RK and client re settlement issues .6; call from Dunn and memo to file .2; attend PM 3.2	4.0	
12/10: Email to client .1	.1	
12/14: Emails from Gene and Randy re MP .2; review BB questions .1	.3	
12/15: Emails with JD .1; email to Walker re hearing .1	.2	
12/16: Return calls from 7 class members and update master memo 1.9	1.9	
12/17: Review court order re inclusions .1;	.1	
12/24: Settlement email to RK and DO .3;	.3	
12/28: Emails to and from client .3;	.3	
12/29: Emails from DR and Valentine re MTC .2;	.2	
12/30: Review Garner settlement draft .4; emails with client re same .3;	.7	
12/13: Email to Garner re settlement .1	.1	
TOTAL ATTORNEY HOURS	11.6	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: November 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
11/2: Call from Lookabaugh and attention to determination of status, return call to same .5; email to Roberts .1; email to Bunn .1; email to RK .1; email to DR .2; emails to DZ .1;	1.1	
11/3: Email to Paxton .1; email to BBK re website .1; prepare for mediation .9	1.1	
11/4: Travel to and attend Robie session 2 13.1;	13.1	
11/5: Call with client .3; call with E Jones re class .4; return calls to 7 class members and update master memo re same 2.2; review and analysis of Willis agreement .3; summary memo re Robie session .4; Call with Sloan .2;	3.8	
11/6: Settlement email to Bunn .4; emails with DO re same and class member issues .3; call with Joyce re writ impact and settlement issues .3; calls to and from 4 class members .6;	1.6	
11/7: Review writ .2;	.2	
11/9: Emails with Bunn re Davis .1; emails with DO and client .2; emails to and from 4 class members re various issues .7; prepare opt in form .3; email to BBK re website .1;	1.4	
11/10: 15 emails with MF, RK and DZ re handling opt ins .5; emails with 6 class members re same; return calls to three class members and update master memo .6;	1.1	
11/11: Emails to and from Paxton re principals mediation session .1; 12+ emails with Garner on ex parte and opt in .9;	1.0	
11/12: Email from Moore .1; call with atty Wooten re CM Mathis .4; emails with same .2; emails with EG .1; emails with 2 class members re Q and lawsuit .3;	1.1	
11/13: Review court order re ad on, emails with EG .1;	.1	
11/14: Emails with client re settlement .4; review Paxton docs .2;	.6	
11/15: Call with client .2;	.2	
11/16: Numerous emails from counsel re Putnam issue .3; review PM settlement documents .4;	.7	

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11/18: Preparation and editing of letter to PWS re fees 1.4; emails re DZ re settlement .1; preparation for PM .6; travel to and attend principals mediation session (PM), memo to file 4.5;	6.6	
11/19: Emails with two classmembers .2; return calls to 5 classmembers, update master memo 1.2	1.4	
11/20: Email to JD n/c	0	
11/23: Long call with Valentine and email to DR re same .7; call with Dunn and memo re same on settlement .6; calls to and from three class members .5; email to DR re Valentine .3;	2.1	
11/24: Emails and call with several class members .7	.7	
11/26: Call with R Kuhs 1.5; analysis and review of integrated regional water management plan 1.3;	2.8	
11/27: Legal research on continuing duties of class counsel 1.4; email to DO re same .1; emails with DZ .1;	1.6	
TOTAL ATTORNEY HOURS	42.3	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: October 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
10/1: Review new spreadsheets and analysis re same, call with Roberts .4; email to AH re preparation of final class list .2; emails with RW .1;	.3	
10/1: Review and input class Q responses into web site 3.0	0	3.0
10/5: Emails with KH re status .1; Email from Paxton and review consent form .1;	.2	
10/5: Work on identification on nonclass members 2.6; review and input class Q data into web site 5.0	0	7.6
10/6: Email from Paxton and review 7 attachments, call to client re settlement status .5;	.5	
10/6: Review and input class Q responses into web site 7.2	0	7.2
10/8: Call with RK re settlement and consolidation .3; assessment of revised settlement agreement .5; email and calls to BBK .1; call to Joyce .4;	1.3	
10/9: Emails to and from Moore re settlement .2; call with same re same .6; conf with DOL re same .2; review Santa Maria document and commence revised draft settlement 1.2; emails to and from client .1;	2.3	
10/12: Review and input class Q responses into web site 6.2	0	6.2
10/13: Travel to and attend hearing in San Jose including preparation for same 7.5; conf with DOL on same and settlement issues .2; review 170.6 case law and further research re same 1.2;	8.9	
10/14: Call and email with RK re settlement .2; emails to and from DZ re same .2;	.4	
10/15: Analysis of settlement, attention to drafting revised agreement, and research on judgment and approval issues 1.8; email to PWS counsel re settlement issues .2;	2.0	
10/16: Conf with DOL re settlement problems .3; review Willis document and call RK .2; call to client .1; email to Moore et al re problems with settlement .6; email to and from Sloan re class status .2; emails to and from DZ and RK re problems with settlement .3;	1.7	

10/19: Call with client re settlement issues .6; review latest principals settlement material and email to Paxton .3; review class website and email re modifications to same .2; calls to and from class member on various issues .4; emails to and from DZ .1; calls and emails to and from LL .1; review Paxton email and summaries .2;	1.9	
10/19: Review and input class Q responses into web site 7.5	0	7.5
10/20: Emails to and from LL .2; conference call with LL and Dubois .9; emails to and from various PWS counsel and US re settlement issues .6;	1.7	
10/21: Review of briefs opposing 170.6 .3; legal research re same .3; research and evaluation of class notice and consolidation problems .7; prepare memo on same .4; email to DO re settlement issues .4; emails with D counsel re settlement .3;	2.4	
10/22: Review email from DOL on response to memo and call with DOL re: handling consolidation and settlement .4;	.4	
10/23: Legal research on appellate issue re consolidation .5; review of reply brief on 170.6 and research re same .4; return calls to 8 class members, update master memo 2.5	2.4	
10/26: Calls to and from two class members and email to Dan Roberts .6; research on Metter Valley Mutual and long email to BBK re problems re shareholders on class list .8; calls from 2 other class members .3; email to BBK .1;	1.8	
10/27: Telephonic hearing .8; email to landowner counsel .2; numerous emails to and from DZ and RK re settlement issues .5; call with client .2; email to LL re Robie letter .1; further emails to and from DZ and RK on settlement .5; email to client .1; call from Joyce on procedural issues .4;	2.8	
10/28: Emails to and from PWS counsel .2; email from Moore, prepare draft response to same, and conf with DOL re same .7; emails to and from PWS counsel on mediation part 2 .6; review court order .1; many emails to class counsel re settlement issue .7; further emails with D counsel re Robie .2;	2.5	
10/29: Prepare second settlement conference brief for Robie 2.2; emails to and from DOL and Bunn .2; email to MF et al. re writ .1; calls from class members .3;	2.8	
10/30: Email from client re Robie .1	.1	
TOTAL ATTORNEY HOURS	36.4	
TOTAL PARALEGAL HOURS		31.50

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: Sept. 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
9/1: Review Paxton email and atty rules, minutes .2;	.2	
9/2: Travel to and attend mediation in Sacramento with Justice Robie	15.0	
9/3: Analysis re consol and email to DZ .2;	.2	
9/4: Call with RK and emails to and from RK and Sloan re settlement issues .5;	.5	
9/7: Review Fife letter to McDonald, email to DO .2;	.2	
9/8: Calls to and from various class members, research on issues, and emails to same .7; email to Hedlund re Williamson .1; call from Garner .2; review Roe list and research on status of same .2; emails to and from Sloan re Roes and settlement issues .3; emails to and from Garner and Moore and call to same .2; meeting with DOL on settlement issues .7; review of draft settlement .4; research on basinwide prescription .5; long email to Garner .4; emails with BBK re Does and permits .3; emails to and from three class members .4; many (25+) emails with counsel re settlement 1.0;	5.4	
9/9: Review supp brief on motion to consolidate and analysis re attachments .4; call from Chris Sanders on class issues and sanitation claims .5; numerous calls and emails to and from class members on notice forms 1.2; emails and calls re participating in principals settlement .4; research on 2-100 and preparation of draft consent form .5; emails to from Bunn / Paxton et al. re same .3; emails with B Martin re Q .2; emails to and from reporter re story on AV and call with same .9; email to client re interview .2;	3.6	
9/10: Emails with BBK on website and class .2; conf with DO re settlement .2; return calls to 3 CMs re lawsuit and Q .8;	1.2	
9/10: Attention to class list clean up and identification of nonclass members 6.4	0	6.4
9/11: Emails and analysis re class list problems .5; many emails with DZ and DO re settlement .4;	.9	
9/14: Emails re website changes .3;	.3	
9/15: Emails with LO counsel .1;	.1	

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9/21: Review Paxton email, reserved rights, and agenda .2;	.2	
9/23: 10+ emails re settlement meeting and review numerous documents, emails with Paxton .6;	.6	
9/24: Call to court clerk re scheduling .1; conf with DOL on settlement issues .1; call to RK re settlement and consolidation .3; email to BBK re class notice .1;	.6	
9/25: Call to clerk and email to DOL on motion .2; email to Lemieux	.2	
9/28: Emails with DR and BBK re unresolved issues .5;	.5	
9/29: Emails with BBK re notice issue and .6;	.6	
9/30: Email Gar re website issues .2; email to RWalker re DQ .1; conf with AH re Q problems .2; emails to DR and review of databases .3;	.8	
9/30: Review and entry of class member Q responses to website 6.7	0	6.7
TOTAL ATTORNEY HOURS	31.1	
TOTAL PARALEGAL HOURS		13.1

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: August 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
8/1: Emails with Paxton re settlement invite .1	.1	
8/2: Long status email to DOL .5; email to Parris re political issues .6; response to class member emails .4; emails to and from BBK .1; research for opp to consolidation motion 1.4; prepare memo to CM contacts to date 1.7	4.7	
8/3: Call with Evertz and talk with DOL re settlement .5; call from Sloan .3; emails to and from RW re scheduling issues .1; legal research on consolidation issues 1.6; calls and emails from class members .7; attention to response form processing issues .5; emails to and from Roberts et al .4; preparation and revision of opp to motion to consolidate 2.3; review numerous filings of this day .6;	7.0	
8/4: Calls with RK on settlement issues .3; call with TT re protocol and water calculation .4; emails to and from client .3; responds to class emails .2; emails to and from House and Hedlund .4; search database for data .3; emails to and from client .2; email to DE re settlement .2; email to EG re permits .1; return call to 7 CMs re notice, supp memo re same 2.1	4.5	
8/5: Review and analysis of client memo on class visits and call to same .5; emails with DO re same .2; return emails and calls to 14 CMs 2.4; update memo re same .3	3.4	
8/6: Emails with RK re settlement .2; emails with client re class notice issues .3; email to BB re Lane issue .1; many emails with BBK and Leever re DB .3; emails re response forms .1; review RK expert motion and opp .2;	1.2	
8/7: 20+ emails re principals meeting consent issue .6; emails to and from client re water level .5; review 4 motion filings today .3; prepare and file brief on stay .2; return calls from 5 CMs re Q and lawsuit 1.3; update memo re same .2; emails with Orr re settlement, email to DO .2;	3.3	
8/8: Email to Orr re settlement problem, conf with DO .3; email to Paxton .2;	.5	
8/9: Emails re settlement conf .1;	.1	
8/10: Emails re Leever on database problems .3; call with SH re response forms and database .2; emails to and from KL re DQ .1;	.6	

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8/11: Call with Bill Leever and memo to file .6; prepare and revise CMC statement .6; emails to and from WL re DQ .4; email to TB re data .1;	1.7	
8/12: Call with Tom Bunn and memo to file .5; calls to and from class members 1.2; attention to issues with response forms .5;	2.2	
8/13: Review 7-24 transcript .2; many (15) emails re mediation .3; call with client re mediation update .4	.9	
8/14: Review KL filings .2; emails and call with client re USGS data .3; emails from WL and court re DQ .1; letter from BB and email to same re mediation .1; return call to 6 CMs re lawsuit and Q, update master memo 1.7;	2.4	
8/16: Review CMC statements and prepare for hearings 2.6;	2.6	
8/17: Travel to and attend hearing in San Jose on 9 items 9.0;	9.0	
8/18: Analysis of class data and email to Dunn et al re same .7; emails to and from Dunn and Hedlund .3; Review draft mediation agreement, research on related issues, and email to PWS counsel re class settlement issues and mediation confidentiality 1.9; long email to BBK re CM issues .5;	3.4	
8/19: Emails and conf with DO re mediation .2; emails with RWalker .1; emails to and from client .2; emails with BBK re class .2; long email to DO re case strategy .7; email to SH re remailing .1;	1.5	
8/21: Commence ex parte papers re class issues .4; preliminary review of USGS well data and maps .4; return call to 6 CMs, and respond to emails from 7 others, update master memo re same 2.2; emails to and from TB .1; review and markup draft mediation brief .4; emails with BBK re PO and records .1;	3.6	
8/23: Drafting ex parte application re class issues .8;	.8	
8/24: Review latest excel database of class responses and emails to and from Hedlund .3; preparation of mdm declaration for ex parte and legal research on class notice issue .8; call with Dunn, Hedlund et al re class notice issues .9; conf with DOL on same and mediation issues .2; call to Zimmer re letter of today, settlement, and case strategy .8; emails to and from court re ex parte hearing .1;	3.1	
8/24: Attention to review and input of class member questionnaire responses into website 7.8	0	7.8
8/25: Call with client on settlement issues and water use .9; complete mediation brief .7; emails to and from client on settlement issues .4; review RK letter and email to DOL re same .1; review Paxton agenda and settlement matrix .2; email to Dunn .1; email to Paxton re need for mediator .2; further settlement email and review attachments .3; emails with client re same .2;	3.1	
8/25: Attention to review and input of class member questionnaire responses into website 7.3; conf with MM re status and questions .3	0	7.6
8/26: Finanize brief and email to MMoore re same .2; return calls to 6 CMs and update master memo 1.4;	1.6	
8/26: Attention to review and input of class member questionnaire responses into website 8.1	0	8.1

8/31: Call with client re settlement meeting .2; respond to two CM emails on notice and Q .3;	.5	
TOTAL ATTORNEY HOURS	61.8	
TOTAL PARALEGAL HOURS		23.5

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: July 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
7/1: Complete and revise letter to Dunn .9; calls to and from RK .2; call to Updegrad .1; brief review of PWS disco responses and instructions to AH re summary of same .5; review JT motion for relief .1; preparation of DQ reply brief sections and editing of same 2.5; email to DO re changes summary .1; email with client re notice .2; email to BJ .1;	4.7	
7/1: Commence preparation of summary of PWS answers to uniform discovery and index of incomplete answers 6.4	0	6.4
7/2: Receive and analysis of new database from SH 1.1;	1.1	
7/2: Continue analysis of small pumper members who are Roe defendants and compare with current class list .5.6	0	5.6
7/3: Emails to and from LO counsel .1;	.1	
7/6: Review and revise FAQ section for website and emails re same 1.2; review website and prepare email re changes .8; emails to and from Fife et al re discovery issues .4; email to House re: additional changes .1; calls from House .2; prepare home page content section .6; prepare short form notice .6; email to Dunn et al re: Roe problems .1; further emails and call with BBK re website .4; email with LO counsel re discovery costs .3;	4.7	
7/7: Emails with client and BBK re case website .3;	.3	
7/8: Calls with Joyce re discovery and Roes issue .3; call from Melnick for Cameron .2; call from Aklufi .1; research on CCP 474 and 583 issues on Roe service .8; ex parte notice .1;	1.5	
7/9: Review Dunn letter of yesterday and email to same .3; call toll free link, and emails to and from DZ and BBK re modifications to same .3; email to JD re suing class members .2; prepare ex parte application and declaration, and revise same 3.2; call with Kim Updegrad .3; email to Hedlund re same .2; prepare notice re bill stuffer .7; attention to fixing website glitches including emails to House, Hedlund, and Goode, and test same .5; emails to and from DOL re DQ and pleadings .2; review draft motion to stay case and long email to Evertz and Bunn .6; emails to client and RK .1; emails and call with Putnam .3; emails to and from 4 classmembers (CM) re handling survey and website issue .5;	7.3	
7/9: Preparation of summary of PWS answers to uniform and index of incomplete answers 6.8; conf with MM .2;	0	7.0

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7/10: Calls with Max Z re his 40 properties .3; emails to same re further instruction .2; emails to and from BBK re website .3; court hearing and memo to file re same .5; call to Stephanie H .3; review D40 response to RFP .1; emails with LO counsel re handling consol and discovery issues .3;	2.0	
7/11: Email and call with CM Olsen re suit and property issues .6; long email to and from CM Green re lawsuit and various issues .5; review and comment on bill stuffer .2; review KL letter and conf with DO re DQ .2;	1.5	
7/12: Emails with Green .2; emails to LO counsel re stuffer .2;	.4	
7/13: Emails to and from Kuhs, Fife and Zimmer re class issues .5; review Lemieux letter and filings .2; emails to and from Roberts on summary notice .4; research on prior orders re same .3; review and revise summary notice and email to Robert et al .5; 20+ emails with LO counsel re settlement issues .8; call from to CM re notice .5;	3.2	
7/14: Emails and call with CM Scapillato re lawsuit .5; long email to LO counsel re settlement handling .3; assessment re CM Max Zino issues, analysis of DB and long email to same re properties .6; email to SH re notice decl .1;	1.5	
7/15: Review RK letter .1; review motion to consolidate and Appendix cases, summary of same 1.2; attention to emails with 3 and 2 calls from CMs re notice .6; emails with SH re same .2; many emails with LO counsel re settlement issues .4; email to Dunn re settlement and Does .6; emails with WS re participating in principal meetings .2;	2.7	
7/16: 15 plus emails with LO re settlement, review framework from DZ .4; emails with BBK re website, ads, and Does .3; emails with CM Lytle re notice .2; long email with DR re ads language .5; emails to and from MF re class negotiation .2; calls from three class members re questionnaire (Q) and notice .7	2.3	
7/17: Review stay motion .1; review clerk's notice n/c; emails with CM Lytle .4; emails to and from TB re stuffer .2; long email to KL re conflict and consol, edit same .5; review response to same and conf with DO .2; review settlement matrix .2;	1.6	
7/18: Email re class ad status to DR .1; long call with client re handling settlement conference .6; emails and call with CM Merjil .6; emails to and from Davis re settlement .1; respond to KL email .2;	1.6	
7/20: Emails to and from Hedlund and staff re numerous issues .6; calls to and from Hedlund .3; meet and confer conf call on pleadings and DQ motion etc 1.6; call to RK re class issues .2; emails to and from Dunn re class issues .3; emails to and from Hedlund .1; call with same and House re website issues .5; email to client .1; attention to class member inquiries .8; emails with JD re bill stuffer .4;	4.5	
7/21: Emails to and from House and Hedlund .2; call with Kuhs on pleading issues and motion to dismiss .7; emails to and from client .3; attention to class member inquiries .7; research on DQ issues .4; prepare supp. brief on DQ and revise same .8; finalize summary notice .2; prepare Request for approval of same .3; check and remedy defect in filing of summary notice .2;	3.8	
7/21: Conf with MM re class DB issues .3; KM Review and analysis of class database to determine duplicates, and same household entries, prepare summary of same 8.1	0	8.4

7/22: Review of numerous response forms .4; call with client .3; email to and from BBK .1; emails from MF and DZ .1;	.9	
7/23: Review of numerous response forms meet and confer call with Dunn .6; call with Joyce re consolidation .2; calls to and from class members .7; review Lemieux filings .1; conf call re meet and confer .2; calls to and from class members .6; emails to and from class members .3; review response forms .5; emails to and from Dunn .1; review FAXC .2; review 2006 court transcripts from Dunn re customer issue .9; emails to landowners re hearing issues .2; prepare for hearings tomorrow 1.1; calls and emails to class members .8; emails to and from DOL and LO counsel .2; review motion for appointment of expert .2;	6.9	
7/23: KM Review and analysis of class database to determine duplicates, and same household entries, prepare summary of same 7.1	0	7.1
7/23: AH Conf with MM re handling class Qs .3; attention to returning call and responding to emails of 17 members 3.8	0	4.1
7/24: Travel to and attend hearings on various motions, memo re same 2.5; emails with BBK re notice issue .3; emails with RK and call to same on well permits .3; emails with RK and PWS re mediation w Robiie .3; email to Dunn re expert protocol .2;	3.6	
7/25: Email to BBK re class issue .1; emails re Robie .1	.2	
7/26: Review and analysis of response forms .5; attention to class member emails and calls 1.3;	1.8	
7/27: Calls and emails re mediation date .4; call to Dunn .2; call with RK on settlement and motion to dismiss .5; email to House .2; email to Hedlund .1; revise summary notice and email to Roberts .2; emails to and from counsel re mediation .3; email to Markman re motion to consolidate .2; long call with client on settlement issues .6; email to PWS re expert .3; further emails re settlement .2; emails with RK re Phelan .2; email re motion to consol .1; long email to client re water use issues .6; attention to returning CM calls (9) 1.6; email to JD re expert cost .2;	5.8	
7/28: Emails with two CM re issues .3; email to DR re Updegraff .1;	.4	
7/29: Emails from BD and RK re Robie .3; attention to returning calls and emails of class members (14) 1.9	2.2	
7/30: Call with Roberts .2; call with Joyce .3; attention to handling response forms .4; calls and emails with class members .7; emails from Fife and Dougherty and analysis re same .2; emails to and from Joyce and RK .2	2.0	
7/30: AH Attention to returning call and responding to emails of 22 members, memo re same 3.9; conf with MM re Qs .4	0	4.3
7/31: Call with Joyce on settlement and various motions .6; emails to and from client re settlement .3; calls to and from Evertz re mediation .1; preparation and revision of opp to stay motion 1.5; emails to and from RK .2; emails to and from BBK lawyers .3; review Joyce memo .2; return calls of 8 CMs 1.9; respond to 6 CM emails 1.1	6.2	
TOTAL ATTORNEY HOURS	74.8	
TOTAL PARALEGAL HOURS		42.90

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: June 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
6/1: Emails and calls to and from Hedlund and Dunn re notice issues .5; review and revise class notice form .7; prepare proposed order re same .3; emails to parties re same .1; email to Thompson on status .2; review and analysis of class lists and mutual lists .7; conference and instructions to staff re: modification of class lists 1.2; emails to and from Sloan .2; emails to and from US .2; research and preparation of joinder and opposition to motion to dismiss 2.3; email to Lemieux re mutual lists .1;	6.5	
6/2: Revise order and notice for filing .3; call with Sloan .3; attention to handling problems with mutual lists .7; letter to Lemieux and revise same .8; research on conflicts issues .6; letter to Lemieux re same .7; review RK letter and email to same .1; emails to and from Fife .1; calls with client .2; call from Joyce .3; conference with DOL on MSJ and other issues .3; research on MSA on prescription 1.2; letter to Dunn et al on MSA .5;	6.1	
6/3: Review DO draft rogs .2; emails to and from Dunn re well permits .2; conf with Vargas re class list project .3; review preliminary mutual analysis .5;	1.2	
6/4: Review Lemieux letter and further research on DQ issue .5; review court docket for related filings .4; preparation and revision of letter to Lemieux and conf with DO 1.1; call from Lemieux .6; emails to and from LO counsel .4; emails to and from RK and review filings on discovery .4; 15+ emails re mutual lists .7; emails to and from RK re discovery .2;	4.3	
6/5: Research on well permit requirements in LA and Kern Cos, and phone calls re same 2.1; conf with DOL on DQ motion .2; prepare subpoenas for well permits .8; email to Dunn .1; emails to and from Vargas and attention to modifying class lists .8; review filings on Section 731 motion and prepare reply to same .9; emails re boundary map .1; many emails re mutual lists .8;	5.8	
6/5: Work on mutual member exclusion and coding 8.5	0	8.5
6/6: Review of modified class list 1.2;	1.2	
6/6: Work on mutual member exclusion and coding 6.5	0	7.5

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6/7: Analysis of class list coding .6; long email to JU re list issues .6	1.2	
6/8: Review filings of Zimmer and email to same .4; emails to and from Walker .1; review Bolthouse objection .1; email to Zimmer re same .3;	.8	
6/8: Work on mutual member exclusion and coding 7.4	0	7.4
6/9: Review opp to motion to dismiss .2; calls and emails with Kern county on well permits .6; emails to Joyce and Zimmer re same .2; modify county subpoena and calls to and from server .3; prepare RFP to County .3; email to Dunn .1; emails to and from Hedlund .1; review new Roes list .4; review AGWA objection .1; emails to and from Fife and call with same re: objections .7; review US objection .1;	3.1	
6/9: Work on mutual member exclusion and coding 7.8	0	7.8
6/10: Revise and file motion to disqualify 2.6; call with Kern County .1; review objections and prepare response to same 1.5; review weeks discovery responses, memo re same .4;	4.6	
6/10: Work on mutual member exclusion and coding 8.2	0	8.2
6/11: Email from client and phone call to same re settlement and stay of case .6; email from TT re notice markup .2; emails re WFF list .2;	1.0	
6/11: Work on mutual member exclusion and coding 7.1	0	7.1
6/12: Prepare for hearing on expert motion and class notice and attend same 1.0; revise and finalize notice .4; emails to and from counsel re same .3; emails to and from MF re WFF .1; emails re bill insert .1; long email to SH re notice .4; email to DO re same .2; email to LO counsel re same .1;	2.6	
6/12: Work on mutual member exclusion and coding 6.3	0	6.3
6/14: Westlaw public records research to determine ability to clarify shareholder status for mutuals on lists 2.0; emails to BS and Do .2;	2.2	
6/15: Call with Kuhs .7; emails to and from court .1; assessment on timing for expert protocol .2; email to Leininger .1; call with Sloan .4; emails with Walker .1; research on defensive class action issues and review of court docket .6; preparation of response re motion to dismiss and revision of same 1.5; real property research on class member lists 1.5; calls and email to and from Vargas re: work on class lists .7; work on website content .7; email to Hedlund re same .4; emails to counsel re bill insert .2;	7.2	
6/15: Work on mutual member exclusion and coding 7.6	0	7.6
6/16: Analysis of bill stuffer and website issues and emails to Hedlund and counsel .5; call with Logan and memo re same .4; call with Hedlund .1; call with Bunn .2; analysis re defendants and answers and research on court web-site .5; conf call with Hedlund .7; review RK response on mtn to dismiss .2; analysis re MSA and conf with O'leary re same .4; legal research on MSA and motion in limine issues re prescription claim .7; call with Hedlund and House .9; calls and emails with Hedlund and proofread and revise notice for printing 2.3; calls and emails to and from Vargas re class list issues .5; review third mailing list database and pumper forms from Willis class .3; emails to and from Bunn .1; review website .2; emails from BD .1;	8.1	

6/16: Compare Mutual Water Company Lists names and addresses against class list and annotate same 7.7	0	7.7
6/17: Complete FAQ section .7; emails to and from Hedlund and call from same re class lists .5; emails re website .2; email to and from House and test email issue .1; confirmation testing of email and website issues .3; calls and emails to and from Vargas re completion of mailing lists and review last list .3; emails to and from court .1; evaluation of well permit data and email to Kern Co .2; status email to Thompson .2; prepare notice of final changes to class notice .3; review notice proofs and emails re changes .8; call with Hickling .3; email to client .1; emails to Dougherty .1; emails to and from Blayney lawyer .1; research on prescription claim MSA .8; review RK stip and emails to and from on modifications .1; attention to numerous tasks re class notice, review of lists, website 3.6	8.8	
6/17: Compare Mutual Water Company Lists names and addresses against class list and annotate same 7.0	0	7.0
6/18: Review revised mailing proofs and email to Hedlund .2; conf with DOL re handling hearing on mtn to dismiss .3; review of US and Borax supplemental briefs .7; call with DOL re same .3; review final version of notice markup and email to Hedlund .5; call to DOL re possible solutions to general adjudication problem .3; call to Dunn .1; review of prior filing on defense class and analysis re handling jurisdiction issues 1.5; email to Dunn and Garner .3;	4.2	
6/18: Compare Mutual Water Company Lists names and addresses against class list and annotate same 7.4	0	7.4
6/19: Call with RK .3; research on defendant classes and requirements form same 1.2; calls to and from Lemieux .4; prepare for hearing .3; attend hearing .6; call with Sloan .4; email to Hedlund on notice .1; call to Dunn .1; conf with DOL re DQ motion and procedural problems .2; review and analysis of long KL letter .5; emails to and from LO counsel .4; review court order and email to R Walker re error .1; emails and call with client .5; emails to and from Bunn on bill stuffer .2;	5.3	
6/19: Compare Mutual Water Company Lists names and addresses against class list and annotate same 2.7	0	2.7
6/20 Emails to and from RZ .1;	.1	
6/22: Landowner conference call 1.0; extensive analysis of prior filings and pleadings and commence preparation of summary of same 7.2; calls to and from DOL re DQ and issues for consolidation .4; call from class member .2; numerous emails to and from LO counsel .4;	9.2	
6/22: Continue work on editing, cleanup and checking of class database 8.1; conf with MM re same and questions .2;		8.3
6/23: Call with Tootle .7; emails to and from Dougherty .1; continue analysis re prior filing relevant to DQ and consolidation .7; conf. With DOL re DQ and case strategy issues .5; call from Lemieux re DQ .2; email Moore .1; research on LASC website re prior filing .4; same for Kern County .1; evaluation re class notice .5; emails to and from Lemieux .1; brief research on consolidation .4; email to Hedlund .1; preparation and revision of long letter to purveyors and continued analysis of prior filing for same re major issues with case posture 6.2; email to Joyce and Zimmer for help with same .2; emails to and from RK .1;	10.4	

6/24: Call with Joyce on prior case events and strategy for settlement .7; emails to and from Kuhs .1; long email to DOL on case strategy .5; prepare notice .4; emails to and from Bunn .2; call with same .7; call with Sloan and Zimmer re settlement, trial, motion to dismiss and classes and possible physical solution .9; call from Rebbecca Bon for Boron .1; commence review of 12/5/05 transcript .2; review hearing transcript from 2/17/06 and related orders re status of pleadings .5;	4.2	
6/24: Continue work on editing, cleanup and checking of class database 6.9; conf with MM re same and questions .5;		7.4
6/25: Substantial revision to long letter and completion of analysis of pleading defects for same 4.5; email to LO counsel re same .1; emails to BJ .2; email with Walker .1; emails with SH re notice .1;	5.0	
6/26: Call with Joyce re letter and Doe issues .3; research on impact of wrong summons on defaults .4; call from Kuhs re handling class, US, and pleadings .7; conf with DOL on DQ and letter and case strategy .4; emails to and from KL .3; research on Doe issues and CCP 583.210 1.2; revise and finalize letter to Dunn et al .8; review of prior hearing transcripts for DQ reply 1.0; review Fife email on Hedlund and class website / email to RK .1;	5.2	
6/22: Further work on editing, cleanup and checking of class database 7.3; conf with MM re same and questions .2;		7.5
6/27: Review cases on section 474 and 583 re Does .6; long memo to DOL, BJ, and Kuhs re analysis and handling of this issue 1.0; emails to and from DOL on points for reply brief on DQ motion .5;	2.1	
6/28: Emails to and from DOL re reply and pleadings .4; review chart from Kuhs .1; emails to RK on strategy issues .3; emails to and from DZ .3;	1.1	
6/29: Call with Sloan re handling motion to dismiss .5; emails to and from Hedlund .1; emails to and from RK and DZ re class issues .2; review and markup of reply brief .6; email to BJ et al .1; review revised proofs .1; email to and from Sloan .1; call to Leininger .2	1.9	
6/30: Call with DOL on Roe problem .2; analysis of Willis pumper list and Roe list .3; commence letter to Dunn re service problem .5; several dozen emails with LO counsel re class and litigation issues 1.3;	2.3	
TOTAL ATTORNEY HOURS	115.7	
TOTAL PARALEGAL HOURS		108.4

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: May 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
5/1: Calls from 2 potential class members .3; prepare response to motion to decertify, conf with DO and revise same 1.8; long email from Moore .1;	2.2	
5/2: Travel to and from Antelope Valley for survey of class list properties with client 6.1; emails to and from client and DOL .5; emails to and from Ukestad and Dougherty re mutuals .3;	6.9	
5/3: Emails from client .1; review of four databases and research on property indentities 1.8; download and review photos, cross reference vacant properties on class lists .3; letter to Moore 1.8	4.0	
5/4: Drafting MDM declaration and ex parte re halting class notice 4.6; revise Moore letter .3; emails with client .1; landowner conference call .7; calls to and from Moore .6; prepare Wood declaration and email to same .2; calls to and from High Desert re pump .2;	6.7	
5/5: Prepare ex parte application 1.5; emails to and from Dougherty et al .1; email to Moore .1; meeting with Moore and Dunn 2.4; emails to and from client and DOL .3; prepare stipulation and order on notice and transmit to Dunn and Moore 1.4; call with Dunn and emails to and from Moore .2; research Justice Robie .3; prepare VSC statement .3; call with Lancaster Water president .2;	6.8	
5/6: Prepare for hearing .3; participate in conference call .6; emails to and from client and DOL .4; emails to and from Dunn and Moore .4; email to Thompson .2; call from class member .3; redraft notices .6; emails to and from Hedlund, Dunn, John U, Moore, Fife, Lemieux 3; email to DOL on task list .2; email to TT and Dunn re pumper questions .2; review Willis spreadsheet . 2; review court orders .1;	3.8	
5/7: Call to Dunn and email to DOL .2; review of cases on control of EC 730 expert .4; meeting with DOL on case strategy .3;	.9	
5/8: Review small pumper Willis forms and cross reference with spreadsheet .8; conf with DOL re notice changes and review same .2; call with Dunn and email to landowners re expert .3; call with Kuhs re expert .2; call from Thompson and email to Dunn .2; review Thompson changes and email to Dunn .2;	1.9	
5/11: Emails to and from D counsel re meeting .1; emails to and from Dunn .1	.2	

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5/12: Prepare expert cost allocation motion 1.8; many emails to LO counsel and JD re expert .6;	2.4	
5/13: Call from Dunn .2; research and analysis on opt in issue 1.0; emails to and from Fife and review his comments .2; phone call from class member .2; email from Mutual and respond to same .5; emails to and from Fife .3; emails with Walker .1; many emails re lists for mutual .8; email to Boyd re notice .1;	3.4	
5/14: Emails to and from Garner et al on class problems .2; emails to and from John U .2; many emails to counsel re class notice issues .2; email to Walker .1;	.7	
5/15: Conference with DOL on notice problems .1; all to Garner .1; analysis re handling other mutuals on list .3; emails to and from Zimmer .1; review Sheep creek motion papers .5; many (20) emails to counsel re class issues .9;	2.0	
5/16: Draft email to Dunn .4; emails with JU .1; email to and from DO re class issues .3;	.8	
5/18: Prepare ex parte application to stay class notice 3.8; email to DO re PO .1; email to LO counsel re discovery issues .4; emails with client and DO re notice .2; call from Dunn, memo to file .3;	4.8	
5/19: Many emails re settlement and review RZ matrix .3;	.3	
5/20: Hearing on motion and memo re same .4; 15 emails with counsel and parties re class notice and mutual lists .6;	1.0	
5/21: Emails to and from Dunn .1;	.1	
5/24: Emails to counsel re shareholder lists .5; review PO re lists .3;	.8	
5/26: Prepare subpoena to WFF .3; research on public records and attention to service instruction on same .3; emails and from Fife re WFF .3; emails with Dunn .2; emails with client .2; email from TT .1; review MF comments on notice .1;	1.5	
5/27: Revise small pumper notice and questionnaire 1.4; prepare proposed order re same .2; email to Dunn re notice .3; emails to and from client .3; many emails with counsel re notice .6; email to Dunn re list problems .1; emails with LO counsel re settlement .3;	3.2	
5/28: Calls with Dunn and client .7; review motion to dismiss XC .3; finalize PO .1; attention customer list, email to counsel .2;	1.3	
5/29: Call with Dunn and Leininger, conference call with court 1.4; call to DOL .2; email to and from DO re motions .2;	1.8	
5/30: Emails to and from client and DO .2; emails with JU re lists .1;	.3	
5/31: Emails to and from client on Nebeker meeting .3; emails with client re GN issues .1; review mutual lists and cf with class list .4;	.8	
TOTAL ATTORNEY HOURS	58.6	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: April 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
4/1: Preparation of proposed order .5; review filings and prepare for hearing on TRO 1.1; call with Zimmer .2; review and analysis of current version of group discovery .6; email to client .1;	2.5	
4/2: Travel to and attend discovery meeting 3.6; hearing on TRO .5; call from Jim Nye .2; call from client .1; call with Zlotnick .2; email to Moore et al. .1; email from Garner .1;	4.8	
4/3: review minutes from LADWP stakeholder meeting .2;	.2	
4/6: Emails to and from Fife and Zlotnick .2; call with Dunn and memo re same .8;	1.0	
4/7: Emails re settlement issue .3;	.3	
4/8: Letter to Dunn .4; call from Lemieux and research on Nebeker anti-class publications .8; emails to and from Dunn .3; long email from client .2;	1.7	
4/9: Call with client on settlement issues .5;	.5	
4/11: Review Fife email on meeting .2; email from Fife re Nye .1;	.3	
4/14: Emails to and from RK re handling expert motions .3;	.3	
4/15: Review revised uniform discovery .4;	.4	
4/16: Emails and call to and from Zlotnick and Kalfayan .2; prepare status declaration including review of file materials .7; review opposing papers and other filings re expert motion and preparation of reply brief 1.0; email to clerk re TRO .1;	2.0	
4/18: Emails re discovery .1;	.1	
4/20: Email to Dunn .1;	.1	
4/21: Review uniform discovery to PWS .2;	.2	
4/22: Conference with Leineger re settlement 1.5; email to same .1; conf with DOL re hearing and settlement .3; emails to and from Aluki re class member .3;	2.2	
4/23: Review JD decl .1;	.1	

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JA 158787

4/24: prepare for and attend hearing on expert motion, jury trial, and other class issues 3.0; review court orders and preparation of order re expert motion .3; review answer and XC of Joyce .2; status email to TT .1;	3.6	
4/27: Preparation of order re class notice service .3; landowner conference call .6; call from RK .2; conf with DOL re strategy .2; emails to client .1; email to BBK re class list .2; review AVEK draft .2;	1.8	
4/28: Calls from several class members and counsel re hearing .5; emails with BJ .1; review class list .4;	1.0	
4/29: Emails to and from Hedlund .1; t/c call with Hedlund and Dunn and conf with DOL on doubling of class size 1.1; calls with client re same and settlement .7; calls from landowner counsel re VSC .4; 15+ emails with LO counsel re VSC issue .9; long email to client .1; email to BBK re class notice .4;	3.7	
4/30: Call from Fife .2; emails to and from clerk .1; prepare draft of Dunn letter 2.1; call with Dunn .1; call from Sloan .2; emails to Dougherty and client .3; calls to same .1; calls and emails with client .4; emails to and from Welker .1; review transcript of last hearing .2; review joinders and Fife motion .5; revise Dunn letter .4; review ex parte to decertify .3; legal research on Fife standing to decertify 1.3	6.3	
TOTAL ATTORNEY HOURS	33.1	
TOTAL PARALEGAL HOURS		

uyLaw Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: March 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
3/1: Emails from BD, RK and Fife re notice .2;	.2	
3/2: Emails to and from LO counsel on class issues .2; call with Joyce .4; review Reply of Bolthouse .1; conf. call with LO counsel .9; research on issues related to potential withdrawal .8;	2.4	
3/3: Review minute order .1; meeting with S. Reed of Veritext reporting agency and analysis re: online web site for future depositions .7; review RK expert motion .2;	1.0	
3/4: Emails to and from RK and DZ re: class issues .4; prepare letter to purveyor counsel, circulate same, and finalize .5; review cases on Evid code 731 and 730 and prepare for hearing tomorrow 1.5; emails to and from LO counsel re: common discovery and CMO .4; work on PMK depo notices .3; review US opposition to motion .1; many emails to LO counsel re strategy issues .5; review US opp .1;	3.8	
3/5: Fly to San Jose and argue expert motion and conference with Dunn re class notice and settlement 7.3; numerous (15+) emails with LO counsel and DOL re further handling of small pumper class .5; conference call with Dunn and Garner re settlement .3; review order and email to court on error, review new order .1; email to Garner re settlement .2; email to client .4; many (20+) emails with LO counsel re settlement and class issues .6;	9.4	
3/6: Call to Dunn re settlement .1; emails to and from LO counsel re discovery and common defense issues .2; call to Thompson re renewed motion .1; review and markup of uniform discovery .5; emails to and from DZ re expert .2	1.1	
3/8: Emails with RD re class issues .1; emails to and from client .2;	.3	
3/9: Emails with LO counsel re class issues .2;	.2	
3/10: Call from RK .3; read Ronert park case .3; email to LO counsel on discovery and CMO .5; call with Joyce on discovery meeting .2;	1.3	
3/11: Review Veritext proposals .2; email to counsel re same .3; emails to and from Fowler re mediation .3; emails with Garner .1; email to Walker .1;	1.0	
3/12: Emails re discovery with LO counsel .2; review RD discovery .1;	.3	
3/13: Review approval of revised class notice .1;	.1	0177

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3/18: Review uniform discovery .3; emails from LO counsel re same .2;	.5	
3/19: Emails to and from DZ re Fife issue .3; email to and from Fife re town council issue .6; emails with DO and DZ re handling same .5; email to PWS re Fife issue .2; many more emails with MF and DZ re common client problem .6; review Bunn discovery .2; review handouts for meetings .1;	2.5	
3/20: 30 emails to and from DZ, MF, client, RK re ethics and class member contact issues 2.1; email to and from suppliers counsel .1; call from Weeks .2; research on contacting class members post certification without class counsel consent 1.5;	3.9	
3/21: Emails with DO and Willis counsel re Fife issue .2;	.2	
3/22: Conf with DO re handling MF meetings .2;	.2	
3/23: Preparation of draft settlement agreement 4.7; emails to and from clerk on ex parte .1; call with Kalfayan .2; emails to DO re settlement issues .3; emails with Dunn re meeting and MF .5; emails with BW re meeting .2; review KL letter .1; email to client re Gene .1; email to BBK re settlement .1;	6.3	
3/24: Settlement meeting 3.5; research on ethics issues with Fife solicitation .6; emails with client re AGWA .2; emails to and from BW re same .1; email to Reed re proposals .3;	4.7	
3/25: Research on appellate issues affecting possible settlement .7; emails to Joyce and review coordination order .1; prepare and revise settlement demand letter to Moore 2.2; conf with DOL .2; email to and from Garner re larger pumpers .3; emails to and from DO re class problems for settlement .4; review coord order .1; email to TT re status .1;	4.1	
3/26: Call with Dunn re settlement .3; conf with DoL .2; emails to and from Garner .1; analysis re settlement issues .3; call with client on settlement .3; redline Entrix proposal and call to TT re same .6; prepare TT declaration .5; revise settlement letter .2;	2.5	
3/27: Emails to and from client re settlement .3; call with Dunn re same .4; modify letter to Moore and email to Dunn and Garner .5; calls to class members re Fife meeting .2; call with Joyce .2; analysis re handing future fees in settlement and conf with DOL .2; calls to class members re: Fife meeting in February .3;	2.1	
3/30: Revise Moore letter and email to Dunn/Garner .3; call with Wayne Scott .1; call with Jim Nye .5; emails to and from Garner and Dunn .4; attention to ex parte .2; preparation of renewed motion to appoint expert and supporting declaration, review Olsen case 2.9; finalize Moore letter and send same .9; emails with DO re motion .2; preparation of ex parte app for TRO .5;	6.0	
3/31: Email to Moore et al .1; research and preparation of ex parte motion on TRO re AGWA and MDM declaration 3.5; emails to and from Fife and DO re TRO .3; review PWD discovery responses .4; emails with RGK .1;	4.4	
TOTAL ATTORNEY HOURS	58.5	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: Feb 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
2/1: Call with client re decl. .2;	.2	
2/2: Review 2 postings .1; emails to and from landowner group re Anaverde and conf call .2; call with Dunn and Hedlund and memo re same .6; landowner conf. call .5; prepare Wood declaration .5; email to RK re depo group deal .1; call from class member .1;	2.0	
2/3: Emails and call with client .3; emails to and from Court .1; revise Entrix proposal .5; email to RK re docs .1; emails to and from Waldo and Fowler re settlement .3;	1.3	
2/4: Review revised Entrix proposal and call with Thompson .2; call with client .2;	.4	
2/5: review and execute stip from Sheep creek .1; calls with to AV landowners re small pumpers class .2; brief review of rough class database .3; commence motion for appointment of expert, including legal research on section 730, 731, self-help, 1021.5 4.8	5.4	
2/6: Analysis of database for class notice .2; call with Hedlund re same .7; email to John U .1; review and summarize 3 prior water adjudication judgments for application to proposed settlement in Wood case 2.4; long call with RK on website problems and other class issues .5; emails to and from same re notice errors .2; further legal research for expert motion 1.4	5.5	
2/8: Emails to and from Dougherty .1; email from Fife .1;	.2	
2/9: Modify Wood declaration .2; call with same .2; prepare and revise Thompson declaration .5; phone call with same .3; review proposed joint discovery .4; conf call with LO counsel .5; email to court .1; complete motion for appointment of expert 5.2; email to RK re website .1; prepare Doe amendment .1; email to Lemieux .1;	7.7	
2/10: Analysis of PRA request for info to support 1021.5 motion .4; commence letter to PWS re settlement 1.4; review PWS supp jury trial briefs and research re same .7; review draft joint RFPs from RK .3; email to court re website problems .1;	2.9	
2/11: Emails to and from LO counsel re sheep creek motion .1;	.1	

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2/12: Extensive revisions to settlement letter to PWS counsel .6; email to Dunn re outstanding agenda .1; emails re discovery conference .2; call form class member .2;	1.1	
2/13: Long call with Lemieux re settlement .8; review existing settlement proposal in this case .2; email to LO counsel re handling of joint discovery .3;	1.3	
2/15: Call with client on settlement analysis and case prep issues 1.0;	1.0	
2/16: Revise class notice 1.8; emails to landowner counsel re expert motion .3; email to Dunn and Bunn re notice .1; emails to numerous LO counsel re settlement .3; email to RK .1;	2.6	
2/17: Emails to and from Dunn .1; emails to various landowner counsel .1; review and prepare comments on revised joint discovery 1.5; conf call with Dunn, Bunn and Hedlund and revise notice .8; email to DOL .1; email to Fife on class issues .1; calls with 2 landowners .3; call with S. Reed re: joint depo cost proposal .3; email to and from Fife re opt out .2;	2.0	
2/18: email to and from Hedlund .1; conf call with Heldlund and IT re website and email to DOL re same .6; revise notice .4; emails to and from Fife and DOL on expert issue .2; emails to and from Zimmer re settlement proposal .2; revise class notice and finalize same .4; emails to and from Haynes re website .1; emails to and from Fife re joinder and review same .2;	2.2	
2/19: Call with client on settlement issues .6; analysis re handling exemption and enforcement issues, and email to Dunn et al. re settlement issues .7; review latest round of revised joint discovery .7;	2.0	
2/20: Review CMC statements .1; commence CMC statement .3; emails to and from BBK re testing website .2; review Dunn Decl and opp to expert motion .3;	.6	
2/22: Commence research re reply on expert motion .5; review Nebeker email re settlement .1;	.6	
2/23: Complete CMC statement draft 1.2; review dunn declaration re class service .1; email to purveyors counsel .1; call with Dunn and Hedlund .2; emails to and from defense counsel .2; review AGWA and email re same .1; supplement and revise CMC statement .5; call with Bunn and revise CMC statement .4; commence review of PWS docs forwarded form RK 1.6;	3.8	
2/23: Prepare summary of D40 records, PWD records 7.1; conf with MM re same .3	0	7.4
2/24: continue review of PWS docs 2.3; research on Section 730 including review of three cases cited in PWS opp 1.0; commence drafting of reply brief 1.1; emails to and from PWS counsel re settlement call .1; review Anaverde CMS and email to Huang .2; call from class member .2;	4.9	
2/24: Continue summary of water supplier records 8.5	0	8.5
2/25: Conference call with PWS counsel re settlement and expert motion .7; continue drafting reply brief .3; review AGWA jury reply brief .2; commence preparation of content for website .3	1.5	
2/26: Complete reply brief on expert motion 3.7; phone call with class member Lawrence .5; review CMC filings .1; review Willis CMC statement .1;	4.2	

2/27: CMC telephonic 1.2; email to water counsel re settlement .1; emails to and from DZ and RK and JD .1; email to and from client .1;	1.5	
2/28: Prepare and file proposed order .2; review Dunn letter .1; continue review of purveyor documents and summary of same 3.9	4.2	
TOTAL ATTORNEY HOURS	59.2	
TOTAL PARALEGAL HOURS		15.9

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: January 2009

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	AMOUNT
1/1: Emails to and from landowners .3; review older water cases for information on jury trial issue 1.2;	1.5	
1/2: review CMC statements and purveyor brief re jury trial .4; prepare CMC statement and modification of DOL insert on jury trial, including research re same 1.5;	1.9	
1/5: Attention to responding to court' request for jury trial issue .2; email and call with Waldo, mediator .1;	.3	
1/6: Email to R. Walker .1; numerous emails to landowner counsel .2; additional research on jury trial issue and prep for hearing 1.2; call with purveyor counsel re: class notice .3; calls from 2 class members .5; call with Hedlund .7;	3.0	
1/7: Emails to and from landowner counsel .2; participate in LO conf call .7; email to Waldo .1; revise class notice and email to Dunn and Bunn .4; email to LO counsel re: motion for preliminary injunction problems .3; emails to and from Kuhs .1; call with Leggio and email to same re mediator Waldo .4; review and analysis of avgroundwater website and email to RK re problems .4; revise and file class notice .1; call with client .5;	2.7	
1/8: Email to and from clerk .1; research re small pumpers who have received the Willis notice, including email with client .5; phone calls from 3 class members .5; review objection to notice .1; call form class members .3;	1.5	
1/9: Prepare for CMC including legal research .8; call from class member .2; emails to Dunn and RK re problems with boundary map .2; emails from LO counsel on jury issue .1; attend CMC 2.5; call with class members 1.3; emails to and from Dunn .1;	5.2	
1/10: Emails to and from Zimmer .1;	.1	
1/12: Research on website emails to RK, Bunn and Dunn re problems with boundary .8; call from class member .2; review minute order .1; research and interviews with potential experts 2.7;	3.8	
1/13: Email to and from Kuney .1; phone call with client .3; continue research and interviews for potential experts in 3 areas 3.2;	3.6	

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1/14: Emails to and from Dunn on Leever .1; emails to and from Fife and Thompson re expert retention .2; phone interview with Thompson .6; research on ethical issue of same person in both classes 1.8; email to DZ and RK re same .2; review Lemiux letter .1;	3.0	
1/15: Emails to and from LO counsel .1; call with Thompson .4; review Thompson CV .2;	.7	
1/16: Call with Fife .5; review settlement proposal, phone calls re same .4; talk with DO re settlement proposal .1; call with client .4; email to leggio and green .6; emails to and from client and DO .3; emails to and from Thompson and Fife .2; emails with Dunn .1;	2.6	
1/18: emails from DZ and Hedlund .1;	.1	
1/19: emails to and from Thompson .2; calls to and from five class members .8;	1.0	
1/20: Emails to and from Dunn .1; call with client .2; review several filings of this date .2;	.5	
1/21: Legal research on self-help .7; review settlement proposal and call LO counsel .2; call with Dunn and email re same .3; numerous emails from discovery meeting handling .3; preparation of matrix of discovery propounded and not fully answered 1.5; prepare rough list of categories of comprehensive discovery .7; call with Thompson on budget issues and case handling .8;	4.5	
1/22: Call with Thompson on budget and scope of work .5; call with LO principals on settlement issues .2; prepare for meeting at Wildermuth, including review of declaration and database files .8; travel to and attend meeting 3.8; memo re same .4; review first draft proposal by Thompson .1;	5.8	
1/23: Conf call with landowner principles .7; research on correlative rights .5; email to expert .2; analysis of water district boundaries on internet against basin boundary and email to counsel re export of water 1.4; call with Joyce on jury trial issue .4; emails to kalfayan .1; analysis re handling Phelan CSD .2; research on use of water outside basin on prescription claim and potential for prelim. Injunction against same 1.1;	4.6	
1/26: Legal research on jury trial and issue related to purveyors brief 3.4; supplement and edit brief 1.6; review of other landowner briefs .5; prepare for discovery meeting, including preparation of chart of pending discovery 1.6; calls with 2 potential small pumpers .3; emails to and from Lawson .1; email to clerk re website trouble .1; calls to and from several class members .7	8.3	
1/27: Travel to and attend discovery and case management meeting, and meeting with landowner counsel thereafter 4.6; email to Huangfu re: landowner group .3; review draft CMO .2;	5.1	
1/28: Review RK letter and last hearing transcript .2; call with client on last settlement meeting .3; call with three class members .7; calls to and from several class members 1.2;	2.4	
1/29: Email to PWS counsel re depo costs splitting .2; emails to Lemiux and Bunn re settlement .3; review settlement proposals .3; emails to and from Dunn re Leever meeting .3;	1.1	

1/30: review RK letter .1; emails to and from Dunn .1; call with six class members 1.2; research and analysis on motion for preliminary injunction, specifically public use doctrine in water taking context 2.4;	3.8	
TOTAL ATTORNEY HOURS	67.1	

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: December 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
12/1: Email to Markman .1	.1	
12/2: Emails to D counsel re settlement and modify same .5;	.5	
12/3: Review and analysis of AGWA's MILs .5; emails to D counsel re settlement, analysis of comments, phone calls and modify same 1.4;	1.9	
12/6: 15+emails to D counsel re settlement, analysis of comments, phone calls and modify agreement 2.7; call with client re agreement changes .8;	3.5	
12/7: Emails with WL re agreement .2; emails with Trager re requested changes .9; revise draft agreement, further emails 1.2;	2.3	
12/8: Emails and call with Trager 1.0; emails with DE, memo to file .2; review and analysis of Bolthouse disco responses .4;	1.6	
12/9: Review and analysis of defaults and service cf with class database, memo re same 2.7; ex parte notice email, research same .2;	2.9	
12/10: Review PPH brief .1; review app to extend trial brief and objection .1; review US opps .2; review Zimmer MIL .1; emails with DE re settlement .2; email to D40 re settlement, conf with DO, send .4; emails to and from client .2;	1.3	
12/11: Long email to client re settlement issues 1.4; call with client to discuss settlement changes .8;	2.2	
12/13: Emails and call with client re agreement issues .9; emails with MF re WFF .1; call with DE .2; revise agreement 1.0; email to D counsel .2;	2.4	
12/14: Emails and call with JM .2; emails and call with Trager .7; email to DE re agreement .2; review AGWA MIL 4 .1; review pretrial statements .2; review opps of D40 to AGWA MILs .2; review leave to file expert design. and opps .2; prepare for hearings 1.2;	3.0	
12/15: Travel to and attend pretrial conference, memo to file re same 4.1; review RK outline .1; emails to and from LO counsel re trial issues .5; emails to and from D counsel and several revisions to agreement .5;	5.2	
12/16: Emails with D counsel, draft long email to EG, conf with DO, revise and send 1.0; emails with DE re agreement .3; email to JM re same .1; revise agreement and email to counsel re same .4;	1.8	

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12/17: Email to to WW re motion .2; email to and from JM .1; emails with WW re settlement .1; detailed review and editing of agreement, email to D counsel re same 1.2;	1.6	
12/19: Legal research for MIL 1.7; review prior order, transcript and depo testimony for MIL, and commence drafting same 2.8;	4.5	
12/20: Review and analysis of voluminous trial filings and exhibits, prepare summary memo re same 2.3; complete, conf with DOL, and revise MIL 1 1.0; prepare summary of MILs and arguments for each 2.5; many (20+) emails and call with Reed re online depo issues, exhibits, trial and transcripts .7; email to and from CM Jones and analysis re class membership issue .4; 14 emails with CM Brewer re property issues and class membership .6; emails to and from MF re MIL.1; emails to and from MF re Del Sur and online investigation of WC 106 hearing .5;	8.1	
12/21: Review RJN and analysis re attacking same .3; emails to and from West .1; review client collection of USGS material, analysis and summary of same 1.7; call with client re trial issues, water level analysis, and maps .8;	2.9	
12/22: Email to DZ re willis class contact .1;	.1	
12/27: Email to D counsel re settlement .2; emails to and from Trager and Bunn .1;	.3	
12/28: Emails to and from client re water level, and analysis of map .3;	.3	
12/29: review Joe S ruling .1; email to RWalker re hearing .1; emails with same re ex parte details .1; emails to LO counsel and Dunn re ex parte notice .1; emails and call with MF .2; prepare and file objection to same, conf with DO and revise and file 1.1; emails with MF re same .1; email with LO counsel re ex parte .2; email with RW re same .1; review emails on notice and emails with SH .1; emails with DO re Joe situation .2; many (30+) emails with LO counsel re handling Joe situation .8; conf call with same re same, memo to file .7; email to and from RWalker re hearing .1; review Fife objection .2;	4.2	
12/30: Email comments to MF .1; 25+ emails and calls to and from LO counsel re handling Joe situation 1.0; prepare and revise ex parte application re Joe S, conf with DO and file same .8; review opp, Joe S testimony, legal research and prepare reply brief on MIL 1 3.8; email to RWalker re calendar issue .1; 30+ emails with LO counsel re Joe S handling .8;	6.6	
12/31: Hearing on ex parte app and memo to file .4; review various recent trial filings .3; emails from LO counsel re trial .3;	1.0	
TOTAL ATTORNEY HOURS	58.3	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: November 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
11/1: Review and analysis of expert report, docs produced, voluminous USGS reports and data, research re Durbin articles, and prepare outline for depo of same 7.9;	7.9	
11/2: Email from Fowler and call with same on settlement language .8; complete prep for Durbin depo 4.1; emails with DE re settlement .1;	5.0	
11/3: Email from West and review framework docs .3; call to same .5; attend PG call on settlement, memo to file 2.6; commence review of PWS data production, analysis of same, and preparation of summary memo and excel data summary re same, cf USGS report data 6.5	9.9	
11/4: Emails with client re settlement issues .2; review and markup of updated accord docs, call to Fowler .7; draft long settlement letter to EG, conf with DO, revise letter 2.2; emails with DE .1; call to client .2; commence preparation for Joe S depo, review of docs and outline for same 4.2;	7.6	
11/5: Review PG materials .3; call from DE .1; attend PG call on settlement, memo to file 2.4; emails with Trager .1; continue data analysis project and cross referencing with summary expert report tables, update master analysis memo 4.8;	7.7	
11/6: Continue data analysis project and cross referencing with summary expert report tables, online research to pull down many cites in report, update master analysis memo and commence outlines for trial 8.8;	8.8	
11/7: Continue data analysis project and cross referencing with summary expert report tables, online research to pull down many cites in report, update master analysis memo and exam outlines for trial 5.8;	5.8	
11/8: Email from West re framework and call with same .4; review and markup of current document .7; continue data analysis project and cross referencing with summary expert report tables, update master analysis memo and commence outlines for trial re same10 5.6;	6.7	
11/9: Continue data analysis project and cross referencing with summary expert report tables, update master analysis memo, and exam outlines for trial re same10 .6	10.6	
11/10: Review West memo and call to same .4; continue data analysis project and cross referencing with summary expert report tables, update master analysis memo 5.2; attend PG call and supp memo 1.9;	7.5	

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11/11: Review and analysis of USGS data, expert data and prepare basinwide analysis re water levels from 1980 to present, summary memo re same and highlight errors in expert report re same 5.9; continue data analysis project, literature review, cross referencing with summary expert report text, update master analysis memo 3.2;	9.1	
11/12: Preparation for Joe S depo, and outline for same 2.4; review Willis objection .1; continue review and analysis of water levels, summary memo re same and highlight errors in expert report re same 6.2; emails and call with Reed and LO counsel re depo issues .5; review and analysis of accord docs, markup framework, call to West .6;	9.8	
11/13: ; Continue review and analysis of water levels, summary memo re same and highlight errors in expert report re same, work up master list of expert report issues, supplement trial outlines 6.9; review PPH discovery response .1; review Dunn letter, email to DO .1;	6.9	
11/14: Review Joe S prior testimony and complete depo outline for Joe 3.8; email and call with Reed re depo issues .3;	4.1	
11/15: Travel to and attend Joe S depo 9.1; review cms statement and emails with DE .3; summarize Joe S notes .8	10.2	
11/16: Travel to and attend Joe S depo 9.6; email to Bunn et al .1; review amended CMS statement of 40 .1;	9.8	
11/17: Emails and call with client .4; review and analysis of Bunn outline .4; call to West re same .5; prepare for hearings 1.4; emails with EG re settlement .2; summarize Joe s notes .6;	3.5	
11/18: Travel to and attend hearings on willis and other motions and status conf., memo re same 4.5	4.5	
11/19: Emails from Bunn and review doc .2; email from West and review settlement offer, markup of same .7; legal research on finality of class judgment 3.7; draft memo re same and email to RK and DZ 1.4; participate in PG call and memo to file 1.5; long email from West and review new offer .3; email and call to same re issues .4; conf with DO .2; many (14+) emails with West re offer changes .9; call with client re same .3; review MOs .1; further emails with RK re finality issues .4; emails with DE .1;	10.2	
11/22: Conf with DO and client, email to West on objection to accord .7; call from Waldo re same .5;	1.2	
11/23: Email from West and call with same 1.0; review revised PG offer and call to West and client .4; emails with D counsel re settlement .1; prepare and revise PG letter .4	1.9	
11/24: Emails with West and JM .2;	.2	
11/29: Email from West re offer and review numerous attachments .7; many emails to and from same re settlement strategy and issues .9; review Widermuth changes .1; review hydrus info .1;	1.8	
11/30: Legal research on issue of failure to include opt out in settlement notice 3.8; prepare and revise brief re same 1.7; review Willis stip .1;	5.6	
TOTAL ATTORNEY HOURS	156.3	

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: October 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
10/1: Participate in PG meeting and memo to file re same 4.2; emails with client .2; emails with WW re taking wood settlement to board .2; emails DZ re motion .1; review motion to subst .1; review and analysis of AV econ impact report and markup same .7; call to Fowler .6;	6.1	
10/4: Email to DE re class settlement approval .1; review MO and email to Walker .1; emails with Fowler .1; review Hoch filing .1;	.4	
10/5: Emails from client and review memo re settlement .3; emails with RWalker .1; email to Trager re class agreement and call with same .5;	.9	
10/6: Review stip re withdrawal .1; review email re Antonovich meeting .1;	.2	
10/7: Call to Fowler re meeting with supervisor and further steps .8; emails with LO counsel re depositions .3; review schedule .1;	1.2	
10/8: PG call 1.2; email D40 on settlement .1; email from Fowler re settlement .1; attention to identifying Oberdorfer input to expert report, summary and review of prior testimony 2.4; commence outline for Oberdorfer and review of data and report 4.2	8.0	
10/11: Emails with EG re settlement .1; review Fowler email and Edwards letter, markup same, and email to Fowler .4;	.5	
10/12: Review numerous depo filings .2; call with Trager .8; emails with LO counsel re depositions and review calendar .3; emails with Reed re cost proposal .4;	1.7	
10/13: Emails with Garner re settlement dragging .2; review depo cost proposal .1; 30+ emails on depo pricing issues .5; analysis and review of Veritext proposal and call with Reed .5; call with client re status .4;	1.7	
10/14: Call with Reed re proposal .2; call with client .2; review supervisor letter and email to DO .1; review email re PWS refusing to share reporting costs .1; 15+ more emails re same .3; emails to LO counsel re Wildermuth .1; email to BBK re refusal to cost share .1; conf with DO .1; email to and from Wellen re costs sharing .2; emails with MF re same .2; many emails with Reed re handling proposal .3; emails with Trager re agreement changes .4;	2.2	

10/15: Review Dunn depo notices and amend memo .2; review and markup client letter to supervisor .2; emails to and from Wellen .2; 30+ emails re handling depositions 1.2; emails with client .2; long email to WW, conf with DO, revise and send same 1.0;	3.0	
10/17: Emails with client .2; email with BH re depositions .1; attention to review and analysis of prior Widlrmuth docs, expert report, and prepare deposition outline for same 4.8;	5.1	
10/18: Review depo notices and amend memo .2; 20+ emails re handling depositions .6; call and email to DE .1; review West letter and call to same re accord .6;	1.5	
10/19: Travel to attend Wildermuth depo 9.3;	9.3	
10/20: Emails with SH .1; emails with Bunn .1; call and email with DE .1; continue analysis and prep for Oberdorfer depo 3.5	3.8	
10/21: Review depo notices .1; participate PG meeting 4.3; summary memo re same .3;	4.7	
10/22: Participate in PG meeting 4.3; supp summary memo .2;	4.5	
10/23: Emails with LO re depositions .1;	.1	
10/25: Emails with client .2; call to West on status of many drafting issues .7;	.9	
10/27: Review RZ reply re willis .2; participate in PG call, memo to file 1.2;	1.4	
10/28: Review and summarize AV econ impact report .7; emails with Fowler re same .2; call to Fowler re numerous issues .8;	1.7	
10/29: Conf with DO re strategy issues .4; call with Fowler .5; prepare long draft letter to EG and email with Fowler re same 1.2;	2.1	
10/30: Receive West input on letter and revise same .2;	.2	
TOTAL ATTORNEY HOURS	61.2	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: September 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
9/1: Emails with client on agreement changes .1; review Waldo status email .1; review 4 cmc statements .2, email to DO;	.4	
9/3: Emails with classmember Reinhard .3; review 2 cmc statements and objection .2;	.5	
9/12: Emails with client on agreement changes .1	.1	
9/16: Review agenda and call in to PG meeting, memo to file 4.2; review and summary of expert notices and memo re calendaring .3; review RK motion for preliminary approval .2;	4.7	
9/17: Review of prop 218 memo and underlying authority .6;	.6	
9/19: Emails re depo notices .1;	.1	
9/20: Emails with EG re settlement .1	.1	
9/21: Emails to EG re settlement .1; email re LO with depositions .1;	.2	
9/22: Review opps to motion for approval .2; email with LO re depositions .1;	.3	
9/23: Emails to RWalker .1; emails with RK re motion .1; email to JD re Joe depo .1; emails with LO re depositions .2;	.5	
9/24: Review supp notice and oppositions .5; email with LO re depositions .1; emails with DZ re motion issues .3; review Rosamond dedesignation and call to DE .1; review West memo and call to same re accord .9;	1.9	
9/27: Call with client re status .6; review Wildermuth Chino report .2; emails with D40 and conf with DO .3; participate in LO call and memo to file re same 1.0;	1.9	
9/28: Email from DE re county status .1; attend LO conf call and memo to file .8; emails with MF re Long Valley .4; review Wright case .3; emails to LO counsel re depo issues .3; email to LO group re Leever depo .2;	1.9	
9/29: Review notice of related cases and online research re same .1; review new depo notices and update memo re same .1; review PG agenda, call to Fowler .8; call with client re status and settlement .4; review West email and PG documents, markup same .5;	1.9	

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9/30: Attend PG meeting and memo to file re same 5.1; review and revise settlement agreement and cf with Willis agreement 1.7; email to WW re same .2; review Dunn email on depos .1; review reply papers on approval and supp objection .2; emails with DZ re same .1; call with client on settlement .3;	7.7	
TOTAL ATTORNEY HOURS	22.8	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: August 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
8/2: Attend PG call and memo to file 1.3;	1.3	
8/3: Email from West and call with same .7; email from EG re settlement and re same .3; email to client re same .2; review Antonovich letter and email to West and LO .3;	1.5	
8/4: Emails with Dassler .1; emails with client re terms .2; call to same .2; email to PG re call .1; emails with LO counsel re same .1;	.7	
8/5: Emails with DE .1; long email to client re settlement issues, and redraft language re assessment .7; emails to and from Fowler and BJ re list of parties problems .5; email from West and call to same re drafting .5;	1.8	
8/6: Attorney call re accord and memo to file re same 1.5; long email from client and call to same re settlement issues .6; long email from Blum .1; review long DZ email .1; review Fife comments to accord .1; review accord comments from several parties .3; call with West re same .6;	3.3	
8/8: Emails with BJ and West re parties .2;	.2	
8/9: Email to Blum .1; numerous emails re accord comments .8; email to client re class settlement .3; call with same .8;	2.2	
8/10: Email and call to West re state role .3; email to EG .1; email from West on letter, review agenda and materials for PG call .2; review draft letter and email re change .2; revise class agreement and emails to client re same .7; call with EG and memo to file .5; participate in PG call, and memo to file 1.5; further class agreement revisions and email to client, call with same .6; create new class agreement and modify same 1.3; long email to EG re changes to same .4;	5.7	
8/11: Review BB accord comments .2; emails with DE .1; send comments to West .2; email to EG .2; emails to West and lawyer group re further issues .5; review DE draft brief .2; conf call with accord lawyers and memo to file re same .6; email to West re Robie .4; emails with EG .1;	2.5	
8/12: Sign off on letter .1; emails re call tomorrow .1; email from West re outsiders .1; call from West re accord issues 1.4;	1.7	

8/13: Accord attorney call, memo to file 1.5; call with Trager re Robie .4; call with Bunn .2; email to accord lawyers 1.0; emails with Moore .1; emails to and from Davis .2; emails with Green .1; emails with Trager re Robie .3; email to Waldo and Green re strategy .7; conf with DO .2; email to West re Palmdale .1; emails with Trager and EG re class agreement .1; call with Trager re problems with accord and related issues 1.2; email to and from Green re transferability .2; emails re mediation brief .1;	6.5	
8/14: Modify class agreement and email to EG re same .5; email to BBK re Robie .1; email to DE re brief .1;	.7	
8/16: Emails from counsel re Fowler email .2; review and markup of DE brief .4; email to same .2; review Fife brief and email to same .4; review RK comments to accord .2; email with feds, email to West .1; email to DE re Trager .2; email to Kuhs re accord .2; emails with DE .1; review Trager brief and call to same .4; email to Robie re class .3;	2.7	
8/17: Review PG meeting documents, markup several .5; emails with Fowler re same .2; participate in PG call 3.8;	4.5	
8/18: Participate in PG call 3.8; memo to file re same .4; review KL brief .1;	4.3	
8/19: receive and review Copo brief .2; emails re Siptroth .1; review Cal Water brief .1;	.4	
8/20: Many emails with West and accord lawyers re Robie .5; email from DZ .1;	.6	
8/21: Emails from counsel re Robie .1;	.1	
8/23: Email to West on expert issue .2; call from West re numerous issues for tomorrow .8; emails with EG .1;	1.0	
8/24: Travel to and attend Robie mediation 12.4;	12.4	
8/25: Review Fowler email on PG meetings .1; call to same .3; review West email on letter .1; review and markup of same.3; call to West .5; participate in PG call and memo to file re same 2.1; review Fowler agenda and Robie summary .1;	3.5	
8/26: Call from Bunn and email with same re depositions .2; emails with LO re same .1; participate in PG call and memo to file re same 4.5; emails with EG re class settlement .2;	5.0	
8/27: Emails with EG .1; call with same .1;	.2	
8/29: Email to and from client re class settlement .6;	.6	
8/30: Emails to and from EG re settlement 1.0; revise agreement .3; review cmc stmts .2; long email to client re settlement issues .8; call to same .3;	2.6	
8/31: Review cmc stmts .2; prepare cmc statement .4; emails with West re accord .2; emails with EG and revise agreement .3; long call with Trager re Robie and class settlement 1.3; emails with same .1	2.5	
TOTAL ATTORNEY HOURS	68.5	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: July 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
7/1: Emails and calls with client re accord language 1.8; review opps re expert motion .2; call to RK re same .2;	1.8	
7/2: Emails and calls with client re accord language 1.2; redraft accord sections 1.7; email to Waldo re same .8; call from West re accord issues .8; work on revised language and many emails to and from West re same 3.6;	8.1	
7/6: Email and call from West on fees .4; attention to drafting sections for same, legal research on 1021.5 issues, joint and several liability and good faith 3.9; email to DO re same and Willis fees .2; email to West re accord .6; review court order and email to West re strategy for handling same .4; review agenda .1; many more (15+) emails with West re strategy and handling of accord issues and language 3.2; review transfer order .1; email to PG re strategy .6;	9.5	
7/7: Travel to and attend meeting with West on accord and then PG mediation session 9.3; email to and from LO counsel re strategy .6;	9.9	
7/8: Travel to and attend meeting with West on accord and then PG mediation session 7.3; review Willis reply .2; email to client re Willis .2;	7.7	
7/9: Email from West re watermaster funding .2; research on tax issues on special assessment and feasibility of same 4.3; call to West re same and alternative approaches .7;	5.2	
7/12: Review DE cmc stmt .1; emails and call with West and Waldo re accord handling .6; long email to DE and LO counsel re handling settlement and accord issues .7; review BS markup .1; calls and emails from Lignon re Waldo team conf call .1; email to Waldo on strategy .3; emails to and from LO counsel re handling trial cont .2; conf call with Waldo et al .8; review final accord version and markup of same 1.5; call to West on technical issues .3; review and analysis of 8 technical comm reports from West, and summary of same 2.7; emails to and from DE on continuance and other issues .6; call with Tom Bunn and email to LO group .3; 49 emails (21 by MM) and 6 calls re accord, drafting issues, trial cont, strategy and related matters 3.9; 15+ emails with Waldo group re same 1.9;	14.1	

<p>7/13: Review cmc statements .3; many calls from all counsel re cmc, settlement and cont .9; emails to and from LO group re same .5; emails with US.1; review Fife draft .2; emails to and from DZ re dispute .3; long email to RK and DZ re conflict, trial and getting on board .5; call with LL and JD .7; summary email to LO group .4; further emails with DZ .3; emails with BS re conf call list .2; email to group re same .1; emails to and from West re accord stats .2; 10+ emails on call from Walker and 87% .5; email from West re accord disclosure, emails from 7 others .2; long email to PG re strategy and disclosure of accord .6; review Gene numbers and email to West re same .2; 15 plus more email to and from PG re accord disclosure .4; emails to and from West re same and strategy issues .3; emails to and from Joe F .1; prepare draft MM status decl re settlement and continuance, conf with DO and revise and file same, revise again and refile 3.4; emails to LO counsel re same .2; email to Entrix on billing .1; emails to and from West re call list and disclosure calling .2;</p>	<p>10.9</p>	
<p>7/14: Review PWS and Willis statements, email to DO .2; emails to and from West and PG .3; 50+ emails to and from counsel, LO counsel and PG re disclosure of accord and handling of same, including 4 calls 2.6; draft and revise supp MM declaration re settlement 1.2; call with BB re disclosure and board trouble .5; email to LO counsel re same .2; emails to and from LO counsel re same .2; email comments from West and LO re decl and revise same .3; call with BB re no consent .2; email to group re same .1; email to BB .1; email to PG re AVEK .1; emails with Bjorn re AVEK. 2; conf call with LO and Waldo group 1.2; prepare and revise Waldo decl., emails to all re same .7; emails and call to and from West re same .2; email to Rwalker re decl. .1; emails with Entrix re billing issues .2; email to D counsel re bills and ex parte .1; emails with Bjorn .1; email from DZ on AG opinion and legal research on ethical issues .7; further emails re same with DZ and PG .3;</p>	<p>9.8</p>	
<p>7/15: Emails with RWalker re hearing .1; prepare for hearing .5; hearing re continuance .6; email to Waldo re same .2; many emails to and from LO and West re further steps, strategy for cont. and AVEK 1.5; email to PG re need for lawyers .2; call to MMoore .2; and email all re Robie .2; emails from counsel re same .3; email to RWalker re ex parte .1; analysis re county witnesses and and prepare notice of witnesses 1.0; emails to LO counsel re same .2; attend PG meeting 2.1; review MO n/c; many (3-30+) emails to LO counsel re Dunn stories and AVEK truth, strategy for trial and next hearing 1.3; email to counsel re Robie .2; 15+ emails from same re same .4; emails with Riley .1;</p>	<p>9.2</p>	
<p>7/16: Email with LO re cost sharing .2; emails with Entrix .1; email to LO re court reporting deal .2; email to PG re hearing .2; emails with Trager .2; email to LO re conf call agenda .1; email to all re Robie on 11th .1; emails with Joyce .2; 35 further emails re cost sharing 2.3; emails re Markman .1; emails re lawyer selection for Robie meeting .2; further emails re conf call agenda and strategy .3; long email to DZ re settlement options and Long Valley .6; emails with DZ re same .2; review depo notice and comment to same .1; emails re CCP on experts .3; further emails re lawyer selection for Robie .4; email to and from RK re settlement .2; review new depo notice .1; emails re Wildermuth attack .3; emails with Dunn .1; 8 emails to and from West re strategy for Robie .8; conf call with LO counsel .8; review Willis settlement .3; emails to LO counsel re dealing with same .6; email to West on Willis .1; emails to and from LO re Willis .2;</p>	<p>9.3</p>	
<p>7/17: Emails to and from RZ re settlement .2; email to LO counsel re Willis agreement impact .5; review many emails from counsel .3;</p>	<p>1.0</p>	

7/18: Review 4 strategy emails .1; long email to LO group and West re strategy .7; email from DZ .1; emails with BD re willis .1;	1.0	
7/19: Further emails re Willis settlement .1; many emails with counsel re strategy issues .4; emails to and from Robie .3; review AV article .1; emails re limiting attendance .2; email to LO re accord problems .3; call with West re willis, avek, and accord issues 1.6; call from BBK and email to PG re mediation .1; email to US .1; call from Moore re problem with date email to BBK .1; emails to and from Sloan re willis deal .5; conf call with accord counsel, memo to file 1.2; emails re resting Robie .3; review Chino assessment law .1; emails with MMoore .1; emails re US water use .2; further scheduling emails .1; call with client .4; conf with DO .2;	6.1	
7/20: Emails with Moore .1; review Dassler email and costs memo .1; email to LO re nonpayment problem .1; prepare letter to all parties .2; emails to PG re same .1; emails with Dunn .1; emails with DZ .1; emails re ex parte .2; review draft ex parte .2; emails with JM and Palmdale .1; emails re changes to ex parte .7; review Durbin letter .1;	2.1	
7/21: Call with client re mediation .2; review ex parte .2; further emails re same .3; emails re Waldo contract .2; 15 plus emails re mediation strategy issues .4;	1.3	
7/22: Review PG watermaster documents, and markup same .8; review BB memo .1; participate in PG call, memo re same 3.8; emails with Trager .1; many (15) emails on ex parte .3; emails with Entrix re billing .1; email to and from LO counsel re PG question and Joe S .4; call with Dunn, memo to file .5; emails with Trager .1; 30+ emails re Robie strategy issues .8; review new Waldo contract .1; call to West re accord issues and Robie .5;	7.6	
7/23: Email to Zimmer re depositions .1; emails with DE re ex parte .1; emails with Trager re payment .2; email to Entrix .1; emails re LO call .1; review PWS expert filings .2; review Willis stmt .1; review depo notices and memo re same .3;	.6	
7/25: Review Fife filing .2; email re comments to same .5;	.7	
7/26: Emails with Fife re willis .3; review D40 depo objections .1; review CMC statements and D40 opp to trial cont .2; emails with Entrix on payment .1; email to Walker to take ex parte off .1; emails to and from Arndt re settlement .3;	1.1	
7/27: Prepare cmc statement .2; email to RZ re depositions .1; review motion by US .1; email to non parties .1; emails and call with West re Robie issues 1.2; review email from same and framework .2; review new Waldo contract .1; participate in PG call 1.4; email to LO counsel re PG .1;	3.5	
7/28: Emails with Bjorn .1; review 2 cmc statements .1; calls with DE and TB .3; review motion to strike .1; emails to and from LO re same .2; email to TB re Rosamond .1;	.9	
7/29: Email and call from DE re BBK getting fired and Dunn misrepresentations to court .1; hearing on many matters, memo to file re same 1.2; 30+ emails with LO counsel re strategy and handling settlement going forward 1.3; conf with DO .2; draft letter to BBK, and revise same 1.2; emails with Wellen re settlement .1;	4.1	
7/30: Emails with LO counsel re strategy .2; LO conf call and memo to file 1.1;	1.3	
TOTAL ATTORNEY HOURS	126.8	

TOTAL PARALEGAL HOURS		
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Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: June 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
6/1: Conf call with Waldo and West re settlement .9; review of transcripts, prepare draft opp to transferee motion, conf with DO, revise same 3.6;	4.5	
6/2: Review motion for leave .1, email to DO; review opps of US and Willis .1; review and analysis of new class spreadsheet re inclusions and exclusions .7; emails to and from TB .1; emails with WW and SH .1;	1.1	
6/3: Review Dunn letter, email to Waldo .1; emails to LO re Robie .1;	.2	
6/4: Emails with client re Robie .1; call with BJ re mediation and memo to file .6; call and emails with client re strategy .3; emails with West and client .1; emails to and from D40 re Robie .3; call from West re handling Robie situation .7;	2.1	
6/7: Review agenda and email to client re handling .2; participate in Waldo conf call and memo re same .7; review draft letter and comments to same .4; review reply brief on transfer .1; email from DZ and revise Waldo letter .4; email to PG re same .1; email to LO re same .1; email to US re letter .2; many comments and emails on draft letter .2;	2.4	
6/8: Over 90 emails and 20 calls re PG letter and numerous changes to same 7.1; emails to and from DZ re transferee reply .3; review and post prin. group (PG) letter .1; review Dunn letter and call to Moore .1; email to PG re Robie letter, revise same .6; draft language re small pumper class for agreement tomorrow and email to Waldo .8; email to Moore re mediation .3; email to PG re letter .2; legal research and preparation of objection to PWS brief 1.2; emails with DO re strategy .3; emails from LO group re BBK misconduct .2	11.2	
6/9: Travel to and attend Waldo mediation, and later overliers meeting 9.2; emails with PG .2;	9.4	
6/10: Call from client and email to Waldo .5; update master mediation memo .4; travel to and attend Waldo mediation 5.9	6.3	
6/11: Receive and review new class database and analysis of same, class water use reporting data, and memo summarizing same 4.8; emails to SH re website and database .3; email to AH re class database analysis project .4;	5.4	
6/12: Check stats through website .2;	.2	
6/14: Prepare for hearing .4; attend hearing and memo to file .8; long call with Waldo on mediation issues 1.0; memo to file .1; review and analysis of new class database .3; email to SH re returns .1;	2.7	

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JA 158811

6/14: Conf with MM re class database project .4; commence review and analysis of same for identification of non-class members, dupes, and others 6.6	0	7.0
6/15: Check database and email to SH .1;	.1	
6/15: Review and analysis of class DB for identification of non-class members, dupes, and others 7.6	0	7.6
6/16: Call from West re dormant law .3; email to West re Long Valley case .6; emails to and from West re Willis issues .3; email from DZ and email to DO re Willis .1; long email to Waldo re Mojave framework, subbasins and other management issues 1.4;	2.7	
6/16: Review and analysis of class DB for identification of non-class members, dupes, and others 7.1	0	7.1
6/17: Review Dunn letter and order, email to DO .1;	.1	
6/17: Review and analysis of class DB for identification of non-class members, dupes, and others 7.3; email to MM re status .2;	0	7.5
6/21: Review transfer order .1; email to EG and client re settlement .1; analysis and review of class database exclusion analysis and cf with other DBs and data sources 1.1; email to AH re further handling .2	1.5	
6/22: Review March 22 transcript .1; email from West and review agenda .1; long email from West for comments and review and markup memo for current settlement agreement 3.6; emails to and from West re same .8; call with same re draft agreement issues .7	5.3	
6/23: Travel to and attend Waldo mediation, and later overliers meeting 9.2; emails with PG .2;	9.4	
6/23: Review and analysis of class DB for identification of non-class members, dupes, and others 6.5	0	6.5
6/24: Travel to and attend Waldo mediation, and later overliers meeting 9.2; emails with PG .2; status email from AH re class member project .1;	9.5	
6/23: Complete review and analysis of class DB for identification of non-class members, dupes, and others 8.2	0	8.2
6/25: Calls and email from Entrix re payment .2; emails with DO re same .1;	.3	
6/28: Emails with AH re DB project status and questions .4;	.4	
6/29: Emails with West re settlement agreement .8; call with same .4; emails to LO counsel re PG mediation issues .9; review and analysis of class list exclusion analysis and correction to same .7; email to JD re same .2; emails to LO counsel and DE .1;	3.1	
6/30: Review nondeliverable list and email to SH .2; email from West and review and markup of accord document 1.9; emails to and from LO counsel re same .2;	2.3	
TOTAL ATTORNEY HOURS	80.2	
TOTAL PARALEGAL HOURS		43.90

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: May 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
5/3: Review litany of filings re CMO .2; call from Entrix re billing .1; email from West .1;	.4	
5/4: Emails with West and Lignon .2;	.2	
5/5: Prepare draft response to OSC, conf with DO and revise same 1.1; call from BJ and memo re same .6; email from West and review summary .1; call with West re mediation issues 1.1; memo re dame .2;	3.1	
5/5: Attention to entering class Q data into website 7.1	0	7.1
5/6: Telephonic hearing and memo to file re same .9; review MO re same and email to DO .1; phone call from Martin .4; call with West re litigation issues and CMO .5; email to Entrix re payment .1; email to LO counsel re transcripts .1; review 2007 and 2008 transcripts re inter se transfer issue .5; review agenda for meetings, email to client .1;	2.7	
5/6: Attention to entering class Q data into website 7.5	0	7.5
5/7: Research on lis pendens and inter se transfer issues, notice requirements, BFT issues, and constitutional questions, and memo re same 5.8; many emails to and from LO counsel re PWS depos and strategy 1.2; emails to and from SK .1; call to MF .2; email to Waldo re water use and call to West re class dynamics and ballpark estimates .5; emails to and from RZ re strategy .1;	7.9	
5/7: Attention to entering class Q data into website 7.2	0	7.2
5/11: Email to Jim re water use .2; review West email and agenda .1;	.3	
5/12: Travel to and attend Waldo mediation and overlier group meeting 9.2; supplement mediation memo .3;	9.5	
5/13: Travel to and attend Waldo mediation 5.9	5.9	
5/14: supplement mediation memo .4;	.4	
5/17: Email to EG .1;	.1	
5/20: Email from EG .1	.1	

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JA 158813

5/21: Email from West .1; emails with DO re settlement .2; email to EG re same .2;	.4	
5/24: Review West agenda and email .1; review latest settlement agreement .6; revise settlement agreement and email to client re same 2.2; call to client .3; further revisions and email to EG .3; call with client .2; emails to and from client .2;	3.9	
5/24: 5/5: Attention to entering class Q data into website 5.0	0	5.0
5/25: Long email to client re settlement 1.2; travel to and attend Waldo mediation 6.4; supplement mediation memo .4; call with client .3; review court order for May 6, email to DO .1; review client settlement markup .2; revise settlement agreement per client comments and email to same .8;	9.4	
5/26: Review D40 transferee motion and review prior pleadings and history re same .3; travel to and attend Waldo mediation 5.8; supplement mediation memo .3; emails to and from West .1; revise client settlement changes and emails and calls to same .6; prepare new draft version and email to EG .4;	7.5	
5/27: Review Van Dam and Grimmway oppositions to transferee motion .2; email to West re basin questions .6; call with client re settlement .2; email and call from West .1;	1.1	
TOTAL ATTORNEY HOURS	52.9	
TOTAL PARALEGAL HOURS		26.8

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: April 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
4/1: Travel to and attend Waldo mediation 6.2; summary memo re same .4;	6.6	
4/2: Email from Fowler and call from same .8;	.8	
4/3: Compare dismissal filing against class database and doe filings .7; email to AH re further handling .2; email from DZ .1;	1.0	
4/4: Emails with DK re strategy .5; emails to and from Fowler .2;	.7	
4/5: Email from Fowler and review follow steps .1, review Qs for attorney and prepare draft response 2.5, and water master concept and prepare notes on prior history with that here and options from other basins 1.6;	4.2	
4/5: Review of dismissal and cross refer to prior analysis and class lists 6.4; conf with MM re same .2	0	6.6
4/9: Review draft agenda, email to Fowler .1; call to same re lawyer Qs and watermaster .8; return calls to three class members and update master memo re same .8	1.7	
4/12: Review MO re Van Dam .1; call with CM Pike re numerous issues .6	.7	
4/13: Call from Fowler re meetings and overlier meeting tomorrow night .8; review mediation memo .1;	.9	
4/14: Travel to and attend Waldo mediation 6.6; attend overlier meeting and summary memo re same 1.4;	8.0	
4/15: Travel to and attend Waldo mediation 6.3; summary memo re same .3; review US request .1;	6.7	
4/16: Email from DZ on breakdown and review expert report to check facts .4; email from Fowler .1; emails from DZ re in rem issues and review Tejon brief .3;	.8	
4/19: Review MO and email to DO .1;	.1	
4/20: Emails and call with class member Leon .5;	.5	
4/21: Email from Fowler and review 3 attachments .2;	.2	
4/22: Email from Waldo and review questionnaire, conf with DO re same .3;	.3	

0203

JA 158815

4/23: Email with client re water use form .1; long email to Waldo re same .9; email from Fowler re issues with LO troubles .1; call from Fowler re further detail on same and background .7;	1.8	
4/26: Email from client, analysis re numbers, and call to same re mediation directions .6; review email from Waldo and agenda .1; commence supp brief re allocation and DQ, review transcripts 2.1	2.8	
4/26: Review of dismissal and cross refer to prior analysis and class lists 5.2;	0	5.2
4/27: Review email from West and two technical working group reports .4; call to West re same .5; email from Fowler and review settlement draft, prepare comments to same .8; conf with DO re brief and revise and finalize same .6;	2.3	
4/28: Travel to and attend mediation sessions 6.7; memo re same .4;	7.1	
4/29: Travel to and attend mediation sessions 5.7; memo re same .3; call with BJ .6; email from Fowler re lit issues .1;	6.7	
4/30: Review filings re CMO issues .2; email from West and review and markup settlement doc .7; review Grimway and Tejon CMO filings .1;	1.0	
TOTAL ATTORNEY HOURS	54.9	
TOTAL PARALEGAL HOURS		11.8

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: March 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
3/1: Emails with SH .1; review Waldo documents .1	.2	
3/2: Prepare supp brief on expert allocation motion, revise same, review documents 1.2; prepare cmc statement .5; email to and from TT .1; review ex parte .1;	1.9	
3/3: Travel to and attend Waldo mediation 6.4; emails from counsel re trial setting .1;	6.5	
3/4: Attention to filing expert corr .1; email to client re status .2; 21 emails to and from counsel re trial setting 1.2; review 11 cmc statements .7	2.0	
3/5: Review CMC statements prepare for hearing 1.1; review Fife reply and research re 170.6 issues .8; review objection by Fife .1; review KL withdrawal papers and conf with DO .2; call to client .2;	2.4	
3/8: Travel to and attend hearing, memo to file 3.7; conf with DO re next steps and writ .3	4.0	
3/10: Review MO and email to Walker re error .1;	.1	
3/11: Email from EG re settlement .1; conf with DO re handling .2; call from BJ .4; email to and from reporter on hearing transcript .2; emails re settlement .1;	1.0	
3/12: Calls with BS and DE and emails to same re Waldo .4; legal research for writ petition 4.8	5.2	
3/13: Review final transcript .2; further research on writ 2.7	2.9	
3/14: Long email to Fowler re settlement issue .7; out of state research to support writ 5.7	6.4	
3/15: Call with Fowler and further emails 1.2; emails to and from client re settlement .2; call to same .4; review settlement agenda and draft agreement .2; numerous emails with PM parties re same .3; review PWS proposed cmo .1; emails with client re settlement .4; review 4 other cmc statement .2;	3.0	
3/16: Calls with Waldo and client re settlement history and planning 1.3; email to Fowler re CA rules on confidentiality .5;	1.8	

0205

JA 158817

3/17: Research on JC website re writ .5; travel to and attend settlement meeting 6.3; email to LO counsel .1;	6.9	
3/18: Prepare cmc statement, conf with DO re same, and revise 2.7; call from Fowler re settlement issues .8;	3.5	
3/19: Review Fife writ .3; further call with Fowler re settlement .5; review draft of writ .9; email from Fowler and review attached documents .3; review order on writ and email to DO .1; review 7 cmc statements .3; review Dunn decl .1;	2.5	
3/21: Email to DO re due process issue .2; research for applicable citations 1.3;	1.5	
3/22: Telephonic hearing and memo to file re same 1.2; call with Joyce re strategy issues .5; email from client .1; call with class member re issue with membership and lawsuit questions .5; long memo from joyce and review water supply assessment summary and records .5; research online regarding same 1.2; legal research regarding applicable law for issuance of will serves and water supply assessments 3.6; emails to LO counsel re 2009 transcripts missing, and review same, email to DO .5; emails to and from client .1; review of writ draft and markup of same .6;	8.8	
3/23: Emails with Fife .1; attention to Entrix billing and emails with PWS counsel .1; review of writ petition .6; emails to and from LO counsel re joint defense issues .4; emails with client re settlement .2;	.8	
3/24: Call from process server re writ issue .1; review waldo email and documents .2;	.3	
3/25: Prepare proposed order .4; review MO re DQ email to DO .1; review transcript and email to TB re expert bills .2; emails to PWS counsel and DO re Entrix bills .4; emals to and from WW and KL re expert bills .2;	1.3	
3/26: Review Joyce email and analysis re Ritter Ranch .3; review of preliminary opp and email to DO .2; email to RK re willis forms .1;	.6	
3/27: Email with DO .1;	.1	
3/28: Emails with client re settlement .2;	.2	
3/29: Strategy emails with RK .1; email from Fowler and review settlement docs .3; attention to handling of writ exhibits .4; call with Fowler re settlement issues 1.4	2.2	
3/31: Travel to and attend Waldo mediation 6.5; memo to file re same .6	7.1	
TOTAL ATTORNEY HOURS	73.2	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

INVOICE

DATE: February 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
2/1: Review filings on consol .3; call with RK .4; prepare brief on consolidation .7;	1.4	
2/2: Research for consolidation filing .4; review settlement drafts .7; emails to and from client and email to Randy W on global comments .5; prepare revised settlement agreement .4; email to PWS counsel re same .3; review all briefs on consolidation .5;	2.8	
2/3: Complete consolidation brief .5; attend principals meeting in Lancaster 4.8; 8 emails with WS re settlement issues .5;	5.8	
2.4: Email to WS re settlement .1;	.1	
2/5: Hearing on consolidation and memo to file re same .6; emails with EG re settlement .3;	.9	
2/9: Review and analysis of Gene docs .3;	.3	
2/15: Email to EG .1; review mediator documents .1; email to client re PM .1;	.3	
2/16: Email from EG and client .1;	.1	
2/18: Email from Blum and review case .3; emails to and from client re Waldo .2; emails with RZ .1; email to Waldo .1;	.7	
2.19: Review consol order .2; review minute order .1;	.3	
2/22: Call with DOL re consol order .2; review latest EG draft agreement .2; emails with LO counsel re consol and settlement .2	.6	
2/24: call with client .5; call with DOL .2; letter to Thompson .4; call from same .3; review Thompson proposal and emails to and form DOL .2;	1.0	
2/25: Emails with PM .1; emails with DO re expert issues .4;	.5	
2/26: Review 170.6 filings .2;	.2	
TOTAL ATTORNEY HOURS	15	

0207

JA 158819

Law Office of Michael D. McLachlan, APC

INVOICE

523 W. Sixth Street, Suite 215
Los Angeles, CA 90014
Phone 213-630-2884 Fax 213-630-2886

DATE: January 2010

Bill To:
Antelope Valley Purveyors

For:
Legal services, Wood Class Action

DESCRIPTION	HOURS	PARALEGAL
1/2: Review and analysis of settlement draft and commence modifications of same 1.6;	1.6	
1/3: Call to client .1; continue drafting of revisions to settlement agreement 2.3; emails to and from client re same .2;	2.6	
1/4: Review emails to and from client, further modifications to agreement .2; emails to and from class members .3; review Paxton emails, watermaster memo, and negotiating docs .6;	1.1	
1/5: Call with client on settlement issues .9; conf with DOL .1; continue revisions to agreement and transmit to client .8; calls to and from class members .5; research on several class member issues .5; emails to and from SH re same .3; emails to Gambone .1;	3.2	
1/6: Email from client and further revisions .6; email to EG re changes to agreement .3; review Paxton email and further settlement docs .4; email to Paxton .1; email to Wonnell re dismissal .1;	1.5	
1/8: Prepare CMC statement .6; emails with Bunn re settlement .1;	.7	
1/9: Emails and call with client .3;	.3	
1/10: Emails with client .1; review CMC statements and letters, proposed order .5;	.6	
1/12: Call from Hedlund .2; review of numerous class member status documents and database info .5; email to Hedlund .1; review various CMC filings .2; review and analysis of proposed order .5; email to RK .1; conf with DOL re same .1; prepare and revise email to PWS .2; call from Weeks .4; calls from 2 class members .3	2.6	
1/13: Review Mettler Valley list .2; emails with SH .1; emails with counsel re conf call .1; emails with SO .3 and LO counsel re consol .3;	1.0	
1/14: Call for meet and confer on consol order .3;	.3	
1/15: Calls and emails with PWS counsel .4; call to and from LL .1; cmc hearing and memo to file .5; emails with EG .1; call from LL .1;	1.1	
1/18: Review Paxton email and five PM files, complete settlement doc .3;	.3	

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JA 158820

1/20: Call with Dunn on settlement and consol issues .8; call with DOJ re same .7;	1.5	
1/21: Calls to and from RK .4; conf with DOL re handling settlement .3; emails with client re mediation .2; emails with DE re PM .1;	1.0	
1/22: CMC conference and memo to file re same .7; emails with Dunn .1; emails with counsel re mediators .3; email to all re Waldo .3;	1.4	
1/25: Emails with Dunn and conf call re settlement with same, memo to file .6; review proposed order .1;	.7	
1/26: Emails to LO counsel re our settlement .2;	.2	
1/29: Review RAW comments on global settlement and emails to group and client .3; review EG settlement redraft .2; review willis order .1; review and analysis of PM documents .3; email to group on authority of RAW .2;	1.1	
1/29: Compare recent Doe filings against class list 5.1	0	5.1
1/31: Review AV filings on consol .2; research on judgment issue .4; email to Goldsmith .1;	.7	
TOTAL ATTORNEY HOURS	23.5	
TOTAL PARALEGAL HOURS		5.1

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: December 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
12/2: Participate in AVEK meeting, memo to file 2.5; read willis statement .1	2.5	
12/5: Phone call with Weeks re settlement issues .4; call with client .2; emails to and from RK .3;	.9	
12/6: Emails to and from RK .1; review current allocation matrix and brief .3; review and markup of consensus document .6; email to all re settlement .2; prepare letter to Robie .5; review Copa terms .2; research on amended judgment appealability .8; email to and from DZ re same .4;	3.1	
12/8: Emails re settlement .2; review water right claims .2; review record designation on appeal .2	.6	
12/9: Prepare status conf stmt .4;	.4	
12/13: Travel to and attend CMC, memo re same	2.8	
12/19: Emails to and from DZ re fee issues .3;	.3	
12/21: Call with RZ .3;	.3	
12/27: Review appellate docket and consol order, email to BBK .2;	.2	
12/29: Emails with DZ re appeal dismissal and handling fees .3; conf with DO re same .1; call with RZ re settlement .5;	.9	
TOTAL ATTORNEY HOURS	12	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: November 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
11/1: Call from class member .2; call with Leever .5; emails to and from D counsel .1;	.8	
11/4: Review BB memo and call to same .1;	.1	
11/7: Email to and from EG .1; review settlement corr .1; review RK opp .2;	.4	
11/8: Review 10/12 transcript and email to DO re same .2;	.2	
11/10: Review emails re settlement .2; review CMC statements .3; review BW discovery .2; prepare CMC statement and declaration of MDM, conf with DO re same, revise and file 2.8	3.5	
11/14: Prepare for status conf., including review of various statements and prior transcripts .4;	.4	
11/15: Travel to and attend status conference at CCW 3.3; review proposed order and corrected proposed order .1	3.4	
11/16: Review OSC .1;	.1	
11/17: Review order and conf with DOL .1; prepare for and attend conf call with MD and John U .6; review and analysis of summary expert report and tech comm. reports on water use issues .5; email to MD and JU .1; review settlement language and voluminous comments .5; email to Brunick .1; email to BW re extension .1; review BB memo, email to client .1; email to BB .2;	2.3	
11/18: Emails to and from DO re motion strategy .5; travel to and attend settlement meeting 4.4	4.9	
11/19: Long strategy memo to DO .8	.8	
11/22: Emails to and from BS .1; review BW draft letter .1;	.2	
11/28: Review notice of appeal and many emails with RK and DZ .4;	.4	
11/29: Emails with client re settlement .2;	.2	
TOTAL ATTORNEY HOURS	17.7	
TOTAL PARALEGAL HOURS		

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JA 158823

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: October 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
10/3: Emails to and from client re settlement .5;	.5	
10/5: Review settlement correspondence .1; prepare CMC statement, DO conf. and revise same .5; email from SH re data and email to DO .1;	.7	
10/6: Draft letter to Garner, conf with DO re same, and revise 1.3;	1.3	
10/7: Review CMC statements .2;	.2	
10/11: Review CMC statements .1	.1	
10/12: Analysis re handling water use proof issue .6; meeting with O'Leary on proposed filing and strategy .4; emails with client on settlement meetings .1; call with client re CMC and settlement .7	1.8	
10/13: Call with client .4;	.4	
10/21: Review BB draft phy solution and markup of same .4;	.4	
10/26: Review email and data from SH .1; email to client re same .1;	.2	
10/27: Emails to and from SH .2; emails with client re data and settlement .3; review settlement document from RZ and emails from counsel .3	.8	
10/28: Attend AVEK meeting and memo to file re same 4.7	4.7	
TOTAL ATTORNEY HOURS	11.1	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: September 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
9/2: Emails to and from Bunn .1; review and analysis of last settlement allocation, mediation submissions, review prior discovery responses and summary memos and create updated version of more likely water use for big players 5.6	5.7	
9/5: Research on calculation of landscape water use, and rural residential use in desert climates, review various studies of same and prepare memo 6.4;	6.4	
9/6: Call with client on allocation issues .3; emails to and from same .5; review and analysis of AB 1881 and potential regs .4; continue research on and rural residential use studies 3.7; review summary expert report for baseline data and calculations of potential water use, create spreadsheet for same on range of known class uses 1.7; email to client re water use and settlement .4;	7.0	
9/7: Emails to and from WW, client, and other PWS re water use data .3; research on line for available data on residential use from water suppliers in desert areas .9; review fee order .1; review Joe S 2010 depo and pull relevant text from summary report, email to DO re water use opinions .5; email to PWS 1;	1.9	
9/7: Travel to UCLA to get articles and studies on water use for MM		3.8
9/10: Call with client re settlement issues .4;	.4	
9/12: Further research on class water use, including review of expert data and phase 3 reports and analysis of same 3.7;	3.7	
9/13: Emails to and from client on settlement issues .1; further review and analysis of party submissions to Robie from Bunn .5; long email to DO re water use .7; email to and from client and DO re same .5; emails with JUK .1;	1.9	
9/14: Further research on ag studies of landscaping requirements, review prior trial exhibits, summary memo re same 5.2	5.2	
9/15: Emails with client on water use .3; emails to and from Bunn re PWD data .2; research on state laws relating to domestic use .5; email to client re legal issues and impact of 106 .8;	1.8	
9/16: Prepare summary of settlement terms .7; email to client re same .5;	1.2	

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JA 158825

9/19: Emails to and from client re domestic use and legal issue re settlement .9;	.9	
9/21: Review and analysis of Mojave basis studies .7; emails to and from WW re Joe S data .1; review amended Willis judgment .1;	.9	
9/22: Telephonic hearing and memo re same .4;	.4	
9/23: Review Dunn letter, email to client re Robie .1;	.1	
9/26: Call with client .6; review CMC statement .1; email to Justice Robie re data issues .2; emails to and from client re Mojave study .3; review order and emails with RK .3; review AV press article .1; call from client .2;	1.8	
9/27: Emails to and from Robie and Dan .1;	.1	
9/28: Revise settlement terms summary and email to client .5; emails with client re same .2;	.7	
9/29: call with SH re LS docs and meeting, email to DO .2; email to SH re same .1	.3	
TOTAL ATTORNEY HOURS	40.4	
TOTAL PARALEGAL HOURS		3.8

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: August 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
8/3: Emails and calls with client on numerous settlement issues 1.3; calls to and from BS and MF .2; legal research on domestic use and prescription issues in case law, statutes and regulations 3.8; conf. with DOL on Robie sessions .1; emails to and from M Moore .1; email to client and Davis .1;	5.6	
8/4: Conf call with client and DOL re: settlement issues .5; emails to Bunn and BBK .1; conf call with Davis, JUK., re settlement issues .7; call with client .3; call to M Moore .1;	1.7	
8/5: Review writ and supporting papers .5; review and analysis re settlement materials from client .7; prepare settlement brief for Robie 1.8; emails to client and DO re same .1; conf with DO and finalize brief .4; email to Robie .1;	3.6	
8/6: Emails to and from DZ re settlement and writ .3;	.3	
8/9: Emails to and from RWalker .1;	.1	
8/10: Emails to and from DE re Rosamond service are changes and attention to verifying class membership issues 1.2; email to DE re findings .1;	1.3	
8/11: Review MO re Robie and hearing, email to DO .1; review RZ CMC .1;	.2	
8/16: Review 7/11 transcript .2;	.2	
8/23: Emails to and from client on settlement .3; prepare reply brief on expert motion, conf with DO re same, revise and file 2.9;	3.2	
8/24: Review US and Willis CMCs .1; long call with client .5; emails with RK .1;	.7	
8/26: Review five cmc statements .2; email to Moore re mediation .2;	.4	
8/29: Prepare for hearing, review transcripts .7;	.7	
8/29: Prepare hearing binder for motion, index transcripts .8	0	.8
8/30: Travel to and attend hearing on expert motion and status conf 2.3; memo to file re same .1; conf with DO .2;	2.6	

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JA 158827

8/31: Travel to, prepare for and attend Robie mediation 9.7; meeting with DOL re strategy .7;	10.4	
TOTAL ATTORNEY HOURS	31	
TOTAL PARALEGAL HOURS		.8

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: July 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
7/5: Review and analysis of EG settlement markup, and further changes to same .9; emails with BBK .2; review SoD reply .1; review and analysis of Phase 3 transcripts on 5 points, and prepare summary memo re same 5.7	6.8	
7/6: Review Joe S trial testimony for 3 points and prepare summary memo of same 2.4	2.4	
7/7: Calls and emails to and from Dunn .1	.1	
7/8: Call with Dunn and WW .5; talk with DOL .1; calls to landowner counsel .1;	.7	
7/11: travel to and attend hearing and cmc, memo to file re same 2.5; commence motion authorizing expert work 2.8	5.3	
7/12: Review and summarize prior hearing transcripts re expert motions and review relevant filings and order, memo re same 2.1; complete motion authorizing expert work, conf with DO re same, and revise and file 4.2; long email to RK re common issues and settlement .6; emails to and from DZ re appeal .3; email to DO re settlement strategy and issues on expert .5;	7.4	
7/13: Assessment of revised settlement changes and two long emails to EG re same .9; review and analysis or RK supplemental application.2; legal research re procedure for same .8; review of SoD and check hearing notes re return flows .3; emails to LO counsel re same .1;	2.3	
7/14: Review and analysis of settlement and emails to and from BBK re same .5; review MO and email to RWalker re error .1; review agreement and prepare revised version, seven emails with PWS re same .7; conf with DO re settlement issues .3; emails and from DE re settlement .3; call to client re same .3;	2.2	
7/15: Emails to LO counsel re watermaster .2; emails to and from client re Robie and settlement .3;	.5	
7/18: Review Orr letter .1; emails to and from class member Williams .4; review Bunn comments .1;	.6	
7/19: Emails to and from client and call to same re settlement issues .4; 9 emails to and from PWS re settlement issues .7	1.1	

0217

JA 158829

7/20: Emails with client re watermaster issues .2; long email to DO and client re settlement .4; call to BS .1; emails with KL re settlement .2; call with MF re watermaster .2; emails to and from Bunn .2; email to KL re settlement .2; email to and from CM Williams re lawsuit .3;	1.8	
7/21: Return call from three CMs, and update master memo re same .9; emails with client .1;	1.0	
7/25: Conf with DO re handling settlement, global and otherwise .6; draft letter to Robie and email to DO re same .8; emails to DO and client re same .2;	1.6	
7/26: Further revisions to agreement and email to Bunn re same .7; emails and call with client re settlement .3;	1.0	
7/27: Review MO re Robie, emails with JM and TB .1	.1	
TOTAL ATTORNEY HOURS	34.9	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: June 2011

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
6/6: Review and markup proposed SoD .4;	.4	
6/8: Research on settlement standing issues 1.2; revise reply brief 1.1; email to SH .1;	2.4	
6/9: Call with client .3; preparation of Wood declaration .8; emails to and from DO and client re reply papers .2; prepare MM decl .5; attention to revision of reply documents and numerous email to BBK re same 1.3	3.1	
6/14: Review proposed add on order and email to JD .1; emails with SH .1; prepare preliminary approval order .8; email to RWalker .1;	1.1	
6/15: Prepare for class approval hearing 2.7	2.7	
6/16: Travel to and attend hearing for settlement approval, and meeting with JD and WW afterward, memo to file re same 4.6;	4.6	
6/20: Prepare revised settlement agreement 1.4; email to Dunn .1;	1.5	
6/21: Review SoD and objections to same .7; prepare joinder .1; emails to LO counsel re objections .2	1.0	
6/22: Emails to RWalker .1; emails to JD. 1; emails to RK re appeal issues .2;	.4	
6/23: Review client comments to agreement .2;	.2	
6/24: Emails to DO and client re settlement .2; email to WW .1; LO call .5;	.8	
6/25: Long email to LO counsel re prescription .5; emails to and from LO counsel re Robie .4; emails with client re settlement .2;	1.1	
6/27: Letter to Robie 1.0;	1.0	
6/28: Emails with RWalker .1; call with class member Hulick .4	.5	
TOTAL ATTORNEY HOURS	20.8	
TOTAL PARALEGAL HOURS		

0219

JA 158831

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: May 2011

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
5/1: Prepare class notice 1.2; prepare summary notice .2; prepare email re timeline .2; emails re approval to BBK .2;	1.8	
5/2: Review EG decl .2; attention to preparation of all settlement approval paperwork, motion, exhibits, order, declarations, and revisions to same, including over 70 emails and calls with D counsel 10.4	10.6	
5/3: Prepare notice of lodging .2;	.2	
5/6: Review tentative and RK fee order .3;	.3	
5/10: Emails with client re settlement .2;	.2	
5/13: Review oppositions to settlement .6; emails to and from RK and DZ re fees .2;	.8	
5/16: Commence drafting reply brief for settlement approval 2.4;	2.4	
5/17: Emails with WW .1; review BBK reply and markup same and 13 emails re same 1.7;	1.8	
5/19: Review MO re SoD .1;	.1	
5/23: Review RZ opp .1; review AGWA filing .1;	.2	
5/27: Emails to and from RWalker re hearing .1;	.1	
5/31: Review and summary of reply points .5; long email to SH re handling reply .7;	1.2	
TOTAL ATTORNEY HOURS	19.7	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: April 2011

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
4/5: Email with PM group .1; emails to and from WW re settlement .1.0; 15 other settlement emails .4;	1.5	
4/8: Emails with D counsel re settlement .2; emails with LO counsel re closing .5; review Dunn markup of judgment and email to same .1;	.8	
4/11: Work on judgment .3; email re same .2; review Bachman decl .2; prepare closing argument 2.7	3.4	
4/13: Travel to and attend trial 6.1	6.1	
4/15: Review Wellen letter and emails to and from Gene .4	.4	
4/19: Emails to and from client .2;	.2	
4/20: Emails from Dunn on judgment .1; emails with DO re handling .3; research on board approval of settlement .3;	.7	
4/21: Further changes to judgment .2; many emails with D counsel re same and settlement .6	.8	
4/23: Emails and call with client .3; email to Wes re settlement .2; emails with RWalker .1;	.6	
4/25: Emails to and from SH re meet and confer .4; emails to and from RK re settlement issues .3; email to Dunn re settlement .2; prepare letter to Judge re meet and confer .6; email to DO re same .1; revise letter .1; email to Bunn re same .1; emails to and from RWalker re letter .1;	1.9	
4/26: Conf call on proposed judgment .9; emails to and from client and DO re settlement .3; emails to and from D40 re settlement .2; revise judgment and emails re same .5; email to RWalker .1; 12+ more emails on settlement execution .4;	2.4	
4/27: 11 emails re settlement .4; email to client re settlement .2;	.6	
4/28: Call from Wellen and Garner .2; call with client .3; review Hedlund drafts .2;	.7	
4/29: Emails to and from WW re approval motion .4; call with client .2; email to and from RWalker re hearing .2;	.8	

0222

JA 158834

4/30: Lone email to D counsel re approval .4; email to DO and client re settlement .3;	.7	
TOTAL ATTORNEY HOURS	21.6	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: March 2011

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
3/1: Emails from D counsel re settlement .1;	.1	
3/2: Emails re trial transcripts .1;	.1	
3/3: Emails with client re settlement .2; 17 emails to and from D counsel re same, and further modify settlement .7	.9	
3/4: Review PWS response re Joe .2; email to DZ re fee material .3; email from D counsel re settlement .3;	.8	
3.5: Further changes to agreement and emails re same .2	.2	
3/7: Review fee bill opps .2; modify settlement and email to counsel re same .3;	.3	
3/8: Further changes to agreement and emails re same .2; email to WW re fees .1; emails to and from 3 class members re questions .6	.9	
3/9: Email to Markman re settlement .2; brief review of opps and email to RK re same .3; emails to and from DO re trial and settlement .5; call to client re same .3;	1.3	
3/10: Email to DZ on reply .2; emails to and from CM Lytle re lawsuit and issues with well .6; emails with RK re fees .2; emails to and from LO counsel re trial .2; email to D counsel re fees .1;	1.3	
3/11: Review numerous oppositions re fees motion .8; call from Hansen re transcripts .1;	.9	
3/13: Emails with Miliband re settlement .1;	.1	
3/14: Travel to and attend trial 9.3; prepare summary re same .6; emails with LO counsel re trial .3; research and commence drafting of reply brief re Willis fees motion 1.4;	11.6	
3/15: Travel to and attend trial 9.5; prepare summary re same .5; complete draft of Willis reply on fee motion 1.2; email to KL re settlement .1; email to WW re same .1	11.4	
3/16: Travel to and attend trial 9.6; ; prepare summary re same .8; emails to D counsel re settlement .2; email to LO re offer of proof authority .4; emails with LO counsel re trial issues 3;	11.3	

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3/17: Travel to and attend trial 6.1; emails with D counsel re settlement .3; emails to LO counsel re trial .2;	6.6	
3/18: Call with DE .1; emails with D counsel re settlement .3; emails to LO counsel re trial .5;	.9	
3/21: Review recent briefs on fee motion 1.2; email to DE re judgment .1;	1.3	
3/22: Travel to and attend trial 9.2; prepare summary re same .4 prepare judgment 1.1	10.7	
3/23: Travel to and attend trial 9.3; ; prepare summary re same .3	9.6	
3/24: Email to JT re settlement; travel to and attend trial, summary re same 8.0;	8.0	
3/25: Travel to and attend trial, summary re testimony 8.4;	8.4	
3/28: Travel to and attend trial, summary re testimony 8.1;	8.1	
3/29: Travel to and attend trial, summary re same 3.4; emails to and from DE and modifications to judgment .7; email to DO re trial .2; analysis and review of BB settlement framework .4;	4.7	
3/30: 12 emails to and from D counsel re judgment .4; emails to and from LO re closing .2;	.6	
3/31: WW email and memo from BB, email to DO re global settlement .3;	.3	
TOTAL ATTORNEY HOURS	100.4	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: February 2011

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
2/1: Travel to and attend trial, meeting with counsel 10.2; emails to WW re settlement .1	10.3	
2/2: Travel to and attend trial, preparation of X for Durbin, review and summary of depo 18.9; email to R Walker .1; emails with RK re settlement .4; email to LO counsel re schedule .2;	9.6	
2/3: Travel to and attend trial, ex parte app, continue Durbin prep 7.4; long call with CM Pike re lawsuit and property issues .5; emails to and from West re settlement .8; emails with MF re trial .1;	8.8	
2/4: review Beebe depo and commence prep of outline for same 4.6;	4.6	
2/5: Summarize Durbin depo vol 2 5.1;	5.1	
2/8: Emails to SH re trial status .1; finish Durbin cross 1.3;	1.4	
2/9: Review and supplement Wildermuth outline and review of exhibits 1.8	1.8	
2/11: Emails from LO counsel re trial .1;	.1	
2/13: Legal research and preparation of objection to Joe S exhibits 1.8; email to LO counsel re same .1;	1.9	
2/14: Travel to and attend trial 9.3; review and summary of PWS discovery responses .6; review D40 response to Willis disco and email to RK .1	10.0	
2/15: Travel to and attend trial 9.6; emails to and from RK re legal issues on fees .5;	10.1	
2/16: Research on scholarly articles regarding desert recharge 1.6; emails to MF re same .1; travel to and attend trial 9.8;	11.5	
2/17: Travel to and attend trial 7.3; emails to and from WW re settlement .2; email to DO re Durbin .4;	7.9	
2/18: Call from G Wheeler re lawsuit .4	.4	
2/19: Emails with WW .1;	.1	
2/20: Emails to LO counsel re trial .2;	.2	0226

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2/22: Review RK ex parte papers .4; emails to and from WW re fees, analysis re same .3; review Bunn comments to settlement .1;	.8	
2/23: Prepare for hearing 2.4; emails to and from DZ re hearing issue .2; revise settlement agreement and circulate same .9; further modification to same and circulate .2; call from TB .1; revise agreement and email to all counsel .3; emails with JU .1;	4.2	
2/24: Travel to and attend hearing on Wills settlement, expert motion etc., memo to file 4.6; email to Dunn re missing parties .1; emails to LO re same .1; email to Reinhard re water use .1; emails to and from DE .1;	5.0	
2/25: Emails with DE re settlement .3; emails to and from DZ re fees .2;	.5	
2/28: Emails from D counsel re settlement .1;	.1	
TOTAL ATTORNEY HOURS	94.4	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: January 2011

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
1/2: Email to LO counsel re Joe S .1; review and analysis of expert report, depo exhibits and prepare X for Wildermuth 4.6	.1	
1/3: Emails with Strager re settlement .5; emails with Brewer and SH re error re same .3; review Joe motion .2; emails re LO counsel re same .3	1.3	
1/4: Review Joe S order .1; travel to and attend trial, planning meeting with counsel 9.2; emails to and from CM Jones .1;	9.4	
1/5: Emails to LO counsel re trial issues .3; travel to and attend trial 8.6;	8.9	
1/5: Attention to assembly of trial exhibits and trial docs in binders, instructions to copy service re copying 6.9	0	6.9
1/6: Travel to and attend trial, attention to prep 8.9; work on settlement agreement .5; email to D counsel re same .2;	9.6	
1/7: Emails re settlement .2; emails re depositions .1; review letters .1;	.3	
1/8: Summarize Joe S. depo vol 1 5.7; emails re exhibit numbering .1;	5.8	
1/9: Summarize Joe s. depo vol 2 5.1;	5.1	
1/10: Attend Joe S deposition 3, summary memo re same 3.3;	3.3	
1/11: Attend Joe S deposition 3, summary memo re same 3.9; email to JU .2; review and analysis of Joe S exhibits and prepare summary of same 2.4; emails to and from WW and BBK re settlement .2; emails to and from counsel re Joe S issues .3; review RK discovery and email to same .2; excerpt Joe S prior testimony and email to JU .5;	8.0	
1/12: Emails with David group re rural residential issues .5; attend Joe S deposition 3, summary memo re same 4.1; emails to D counsel re cumulative testimony motion .4; review new Joe S exhibits and supp summary of same .5; long call with CM Anderson .6; analysis re same and email to SH .2;	6.3	
1/13: Emails re settlement .1; attend Joe S deposition 4, summary memo re same 4.0; emails to S Reed re proposal .2; emails with LO counsel re planning for Joe cross .3;	4.6	

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1/14: Emails with LO counsel and analysis of Fife outline for Joe S .4; conf call with LO counsel re cross of Joe, memo to file .9;	1.3	
1/15: Emails with JU .1; review records and testimony and analysis of base period issue 1.1; review of expert report on same .3;	1.5	
1/16: Prepare exam outline for Joe S and exhibits for same 3.8;	3.8	
1/17: Emails to SH re exhibits .1; attend Joe S deposition 4, summary memo re same 4.0; 15+ emails with LO counsel re Joe S cross .7;	4.8	
1/18: 20+ emails to and from LO counsel re Joe S issues and cross .9;	.9	
1/19: Emails to and from class members .3; emails with LO counsel re Joe S cross .6;	.9	
1/20: Travel to and attend Joe S depo 10.4; emails to DO and MF re same .3;	10.7	
1.22: Emails to and from RK .1;	.1	
1/23: Emails with LO counsel re planning for trial, review Fife calendar .2; emails with RK .1;	.3	
1/24: Commence preparation for Oberdorfer, review and summarize depo 3.4; review Fife analysis .3; LO call and memo to file .7;	4.4	
1/25: Travel to and attend Joe S depo 10.7;	10.7	
1/25: Attention to organization trial exhibits, depositions for trial 5.8	0	5.8
1/26: Long email to LO counsel re Joe .5; attend Joe S deposition, summary memo re same 5.0;	5.5	
1/28: Review RK settlement .4; review final approval hearing papers .9; review Fife water board filings .2;	1.5	
1/29: Review Fife Wildermuth notes .2; review and summary of Wildermuth depo and exhibits 4.5	4.7	
1/30: Continue prep for Wildermuth, prepare cross outline 2.7	2.7	
1/31: Travel to and attend trial 9.2;	9.2	
TOTAL ATTORNEY HOURS	125.7	
TOTAL PARALEGAL HOURS		12.7

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: December 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
12/3: Email to RWalker re order .1;	.1	
12/5: Review proposed CMO and markup of same .3; review expert demands .1;	.4	
12/7: Review CMC statements .2; emails with DO and client .3; email to Veritext re phase 4 .2;	.7	
12/10: Review D40 and US filings .2; emails with DO re hearing .2; emails with RK re appeal .3;	.7	
12/11: Review expert order .1;	.1	
12/13: Email to TT re status .2;	.2	
12/14: Conf call with all parties from Phase 4 issues 1.0; conf with DOL re same .2; prepare draft ex parte re phase 4 and email to Rwalker .5; conf call with liason comm re: phase 4 issues .8; email to RW re new class complaint filing .1; revise ex parte application and circulate same by email .7; emails to and from SReed re phase 4 proposals and options .5; email with Morris re same .1; prepare notice of intent and file same .1; review numerous notice filings .2; review Bezerra proposal and emails to and from same .3; call with counsel re CMO and trial issues .4;	3.9	
12/15: Emails to and from Fife and Bezerra re CMO .2;	.2	
12/17: ; Email to and from Walker re ex parte date .1; Prepare and revise amended CMO 1.0; approximately 20 emails to and from counsel re comments on CMO and ex parte and revision same 1.3; legal research on WC alt. water supplies .4; revise ex parte application .8; numerous emails to and from R. Walker .2; call with Milliband and memo re same .6; call with Kuhs and email to DOL re settlement .8; emails with RB .reCMO .1; call from School district re class and trial issues .4; edit and file ex parte and amended CMO .6; calls from two class members .5;	6.8	
12/18: Review recent notice filings and prepare summary list .3; research and analysis re public records issues .6; review and analysis of WM ex parte .2; emails with Orr and review LC filing .1;	1.2	
12/19: Call from Lewis re Warnock joining class .4; memo to file re same .1; review oppositions to ex parte .2;	.7	

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12/20: Prepare for hearing .2; participate in ex parte hearing, memo to file .5; emails with Reed re pricing issues .1;	.8	
12/21: Call from School district lawyer re joining class .4; review Veritext pricing proposals for phase 4 .3; review further notice filings and supplement phase 4 list re same .3; long email to LC re same .4; review and analysis of PWD discovery filing .3; emails to and from LC .1; review and analysis of class databases and email to Thompson (TT) re same .6; analysis re construction of survey and research on statistics and calls to two experts re questions 1.1;	3.5	
12/21: Commence printing, organization and binding of phase 4 discovery documents 4.0; conf with MM re handling same .2;	0	4.2
12/22: Commence review, analysis and summary of voluminous discovery filings with WW40, Copa, Wagas, Palmdale and Lancaster, including summary memo 4.6	4.6	
12/23: Continue review of voluminous discovery responses and continue with Rosamond, COLA, Boron, Phelan, Grimmway, Adams, State, Landinv, Granite and further D40 7.1;	7.1	
12/27: Continue printing, organization and binding of phase 4 discovery documents 4.8	0	4.8
12/27: Emails to and from LC .2; continue review of voluminous discovery responses and continue with solar, SCE, Big Rock, Grimway, Lemieux clients 6.6	6.8	
12/28: Liason committee meeting and memo to DOL re same 1.2; analysis re class stipulation issues for upcoming trial, and commence draft of same .8; emails to and from TT re survey .2; emails to and from TB and TT re data .2; continue review of voluminous discovery responses for mutual, AVEK, Van Dam, Bolthouse, and various farmers 7.8;	10.2	
12/28: Continue printing, organization and binding of phase 4 discovery documents 3.7	0	3.7
TOTAL ATTORNEY HOURS	48	
TOTAL PARALEGAL HOURS		12.7

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: November 2012

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
11/2: Review D40 responses .1; emails to and from client .2;	.3	
11/5: Emails with Bunn and review RZ statement .1; email WL re injunction .1; review many CMC statements .3; emails with Bunn re drafting comm .1;	.6	
11/6: Review numerous cmc statements .4; review of latest settlement documents and markup of same 1.3; review opp to PO .1;	1.8	
11/7: Review D40 cmc statement .1;	.1	
11/8: Preparation of supp brief on expert motion, review prior pleading and party lists, and analysis re same 3.9; prepare proposed order .4;	4.3	
11/9: Travel to and attend court hearing on phase 4 trial and motions 3.4	3.4	
11/12: Review Bunn memo .2;	.2	
11/14: Emails to and from Bunn .1; call to Entrix re contract .2;	.3	
11/15: Conf call on drafting committee 2.8; conf with DOL re deal points .2; drafting and revisions of assessment comments .4; review of Bunn draft .1; review of discovery order draft and markup same .4; email to Dunn re expert contact .1; email comments re settlement points .6;	4.6	
11/16: Review of revised discovery order draft .2; prepare comments to same .1; emails to and from counsel .2; emails to and from client re settlement issues .4; review final discovery order .1; prepare modified proposed order for court expert .8; emails to and from Dunn .1; emails with counsel re discovery order .2; review hearing transcript .2; email to Fife re discovery .2; review proposed order .1; emails to and from client re settlement issues .3;	2.9	
11/17: Email with client .1;	.1	
11/19: Review discovery filings .3; emails to and from DE re Lancaster, research re same .6; amend order re expert .2;	1.1	

11/20: Review discovery filings .2; emails with Bunn and expert re contract issue .6; revise expert order .2; attention to filing expert correspondence .1	1.1	
11/21: Review Bunn filing, call to client.1;	.1	
11/23: Email with Bunn .1; emails with client re settlement points .4	.5	
11/25: Email with client .1	.1	
11/26: Review of Santa Maria ruling .7; emails with Bunn .1; review and analysis of settlement points and emails and calls to and from client re same 1.6; email to all counsel re settlement position .7; email to TT re status .3; emails with DO re SM ruling .2; file TT corr .1;	3.7	
11/27: Drafting comm meeting, memo to file 1.6; emails to and from DO and client re new PWS position .4;	2.0	
11/28: Emails to and from Moore .1; revise letter to LO counsel .4; emails with client .4; emails to and from Murphy .3; emails to and from BS .1;	1.3	
11/29: Travel to and attend Robie mediation session 15.1; review short and long form settlement documents .5; drafting of class settlement language, review of class member database and groundwork on expert work 2.2	17.8	
11/30: Analysis of revised settlement proposals and emails to and from counsel and call to WS re settlement issues .5; call with client re settlement issues .6; conf with DOL re settlement .2; prepare bullet points and email to WS .6; revise same .2; review PWS proposal and email to Bunn .5; further emails with client re settlement issues .4; emails to counsel .1; review expert exchange .1;	3.2	
TOTAL ATTORNEY HOURS	49.5	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: October 2012

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
10/1: Emails to and from Dunn, Bunn and client re Robie .2; email to counsel re reporter .2; emails to and from BS re settlement .1;	.5	
10/2: Emails re reporter .1; review Rosamond discovery .1;	.2	
10/3: Review latest Robie draft .7; review Fife email .1;	.8	
10/4: Review comments of parties to current draft .5; many emails with Fife and counsel re Robie deal .5;	1.0	
10/5: Review US statement and numerous PO filings .2;	.2	
10/7: Emails to and from DO re feds .2;	.2	
10/8: Review dozen CMC statements .6; prepare CMC statement 1.0; emails with client .2;	1.8	
10/9: Emails with LL re settlement .1;	.1	
10/11: Prepare for hearings on class decert and expert motions, and CMC 1.7; review further CMC statements .3; review discovery responses of Murphy .1; review master settlement document and comments to same 2.4	4.5	
10/12: Travel to and attend court hearings 3.5; meeting with other parties re settlement and trial issues 4.8; review Satalino subpoena .1; emails to and from DO .1;	8.5	
10/14: Review Casey comments .1;	.1	
10/16: Email to LO counsel re class .4; email to all counsel re small pumper settlement issues .4; email to Fife re same .3; review order .1; emails to and from Bunn and counsel .2;	1.4	
10/17: Emails with DO and client re settlement .3;	.3	
10/22: Calls to and from Bunn and Fife .1; call from Bunn and memo to file .2; call with client .2; emails to and from DO re settlement .3;	.8	
10/23: Draft LO letter .5; draft brief re expert .4; emails to DO and client re same .5	1.4	
10/24: Commence work on master allocation order .6;	.6	

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JA 158846

TOTAL ATTORNEY HOURS	22.4	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: Sept. 2012

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
9/3: Review current settlement draft and notes re same .6;	.6	
9/4: Call with Zimmer and memo to DOL .4; call with client .2; prepare long settlement email to Dunn and revise same .7; email and calls to and from Sloan .5; email to DOL re same .1; review Casey comments .2; read LL email and response to same .2; emails to and from Sloan .2; review Bunn comments .1; review WM and RZ comments .1; call with client re settlement .4;	3.1	
9/5: Participate in settlement conference and memo to file re same 2.0	2.0	
9/6: Emails to and from client re settlement issues .3;	.3	
9/7: Review BB memo and current judgment drafts .5;	.5	
9/10: Emails to and from Hughes and review motion .3	.3	
9/11: Email to client on settlement .1;	.1	
9/12: Review of Weeks discovery .2;	.2	
9/14: Emails to and from client re settlement issues .5; review COLA comments .2;	.7	
9/18: Review Robie email .1; review AVWS comments .2; emails to and from DO and client re settlement .3; email to Dunn re same .1	.7	
9/19: Review PO motion .2;	.2	
9/20: Review Blum changes .2; emails to and from Dunn .1;	.3	
9/25: Review BB memo and current master draft .6; email to and from BS re class language .1; review opp to relief papers .2; email to client re Robie	1.0	
9/27: Review further comments to settlement .3;	.3	
9/28: Call from client .1;	.1	
9/30: Email to Dunn on settlement idea .2;	.2	
TOTAL ATTORNEY HOURS	10.6	

0236

JA 158848

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: August 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
8/6: Call from Martin re Sorrento status .3;	.3	
8/9: Emails to and from DO .1; return calls of two class members re lawsuit issues .6; call to RZ .1;	.8	
8/16: Analysis re landowner claims .2; emails to and from DO re strategy for same .6;	.8	
8/20: Review Zimmer email and notice of cont .1; call from class member Austin re lawsuit .4	.5	
8/21: Call and email to Dunn re settlement .1;	.1	
8/23: review order and recalendar dates .1;	.1	
8/25: Review Malibu Outrigger case re decert .3;	.3	
8/27: Review and analysis of most recent settlement draft and memo re same 1.1	1.1	
8/31: Review Blum comments .1;	.1	
TOTAL ATTORNEY HOURS	4.1	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: July 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
7/1: Review prior hearing transcripts .6; complete reply brief and edit same, legal research on class issues 2.6; prepare declaration of MDM and exhibits .5;	3.7	
7/3: Receive and review March 13 transcript .2;	.2	
7/5: Review several trial setting statements .3; commence draft statement .6; email re settlement .1;	1.0	
7/6: Review 15 trial setting statements and complete, revise and file trial setting statement 2.1; brief legal research for same .3;	2.4	
7/8: Prepare for hearing 2.9; emails to and from DO re same .2	3.1	
7/9: Travel to and attend hearing on class motions and trial setting 2.6; memo to file re same .2;	2.8	
7/11: Prepare notice of continuance, and revise same .2; analysis and research on questions of partial settlements with water suppliers 1.2; prepare and file notice of cont hearing .2;	1.6	
7/16: Return calls of two class members re status of case and settlement .5; email from BB .1;	.6	
7/18: Review amended orders .1;	.1	
7/25: Review BB memo .1;	.1	
TOTAL ATTORNEY HOURS	15.6	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: June 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
6/1: Emails to client re settlement .2; call with same re recent changes .3;	.5	
6/4: Participate in USGS conference and subsequent Joe S meeting 3.0; prepare summary memo re same .5; emails to and from RWalker .1;	3.6	
6/7: Review mandate petition .3;	.3	
6/8: Emails to and from client re decert .2;	.2	
6/11: Research on decertification 2.4; commence drafting of decertification motion 1.7	4.1	
6/12: Review prior expert filings and prepare expert motion .5; continue drafting decert motion 2.2; legal research for various issue in motion 2.6	5.3	
6/12: Review of further default and research in class database to locate erroneously defaulted class members 4.7	0	4.7
6/13: Drafting and revision of decert motion 5.4; prepare MDM declaration ISO motion 1.1	5.5	
6/19: Telephonic status conf with court, memo to file .7; review two CMC statements .1;	.8	
6/21: Review BB memo on settlement, current draft settlement and redline of same, markup same .9; review WW email .1;	1.0	
6/22: Participate in AVEK call, memo to file 1.1; email to same re class settlement redraft .1; email to group on settlement position .1;	1.3	
6/25: Review oppositions to motions re expert and to decertify .3;	.3	
6/28: Review AGWA objection .1;	.1	
6/30: Emails with DZ .1; legal research on issues for reply brief on decert and expert motion 2.7; commence reply brief 3.8	6.6	
TOTAL ATTORNEY HOURS	29.6	
TOTAL PARALEGAL HOURS		4.7

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: May 2012

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
5/1: Review six CMC statements .2;	.2	
5/2: Review BB memo .1; participate in hearing and memo to file re same .5;	.6	
5/3: Call from reporter .2;	.2	
5/8: Review RK letter .2; call to client .2;	.4	
5/13: Email from RZ .1;	.1	
5/14: Emails to and from client re settlement issues .3; review BB memo, call to client .1;	.4	
5/15: Review rampdown language and markup of same .4;	.4	
5/17: Email from Zimmer re settlement .1; review and revision of latest settlement draft, prepare limited version, email to counsel 1.7;	1.8	
5/18: Participate in AVEK settlement call 1.2;	1.2	
5/22: Analysis of draft changes and prepare further comments .8	.8	
5/23: Emails re settlement .1; call from class member Nolan re lawsuit status and property issues. .5	.6	
5/24: Review and analysis re Zimmer emails on settlement changes .3; further settlement emails .2;	.5	
5/25: Review transcripts .2; review Quartz Hill modified judgment .5; call and email to Brunick .1; call with Bunn .3; conf with DOL re strategy .3; prepare and revise long email to Zimmer and group re settlement .9;	2.3	
5/26: Emails to and from RZ .2;	.2	
5/29: Calls to and from BB .1; long email to Zimmer and counsel re settlement issues for class, call client, and revise same .9;	1.0	
5/31: Call with Bunn .5; analysis re motion to decertify and withdraw .8; email to Walker .1; review settlement terms, call to client, and email to Bunn re settlement terms .9	2.3	
TOTAL ATTORNEY HOURS	13	

0241

JA 158853

TOTAL PARALEGAL HOURS		
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Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: March 2012

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
3/1: Email to and from MF re Robie and settlement .2; research and analysis re viability of MSJ as to prescription claims 2.3;	2.5	
3/2: Review MO re trial setting .1; email to RWalker re error .1;	.2	
3/6: Review OSC .1; emails with LO counsel re meeting .1;	.2	
3/7: Emails to and from RZ .1	.1	
3/8: Further research on viability of MSA as to prescription 2.7;	2.7	
3/12: Review opposition and research re County arguments .8; review six CMC statements .4; email to LO counsel .1;	1.3	
3/13: Travel to and attend hearings (incl. continued expert motion) and status conference 2.5; review Weeks motion papers .1; email from Bunn re settlement .1;	2.7	
3/14: AVEK settlement call 1.4; review RK motion for reconsideration .3;	1.7	
3/22: Call from Thompson re status update on case .2;	.2	
3/23: Email to LO counsel .1;	.1	
3/27: Review weeks email and attachments .3; email to Weeks .1;	.4	
3/28: Review defaults notices and compare with class lists 7.4	0	7.4
3/29: Emails to and from client .1;	.1	
3/29: Review defaults notices and compare with class lists 5.3	0	5.3
TOTAL ATTORNEY HOURS	12.2	
TOTAL PARALEGAL HOURS		12.7

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: February 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
2/1: Review opps and other filings of this day .5; emails with BW re motion .1; emails with Putnam re Mason .3; call with R Valentine re issues with membership and property .4; review and analysis of Robie memo .4;	1.7	
2/2: Emails and call with Valentine .4; many emails with Weeks re discovery .6; emails with Putnam .1;	1.1	
2/3: Emails with Putnam re Mason issues .3; call with DE re settlement .3	.6	
2/6: Review reply filings on various motions .5; email to client .1;	.6	
2/7: Review Satalino discovery and opps .3;	.3	
2/8: Review BW motion filings .2; prepare and file statement re discovery 1.1; review and analysis re BB memo and watermaster regs, summary memo re same .8; emails to and from RK re class list .2;	2.3	
2/10: Review CMC statements .2;	.2	
2/13: Email to DE re settlement .2;	.2	
2/14: Travel to and attend trial setting conference, conf with client 2.9 (1.0);	2.9	
2/15: Review agenda, US corr, and Blum letter .1;	.1	
2/17: Participate in AVEK settlement conference 1.6; review some of the mass depo notices served .1; many emails with RK re appeal .4; review WW email .1;	2.2	
2/18: Prepare summary of depositions notice .6	0	.6
2/21: Travel to and attend principals settlement meeting 3.6; memo to file re same .2;	3.8	
2/22: Emails from WW and MF, review 7/11/11 transcript .4;	.4	

0244

JA 158856

2/23: Emails to DO re settlement .2	.2	
2.24: Further emails re settlement issues .2;	.2	
2/27: Review allocation, physical solution, meeting minutes on settlement .7; memo to file re same .2; email to Bunn .1; emails with Kuney re meeting .1; numerous settlement emails .4; analysis of Robie spreadsheets re allocation .4; email to WW, memo to file .2;	2.1	
2/28: Email to RWalker re hearing .1; emails with counsel on future dates .2;	.3	
2/29: Emails with RWalker .1; review notice and call to RZ .1;	.2	
TOTAL ATTORNEY HOURS	19.4	
TOTAL PARALEGAL HOURS		.6

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: January 2012

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
1/5: Emails to and from DZ re appeal .2;	.2	
1/6: Call from Martin re status of case .3;	.3	
1/10: Review weeks motion to compel .2; legal research on decertification 5.9	6.1	
1/12: Email to Dunn and Bunn .2;	.2	
1/17: Review D40 motion for legal findings and legal research re same 1.3;	1.3	
1/18: Prepare motion for order re expert 2.8	2.8	
1/19: Review OSC filing .1	.1	
1/24: Call with Brian Martin on case status for Sorento, analysis re class status .6; emails to and from Weeks .1; review class exclusion analysis and prepare modified class member/parcel version, email to Weeks re motions .5;	1.2	
1/25: Prepare legal memo to DO and file re ethical and legal issues in decertification 3.8	3.8	
1/27: Emails to and from BW .1;	.1	
1/30: Emails to and from client .2;	.2	
1/31: Many emails (20+) with Putnam re Mason, and research and analysis re class members wrongfully named in Weeks' two pending motions 1.4; review opps to D40 motion .9; review BB memo, calendar same .1;	2.5	
TOTAL ATTORNEY HOURS	18.8	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: January 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
1/2: Review memo and markup draft stip from Brunick re phase 4 trial .5;	.5	
1/4: Phone calls to client .2; review and analyze revised stipulations for trial .4; participate in liason comm call and memo to file re same 1.4; prepare and revise witness designations .5; emails to and from Veritext re liason comm decision and contract terms .2; review veritext contracts .2; email to all counsel re shared court reporter options .2	3.1	
1/5: Review dozens of witness designations and prepare list for depo notice priority and scheduling 1.3;	1.3	
1/7: Conf call with counsel, review and analysis of deponent list and designations 1.4; emails with LO counsel re depo issues .2; draft revised language on class to Liason Comm (LC) for stip, and email re same .4; review phase 4 depo schedule from weeks and analysis re handling and calendar issues .4	2.4	
1/8: Emails from LO counsel re deposition issues and scheduling .3; email to all counsel re group deposition pricing and management, revise same .4; review revised depo schedule and numerous further scheduling emails .5; email to TT re expert work .3; review letter re depositions, objections, and further scheduling many emails .3;	1.8	
1/9: Many (11) emails to Veritext re status of online calendar and handling of management issues .5; emails to and from Weeks and counsel re depo issues .2; review further objections .1; review Brunick memos .1; review liason comm agenda .1; prepare for Nebeker deposition, review discovery and relevant records 1.1; prepare for Voss depo, review discovery response .8	2.9	
1/10: Calls and emails with Veritext re video set up, virtual exhibit issues as well as calendaring case management .9; emails with all counsel on deposition issues .3; attend Nebeker and Voss depositions 6.2; review deposition objections and supplemental filings .3; emails to and from WW re AVEK depo .3; emails with Veritext on technical issues for depositions .2; review order on discovery conf .1; call from Kuhs .2; emails to and from Thompson (TT) re work .1; review of ex parte application and joinders .4; prepare and revise joinder re same .8;	9.8	

1/11: Review depo schedule and discovery filings, prepare for hearing to cont trial .8; attend hearing on ex parte to continue trial date, memo to file 1.3; many emails with LC re scheduling and depo issues .5; draft and revise First Amended CMO .6; email to LO counsel re First Amended CMO and discovery issues .4; review Bezerra comments and email to same .1; emails to and from RZ re trial issues .2;	3.9	
1/12: Review and analysis re voluminous discovery order responses of 14 parties and prepare summary memo re same 4.8;	4.8	
1/13: Emails re LC call .1; continue review and analysis of discovery filings of numerous parties and supplement memo re same 1.8;	1.9	
1/14: Participate in liason call re stipulations and CMO changes, memo to file 1.9; emails to and from liason counsel re suggested trial scope to CMO .4; further modification of CMO language and email to LC re filing .3; review email from TT re survey .1; review AGWA CMC stmt .1; research on in lieu pumping law .3; prepare and revise on first amend CMO draft language, email to LC re same .4; review revise class list to remove work product section .2; email to TT re survey and random sample .2; review CMC statements of Copa and AVEK .2; read Index of non-CA cases .5; review TT corr and prepare filing of same .3; review Bunn email and stip and decl draft .2;	5.1	
1/15: Draft long memo re depo procedures .5; email to LC re same .1; review Fife email and respond re LC issues .3; emails to and from Orr and Kuhs re disc issues .2; conf call re phase 4 trial issues, memo to file .7; review Kuhs comments to disc order .1; review LL email and amended trial schedule .1; call with Orr and emails to and from same and LC re order.3; prepare revised trial schedule filing and forward to LC for review .5; prepare order re phase 4 deposition procedures .7; review filings of today .2; email to LO counsel re hearing issues and strategy .4;	4.1	
1/16: Telephonic status conference with court and memo to file 1.8; emails to and from Bunn re stip .1; emails to and from Veritext re status and further handling of depo .2; email to R Walker .1; prepare and revise 1 st A CMO .6; email same to LC re same .1; emails to and from Dubois .1; modify order .3; email to RWalker re same .1; emails to and from Bunn and calls to PWS counsel re hearing .3; revise Order .2; email to RWalker re same .1; emails to counsel re return flows issue .2;	4.2	
1/17: Numerous emails with counsel re revised CMO and handling of same .3; revise CMO .2; email to RWalker re same .2; emails to counsel re status .1; call from DHall .1;	.9	
1/18: Call from DHall for school district on class membership and settlement issues, memo to file .4; emails to and from Kuney re decl .3;	.7	
1/19: Brief review Kuhs proposed PO and prior version .2; continue review of numerous discovery filings of parties and supplement memo re same 2.6;	2.8	
1/21: Email from TT and review database .2;	.2	
1/22: Call with Kuhs re many issues .9; review and analysis of PO .4; emails with LC re scheduling .1; emails with LO counsel re depositions .3;	1.7	
1/23: Emails to and from counsel re scheduling .2;	.2	
1/24: Call with RZ and RKuhs re AVEK issue and brief research on ethical issue .4;	.4	

1/25: Emails to and from TWhite court reporter.1;	.1	
1/28: Review draft hearing transcript .2; email to White re questions .2;	.4	
1/29: Emails to and from TWhite .1; emails to and from S Reed re transcripts .1;	.2	
1/30: Review Wagas declaration and emails to Renwick re changes needed to same .4; email to Bunn re stips .1; review Evertz declaration .1;	.6	
1/31: Review of 22 Fife client declarations and prepare summary memo of issues re same 1.6;	1.6	
TOTAL ATTORNEY HOURS	55.6	

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: February 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
2/1: Review Lane and PWD decls .2; review and analysis of Nelson and McCulough declarations and exhibits .7; review 24 Davis mutual supp responses and attached exhibits, and supplement master memo re: trial notes 4.1;	5.0	
2/5: Review Bowcock, Lopez and Latham decls .2; review eSolar and AV Solar discovery filings and supplement master trial memo re same .7; review Reed decl and exhibits, suppl. master trial memo re same .6; review and analyze SCE decl .2; review PPH decl and exhibits, supp. memo re same .6; review Joint Union filing .1; analysis and review Wagner decl and exhibits, supp memo re same .7; review Taylor decl .1;	3.2	
2/6: Emails with LC re scheduling .1; review Palm Ranch filing .1;	.2	
2/8: Call from School District re class .1; status email to TT .1;	.2	
2/9: 2/3: Review and analysis of 4 AVEK decls and exhibits and prepare summary of key information 1.3; review Scott and Boetsch declarations and exhibits and supp memo re same .6; review 11 CA entity declarations and voluminous exhibits, summarize same 2.3; review of Foth decl and exhibits and summarize same .3; review Chisam decl and exhibits, summarize same .4;	4.9	
2/12: Prepare for and attend liason committee call .6; memo to DOL re same .1; review revised Scott decl and update memo re same .3; review Metzger and Blum decls and exhibits, supp master memo .4; emails to LC .1; email to RWalker re ex parte .1;	1.6	
2/13: Phone calls re discovery order issues, and depositions .3; prepare ex parte application, proposed order .9; review Orr letters and schedule chart .2; emails to and from RK re depositions .1; emails and call with client re trial issues .4; review PPH ex parte and answer .1; emails from RZ .1;	2.1	
2/14: Review weeks letter on depositions .1;	.1	
2/15: Participate in depo scheduling call 1.4; emails to and from Kuney re trial issues .2; participate in court hearing, and memo file .7; review minute order and filings of this date .1;	2.4	
2/16: Research, analysis and evaluation of prior history of Boron CSD for potential Doe amendment 1.2;	1.2	

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JA 158862

2/19: Review Wagas supp decl. and revise master memo .3;	.3	
2/21: Emails with LC and LO counsel re depo scheduling .2; review RK depo schedule .1; emails to and from RK re depo notices .1; emails to and from RWalker re order status .1; call with Ralph re status and trial .2; review two new CMOs .1; numerous emails to and from LC and counsel re agenda items, stips and scheduling .4;	1.2	
2/22: Review and analysis of Kuhs depo notice and comments to same .4; participate in liason committee call and memo re same .8; review of US discovery response and revise master memo .6;	1.8	
2/23: Review US depo notice and objections, LL letter .2;	.2	
2/25: Call with landowners re depositions .9; prepare memo summarizing division of labor and projects .5; review Blum discovery filings .2; emails to and from Dubois .1; prepare for depositions of US witnesses 1.1; review Lewis email and decl, email to same re Warmack .2; email to DO re same .1; email to Weeks on depositions .1; many emails to and from Veritext and Weeks re depo issues .5; emails to and from Weeks and LO counsel re depo locations .1; email to Orr re stips .1;	3.9	
2/26: Attend depositions of US witnesses 5.8; emails to and from Lewis .1; review Fife ex parte and proposed order .2; review Grimway RFP, Tremblay notice and Miliband meet and confer .1; emails with LC re scheduling .1;	6.3	
2/27: Draft email to WW re AVEK and email to LO counsel re same .5; revise draft email and send to WW .2; emails to and from RK re same .1; review Brunick stip .1; many emails to and from Tyler and LC re depo issues and scheduling .5;	1.4	
2/28: Review Copa objection to US .1; call from D Hall and memo to file .2; review RK PWS depo schedule and emails to and from same re depositions and stips .3; review AVEK CMC statement .1; review Bolhouse CMC, amended version, Joyce filings, PPH objections and Copa statement .2; review Weeks, Bunn, Tejon and Fife filings .2;	1.1	
TOTAL ATTORNEY HOURS	37.1	
TOTAL PARALEGAL HOURS	0	

Law Office of Michael D. McLachlan, APC

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

INVOICE

DATE: March 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
3/1: Status conf and memo to file re same .6;	.6	
3/5: Review MO and calendar hearings .1; review proposed third A CMO .1;	.2	
3/6: Participate in General Brewer deposition 4.2; memo to file re same .3; email to R Walker re hearings .1; emails to and from Veritext re scheduling and technical issues .3; emails to and from RK re US .2;	5.1	
3/7: Call from D Hall .2;	.2	
3/8: Call with Kuhs .4; call with TBunn re depositions .2; emails to landowner counsel .2; review 3 rd A CMO .1; review Hallion materials .4; review objection and email to Weeks re 3 rd A CMO .1; emails to same re settlement .1; emails to and from RGK re PWD depo .1;	1.6	
3/11: Email and call from Entirx billing .1;	.1	
3/12: Liason committee call .5; review of Nebeker depo changes and substitutions, email to Fife .1;	.6	
3/13: Review of Nebeker depo transcript and prepare summary of same for trial 2.6; review AVEK CMC stmt .1; review and summary of Voss depo 2.1;	4.8	
3/13: AH Review and summary of Oberdorfer, Boetch, Brewer and Cummins depositions	0	5.3
3/14: Review CA ex parte and order .2; review Weeks discovery and deposition notice, CMC stmt of Copa .3; review Copa ex parte re stip and review file materials re same .2; revise Sloan settlement document and email to same .6; review RZ objections and Burrows decl .1; email from RK and email to WW re conflict .1;	1.5	
3/15: Telephonic hearing and memo to file re same .8; call with Bunn re Dennis depo and stip, memo to file .3; prepare instructions for handling first class mailing and review and numerous databases to locate missing address information and exclusion data .8; emails to DO re same .1; review numerous stipulations and email to McGuire re same .2; review Boron filings .1; review AV mutual stipulations .3; review MO and AGWA motion and stip .2; review Lewis stip .1;	2.9	
3/15 AH: Attention to locating addresses and preparing mail merge for class mailing 1.4; review and summary of Scott, Herbert, Hallion Bookman depositions 6.1	0	7.5
		0252

JA 158864

3/18: Prepare for Reed deposition 1.3; attend Reed depo including calls with Kuhs re handling same 4.7; call from Kuhs re various phase 4 issues, and potential injunction motion .5;	6.5	
3/19: Review and analysis of PWD P4 trial disclosures, summary expert report, and analysis re needs for deposition 3.6; call with Bunn re deposition issues and memo to file re same .6; email to LO counsel re strategy for handling same and trial issues .4; call from Bunn re PWD missing info .2; review notes on Reed testimony .2;	5.0	
3/20: Email to LO re further information on PWD depo .5; review Tejon and AGWA filings .2; prepare and revise letter to class members re expert survey and litigation status 1.4;	2.1	
3/22: Review Copa CMC statement .1; emails re depo scheduling .1; review Joyce stip papers .1; review and analysis re expert depo notices and attention to calendaring issues .6; review D40 ex parte and email to DO re same .2;	1.1	
3/22: AH: Attention to assembly and verification of class mailing on survey 3.8;	0	3.8
3/24: Review and analysis of RZ questions for PWD and email to same for clarification .6; call with Zimmer and memo to file .4; cross check class mailing and emails re issues with same .6;	1.6	
3/25: Travel to and attend hearing on stipulations and phase 4 trial, meet and confer afterward with all counsel 5.1; call from Zimmer re settlement .3; review depo notices and Zimmer letter .1;	5.5	
3/26: Emails with LC re scheduling and agenda .2; email to Fife re LC .1; emails with Bezerra and BB .2; review Leggio supp. .1; review and summary of Reed depo 3.7;	4.3	
3/27: Review revised CMO .1; liason committee call .8; emails to and from LC and counsel re depo scheduling .3; call with court and memo to file .4; review depo notices .1;	1.7	
3/28: Emails with RZ .1; call from Zimmer re settlement language .6; review 4 th CMO and email to Orr .1; review RK letter and depo notices .1;	.9	
3/29: Calls to and from Bunn and RZ re depos .3; emails to and from counsel re depo scheduling .5; brief review and analysis of return flow MIL, review SoD and prior orders .8; emails with LO counsel re MILs .3; emails to and from Weeks and RZ .1; emails to and from LC re depo issues .1; several emails to LC and LO counsel re PWD issues .4; emails to and from TB and BW and LC re depos .3; review new depo schedule and numerous emails to LO counsel and LC re issues .3; review US MIL and research on underlying authority, read several cases 1.1;	4.2	
3/30: Review MIL re reserved right and several underlying cases .9; review Rosamond MIL .1; review AVEK MIL .2; review WW40 MIL and RJN .4; review phase 3 ruling and email to LO counsel re RCSD motion .3; review QH MILs .2;	2.1	
TOTAL ATTORNEY HOURS	52.6	
TOTAL PARALEGAL HOURS		16.6

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: April 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
4/1: Many (25+) emails to counsel re depo setting .4; review and analysis of PWD discovery and preparation of deposition notice .9; call from Bunn re depositions .1; drafting of settlement language and emails to and from Zimmer re same 1.8; review MIL filings.4; review new depo schedule and three emails re same .2; emails to and from LO counsel re depositions and trial issues .6; review depo notices filed today .1; email from TT re survey and payment .1; prepare notice of depo for D Lameroux and request for documents .3; many further emails re depo scheduling issues .3; emails with RGK re AVEK/BBK conflict issue .2;	5.4	
4/2: Review and analysis of US exhibits, prior evidence produced, and prepare summary memo re same 1.6; call from WM and review and execute stip .2; review meet and confer letters .1; emails re depo scheduling .2; emails to and from Entrix billing .1; review objection to CMO .1;	2.3	
4/3: Review RZ stip re groundwater and related records, discovery responses and settlement docs .3; review three filings on depositions .1; emails to and from LC re depositions and review calendar .2; return phone calls to 4 class members re lawsuit and survey 1.3	1.9	
4/4: Review and analysis of discovery materials to assess need to attend Dorrance depo .3; many emails re depo scheduling .3; calls to three counsel re cost sharing on depositions .3; review materials from BB re D40 depo .3;	1.2	
4/5: Further review of WW documents and discovery, prepare depo 1.8; prepare notice for Ariki depo .2; review of 5 depo notices and document demands .2; attention to calendaring issues and conf with DO .1; emails to and from STyler re depo issues .2;	2.5	
4/6: Supplement D Lameroux depo outline .5;	.5	
4/8: Prepare for Dennis L depo 2.6; travel to and take depo 3.3;	5.9	
4/8: AH Summarize Smith, Selak, Balhman, Kremen and Miner depositions 7.6	0	7.6

4/9: Review and analysis of discovery material and prior filings to evaluate need to attend depositions of Jones, Healy, Koch, Utley, Trembley, Beeby and Cortner .8; emails to and from LC re depo issues .2; review depo notices .1; review Bunn stip .1; review Dunn letter and objection to Ariki depo .1; emails to and from RZ re Utley .1;	1.4	
4/10: Prepare for Koch depo .5; attend Koch deposition 4.2; emails to and from RZ re Utley .2; emails to and from RGK re depositions .2; review D40 docs from same .3;	5.4	
4/11: Prepare for Ariki D40 depo, including review of discovery and other documents 3.7; analysis re need to attend Sanden depo .2; review voluminous materials from MF re D40 depo, and revise outline re same .6; numerous emails to and from counsel re depo issues .3;	4.8	
4/12: Complete prep for Ariki depo .5; travel to and take Ariki depo 5.5; analysis re need to take Beeby depo .1; numerous (15+) emails to and from counsel re depo scheduling and issues .3;	6.4	
4/12: AH Summarize Nye, Allesso, Reca, Barnes, and Wilson Siebert and Zomorodi depositions, edit three prior summaries 6.8	0	6.8
4/13: Analysis re need to attend Nelson depo .2; review and analysis of long MO re stipulation status and check filings on same .5; return calls to and from 3 class members re survey and lawsuit 1.1	1.8	
4/15: Emails to and from TB, and review stip .2; emails to and from RZ re Ariki .2; review Fife stip and decl .1; review Borax stip, Tremblay filings, RZ response, and two DE filings .2; call from RZ re D40 depo and trial .4;	1.1	
4/16: Analysis re need to attend Yurosek and Filkins depositions, review and analysis of Bolthouse materials re same .5; review depo notices .1; call from Tyler re depo issues and handling .2; analysis re need to oppose MILs and legal research re same 1.1; calls to LO counsel re same .4;	2.3	
4/16: AH Summarize Baharloo, Healy, Jones, Kyle depositions	0	7.8
4/17: Emails to and from BW re depo issues .2; review depo notices filed today, and objections .1; review and summarize Beeby depo 2.5	2.8	
4/18: Analysis re handling groundwater survey .6; review letters from JD and RZ .1;	.7	
4/19: Review and analysis of 14 law and motion filings re MILs .9; emails to BJ and BB .1; prepare joinder .1;	1.1	
4/22: Emails to and from Tyler re handling depo issues and cost sharing .2; email to RWalker re ex parte .1; review and summarize Hendrix and Tremblay depositions 5.4	5.7	
4/22: AH Summarize depositions of Javidi, Bowcock, Sanden, and Dorrance depositions	0	8.2
4/23: Review and analysis of SReed proposal re depositions and emails to and from same .3; review Calandri dec .1; review Copa ex parte .1; review PPH filing .1; emails from BW and review Copa orders .1;	.7	
4/24: Numerous emails with LL and counsel re settlement structure .4; settlement conf call with US 1.1; prepare depo summary for Lameroux 2.3; analysis re need to attend AGWA depositions and review documents re same .3;	4.1	

4/24: AH Review and summary of Beuhler, Yurosek, Filkins and Calandri depositions 8.1	0	8.1
4/25: Emails to and from client re settlement .3; review Zimmer filings .1; assessment of reporting proposal and emails re same .1; review and summary of Leggio depo 2.9	3.4	
4/26: Review and analysis of current settlement matrix and agreement .3; emails to and from LL re settlement .1; review US supp response .1; review Van Dam notice and objections, Satalino filings 1;	.6	
4/27: Call with Wood re numerous issues 1.0; commence ex parte draft .4;	1.4	
4/28: Emails and call with client .3;	.3	
4/29: Review court docket and analysis re does and roes status, willis class list .8; complete and file ex parte application 1.9; emails to and from client and DO .1; review Joint CMC stmt of AVEK .1; emails to and from Tyler re phase 4 transcripts .2; emails to and from counsel re depos .2; review US further supp response, modify US summary re same .4; review Kuhs filings .1; review Willis opposition .1;	3.9	
4/29: AH Summarize Wagner, Cornter, Perez, and Gorrindo depos 8.9	0	8.9
4/30: Prepare for and attend telephonic status conference 1.6; email to RK re hearing .1; review Copa stip filing .1; emails to and from LC re trial exhibits .1; review 4th amended CMO and stip order .2; review and summary of Wildermuth deposition 3.1	5.2	
4/30: Summarize Maritorena, Reca, C. Van Dam, and G Van Dam depos 7.8	0	7.8
TOTAL ATTORNEY HOURS	72.8	
TOTAL PARALEGAL HOURS		55.2

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: May 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
5/1: Emails to and from client re settlement .2; review 4 stipulations .2; review court order and discovery .2; emails to and from Cardno re billing .1; review and analysis of Bolthouse documents and witnesses .5; emails to and from LC re call .1;	1.3	
5/2: Emails to and from counsel re LC .1; review Cal Water filings .1; review changes to DL depo and update summary .1; attend LC call and memo to file re same .5;	.8	
5/2: AH Prepare summary of Taylor and Atkinson depositions, revise three prior summaries 5.4	0	5.4
5/3: Review weeks list .1; review and analysis of 15+ law and motion filings and prepare summary of same 1.3; brief legal research on return flow issues .6;	2.0	
5/4: Draft retainer agreement for LO complaint .2; prepare deposition summary for Ariki deposition and documents produced, including water supply assessments 2.7	2.9	
5/5: Emails to and from DO and client re trial issues .3; prepare cross exam for three US witnesses, review and analysis of discovery materials and documents, prior trial exhibits 3.4	3.7	
5/6: Emails to and from DO and client re trial issues .2; prepare joinder .1;	.3	
5/8: Review Tejon trial notices .2; review exhibit list .2; review Chester filings .1; review ex parte app .1; review various notices to appear at trial .1;	.7	
5/9: AH: review and analysis of default and cf with class lists, memo re same 3.7;	0	3.7
5/9: Review court order n/c; analysis of witnesses prep and depositions needing summary for trial .6; commence preparation of trial outlines for D40 and PWD 3.7;	4.3	
5/10: Review revised exhibit list .1; review and analysis of further Bolthouse exhibits .2; review AGWA depo changes .1; review MTC depo of D40 .1; emails to and from LC re trial exhibits .2; review RZ trial notices .1;	.8	

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5/11: Review and analysis of depo summaries and commence trial outlines for 9 AGWA parties, Bolthouse, Borax, and Diamond parties 5.2	5.2	
5/13: Attend hearing on MILs and trial issues 4.0; review Blum trust filings .3; emails and call with client re trial and settlement issues .8;	5.1	
5/14: Review PWD MIL .1; review two court orders .1; drafting and revision of LO complaint 2.8;	3.0	
5/15: Review stip matrix .2; complete witness outlines for cross exam of PWD, D40 2.1; prepare cross for QH 1.3; prepare cross for Cal Water .7; review and analysis of remaining AGWA parties and prepare cross for 13 of those entities 3.7;	8.0	
5/16: Review LandinV filings .1; assessment re need to attend Atkinson depo and review of related docs and discovery .3;	.4	
5/17: Attend hearing and memo to file re same .7; review stipulation matrix .2;	.9	
5/20: Email to Davis .1; emails to and from Cardno re billing .1;	.2	
5/21: Emails to and from RGK re trial .1; revise LO complaint .8; emails to and from DO re same and further revisions .3; emails to and from Davis re client list .2; review Tejon RJN .2; review revised US filings and supplement memo re same .3; prepare letter to class members re survey work 1.2;	3.1	
5/22: AH Attention to class mailing, merge, review of databases and research re missing addresses 5.7	0	5.7
5/22: Review COLA MIL .2; emails to and from DO re trial issues .3; review AGWA pretrial statement .1; review trial objections .1;	.7	
5/23: Settlement email to Ds .3; prepare letter to LO counsel .6; prepare notice of related cases .3; review CMO and MO .1; review Cal Water filings .1; review numerous stips and trial filings .4; emails to and from Garner .1; review Mutual filings and prepare summary memo re 21 of them for trial 2.4; review stipulation matrix and cross reference with filings .5; prepare for MSC and hearing .8;	5.6	
5/24: Travel to and from San Jose for hearing 7.8; review and analysis of 20+ trial filings, motions and stips filed today .9; update summary memo re same .3;	9.0	
5/26: Review 3 trial briefs file in last two days .3;	.3	
5/27: Attention to trial prep, including legal research on evidence issues, and review of various declarations of witnessess for LO parties 1.3	1.3	
5/27: AH Attention to preparation of trial exhibits for cross exam of US, PWS, and landowner parties 6.4	0	6.4

5/28: Travel to and attend phase 4 trial 6.0; revise and finalize cross exam for D40, review of related exhibits and documents 2.7; review of Bolt brief, ex list and .3; review Boron trial docs .1; review Scott decl .1; review five Chester filings and prepare cross for same .8; review Borax trial filings .1; review state of CA five trial filings .3; review 4 D40 filing and trial brief, supplement exam outline .6; review Maguire filings and prepare summary re same .3; review new Davis trial docs .2; call to TT .1;	11.5	
5/29: Summary email to DO re trial .5; draft and revise proposed stipulation .7; travel to and attend Phase 4 trial 8.8; review supplemental Burrows filings .1; review AGWA filings .1; call with TT re survey and trial issues .3; review further Ariki decl .1; email and call from Bunn .1; review Leggio decl .1;	10.8	
5/30: Review 6 trial filings .2; travel to and attend Phase 4 trial 4.9;	5.1	
5/31: Emails to and from Maguire .1; email to Bunn re database .1; emails to and from S Blum .2; prepare summary memo re trial 1.2	1.6	
TOTAL ATTORNEY HOURS	88.6	
TOTAL PARALEGAL HOURS		21.20

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: June 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
6/2: Review and analysis of Blum filings and Bolthouse lease and records 1.5; email to Blum .2;	1.7	
6/3: Call from Robert Jones re lawsuit and survey .6; email to Fife re same .1; review Blum letter .1; review and analysis of client records for survey 4; email to client re same .1; email to Blum .1;	1.4	
6/4: Emails to and from MF on joint clients and research in database re same .7; email to Blum re dispute .2; emails to and from client re pump records .3; email to Fife re Jones .1;	1.3	
6/5: Call from class member Streuss about lawsuit and survey .6; review and analysis of Wood records .2; review final stipulation numbers and check with trial notes .2; review Dunn letter and state filing .1; call from Cardno re billing issues .2; email to Davis re mutual issue .1; review and analysis of expert bills, prior order and prepare letter to PWS counsel, email to same .2; email to client re expert work .1;	1.7	
6/6: Email to and from RWalker re filing issue .1; call from client re settlement .4; emails to and from Cardno and Tootle .1; emails to and from Davis re mutual status .1; emails with and call to class member Jung re lawsuit and survey .5; emails to and from Garner re settlement and their interest in resolving case .1; call from class member Nye re lawsuit, survey and other issues .6;	1.9	
6/7: Email to Fife re common clients and revise same .2; emails to and from Garner n/c; review of add on petition .1; call from class member Hawkins re lawsuit and survey issues .7;	1.0	
6/10: Review prior settlement agreements and most recent terms, prepare email to Garner re same and proposed settlement .9; phone call with Garner re settlement, memo to file .4; email to TT re survey issues .1; emails to and from client re settlement moving forward with County .2; email to Fife re Nye .1; review of Jung records and call to same .3; email and call with Margo White re property and survey .3; long email to class member Wanda Leon re survey and data needed .4;	2.7	
6/11: Call from Hawkins .2; email to TT re Jung; call from B Smith re lawsuit and survey .6; prepare summary memo re class member contacts and information .6; email to TT re Hawkins .1;	1.5	

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6/12: Call to class member Bovee re survey and lawsuit .6; email to TT re same .2; email to TT re Smith .1; review of Jung documents and email to TT and Jung re same .1; review email and proposed SOD from Dunn .2; emails with DO re same .2; prepare redline of SOD for Dunn .1;	1.5	
6/13: Emails to and from Cardno re billing .1; call from B Firsick re lawsuit and survey .6; call with classmember Leon re survey and lawsuit .4;	1.1	
6/14: Emails to and from Jung re pump test .1; review proposed SOD .1; review Kuhs opp to add-on .1;	.3	
6/17: Review of Bovee photos .1; review of amended SOD .1; attention to issues with class mailing and supervise same .5; review Kuney opp to add on .1; emails to and from DO re add on issues .1; review and finalize proposed order .2; email to TT re Bovee .1; emails to and from Garner and DO re settlement .1; calls to and from L&O firm re expert billing .1;	1.4	
6/17: AH Attention to further mailing, review of database for missing addresses, prepare mail merge 1.8	0	1.8
6/18: Call with WWellen re refusal to settle, memo to file .8; review mail merge for issues with addresses .3; review Brunick opp to add on .1; five emails to and from KL re expert issue .3; emails to and from Cardno re billing issues .2; email to DO re settlement blow up by Wellen and further handling strategy with partial settlement .3;	2.0	
6/19: Legal research on several settlement issues .6; email to Wellen re refusal to settle with class .1; review revised City of LA exhibits .1; call from class member Thompson re lawsuit and survey .4; emails to and from client re settlement .2;	1.4	
6/20: Review further amended SOD .1; emails to and from client re property history .1; call from CM McCrae re lawsuit and survey .6; email to TT re same and update master memo .1; prepare revised letter to class for survey .9; email to several class members and calls to same for input on content and tenor of same .4; revise and finalize letter to class .2; review and analysis of numerous class lists re errors in TT mailing list and address issues .7; email to TT re same and request for further sample .1; email to McCrae re survey .1;	3.3	
6/21: Review second amended SOD for phase 4 .1; emails to and from WW re Waterworks refusal to settle with class .1; emails to and from CM Nolan re survey and lawsuit .2; review and analysis of TT sample and cross check against master class lists for accuracy .4; email to McCrae and TT re same .1; email to RWalker re hearing and conf with DO re handling billing issues .1; review class member mailing project and spot check same against database .5;	1.5	
6/21: Further work on mailing issues with addresses, running mail merge, and attention to next mailing round 4.4	0	4.4
6/23: Review next round sampling from TT and cross reference with master class list to determine accuracy .4; return phone calls to 4 class members .7;	1.1	
6/24: AH Attention to additional class mailing for water survey 3.7	0	3.7

6/24: Emails and calls to and from CM Leon re water issues .4; email to client re same .1; email to client re help with survey outreach issues .2; emails with court re reporter issue .1; further emails with client re settlement and survey issues .2; check Cardno payment status, call to billing office, and email to TT re same .2; commence ex parte app re expert fee payments .7; attention to further class mailing, instructions re handling same .4;	2.3	
6/25: Email to TT re court hearing .1; complete ex parte app .3; emails to and from DE and TT re billing .1; email to RGK .1; email to TT re payment issues .2; emails with client re handling survey problems .3; emails to staff re handling class calls .1; call from JTootle re payment .1; call from CM Alexander re survey and lawsuit .4; call from CM Siebert survey and lawsuit issues, memo to file re same .5; email to TT re Alexander .1; review Lemiuex filing, research re same and email to same to withdraw .2; emails to and from DO re same .1; email to and from KL re expert motion .2;	2.8	
6/26: Call from client .2; emails to and from defense counsel on billing .1; call from CM Sosa re lawsuit and survey .4; review court notice and Dunn letter .1; call with John Thurston re lawsuit and survey .7; update master memo re same .1; emails to defense counsel re partial settlement .2; legal research on KL ex parte to modify order and prepare opposition to same .8; emails to and from DO re hearing issues .1; review Tejon opp to add on and objection to SOD, email to RGK .2; email from DE re settlement n/c	2.9	
6/27: Prepare for hearing .5; attend hearing and memo to file re same .6; emails to and from RGK re county records and analysis re same .3; email to Nolan re survey .1; emails and call with CM Stedman re survey and lawsuit .6; emails to and from RWalker re reporters .1; email to TT re Stedman and review KL letter .1; analysis re Cardno payment and email to same .2; emails and call with CM Brian re lawsuit and survey .5; call from CM Bellanca re survey and lawsuit .6; update master memo on survey .2; email to TT re same .1; call from CM Hoier re survey and lawsuit .4; call from CM Bellanca re same .3; call with B Martin re class status, memo to file .3; review Landsgaard letter and call to same re survey .2; review further revised SoD .1; call from CM Bailey re survey .2; email and call from CM Borja re property issues and survey, analysis re same and return call .4; call from CM Stevens re survey and lawsuit .5; update master survey memo on recent calls .2; email to client re status of suit .2; long email to Borja re survey issues .3; email to Landsgaard re survey and suit .3; email to TT re further mailing for survey .1;	7.4	
6/28: Review and analysis further TT sampling for survey .7; email to and from TT re Stevens .1; call from CM Anderson re lawsuit and survey .5; email from CM Garibay re survey .4; review court order .1;	1.8	
6/30: Review client email and call to same re survey .2;	.2	
TOTAL ATTORNEY HOURS	44.2	
TOTAL PARALEGAL HOURS		9.9

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: July 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
7/1: Long email to client re handling of survey .4; call from Classmember (CM) Wyatt re lawsuit and survey .6; call from CM Anderson re survey .2; two emails to TT re classmembers .1; research on Hoier and Gibbs properties .3; update master survey memo .2; email to client re survey .2; emails to TT re Jung and Garibay .2; check class website and emails to and from Morris re same .1; prepare new shorter form summary letter to class members for survey mailings .8; call from class member (CM) Lee re survey and lawsuit .3; emails to and from same re property issues .3; call to Gibbs re further questions .3; review KL motion re expert fees and Davis opp to add on .1; prepare letter to Strausser .5; prepare letter to Swayze .4; letter to Sosa and VM to same .3;	4.8	
7/2: Review records from 4 CMs re survey and update master memo .4; numerous emails with DO re handling of add on .2; call from classmember Conway re lawsuit and survey issues .5; call from CM Klecheski re lawsuit survey issues .4; email to TT re same .1; prepare and file notice of withdrawal re add on .2;	1.8	
7/3: Review and modify prior BBK settlement version and email to PWS re same .7; call with RK re status of various class issues .4; call from CM Nye re survey and lawsuit .3; call with CM Leon re same .2;	1.6	
7/6: Email and call with CM Lawani re survey and lawsuit .4; update master memo re same .1;	.5	
7/8: Call with CM Anderson re records issues .2; email to TT re Leon and Anderson .1; emails and call with CM King re lawsuit and survey .5; call from CM Dunn re lawsuit and survey .6;	1.4	
7/9: Emails to and from Walker re hearing .1; call from CM Banuk re survey, property issues and lawsuit .7; emails to and from classmember Bennie Moore .2; emails with Banuk re records .1; review AVEK records .3; email to TT re Banuk .1;	1.5	
7/10: Call from Cardno re billing issues .1; call with CM Bellanca .2; emails to TT re records .1; call with CM Thomas re issues with properties, lawsuit, and survey .6; review and analysis of 2012 transcripts re payment of expert fees and prepare experts of same for next hearing .7;	1.7	

7/11: Prepare notice re expert bills .2; emails to and from DE re billing .1; call from Swayze re ownership change and survey .4; update master memo re recent calls .3; emails to and from BBK and DO re payment issues .1; emails to and from Walker re reporting issues .1; emails to and from Bunn and TT re GIS data access .2; call to CM Strausser and emails with DO re same .1; review D40 add on and emails to and from DO re handling .2; review of expert bills and prepare notice of filing same .2;	1.9	
7/12: Prepare for hearing .6; tel. status hearing re add on petitions, prepare memo to file .7; review Phase 4 SoD .1; emails to and from Walker re future handling of reporters .1; call from Rosamond group re in person meeting .3	1.3	
7/15: Emails and call with CM Deckert re lawsuit and survey .5; call with Sosa re survey .2; call from CM Guillen re lawsuit and survey, property issues .6; update master survey memo .1; call to Bovee re .1;	1.5	
7/16: Call with Kuhs .7; call with Deckert re survey and lawsuit issues .7; call to Kuhs re motion issues .2; legal research on 1008 for LemiuX motion 1.0; review numerous oppositions, transcripts, and underlying record, and prepare opposition to LemiuX motion 2.4;	5.0	
7/17: Emails to and from Weeks n/c; review late filings of yesterday, numerous minute orders, and 4 filings of this day .3; travel to Rosamond to meet with CM group re survey and lawsuit 5.3;	5.6	
7/18: Call from CM Saxberg re survey and lawsuit .6; calls from two non-classmembers and research research re status .5;	1.1	
7/19: Call from Lisa Gibbs re survey and lawsuit .5; call to Olaf L, search public records re same, and email to TT re same .5; email to and from Cardno re payment issues .1; review reply on KL expert motion .1;	1.2	
7/22: Review King summary records and email to same and TT .2; review 5 filings of today .5;	.7	
7/23: Long call with Rogers re lawsuit and survey issues 1.0; calls from two landowners re survey .5; email to TT re status and further mailing .2; review and analysis of new class survey sampling and cross refer with other database and records .5; call from Cardno re potential conflict with other project .2;	2.4	
7/24: Phone call from Bellanca re survey and suit .6; phone call from Robbins re same .7; phone call to Weeks re settlement and memo to file .4; emails to and from class members on survey .3; conf with DOL re hearing .1; check public records and class database and email to TT re Rogers .2; emails to and from TT re groundwater data, and check records re same .3; prepare opt out form .3; letter to Strauser re same .3; prepare instructions for handling next mailing .3; emails to and from Bunn re conflict, memo to file .2; emails to and from CM Lytle re survey .3; email to TT re Rogers .1; calls and emails with CM King re records .2; emails to and from client re status .2; call from CM Robbins re lawsuit and survey .5; update master survey memo re recent CM contacts .4; emails to and from Lytle re records issues .2; email to TT re same .1;	5.7	
7/24: AH Research on prior class contact addresses and cross check hard files against class list for next mailing 2.2	0	2.2

7/25: Call from Lauri Lytle re lawsuit, water association, and survey .8; review Lytle records and emails to TT re same .2; emails to and from Lytle .1; review mail merge file, conf with AH, emails to and from TT re errors in same .2; emails to and from Banuk re survey .1; check new sample data file and conf with AH re handling .4; review and analysis of mail merge file and cross check with databases to fix numerous errors with same 1.4;	3.2	
7/26: Emails and call to CM Morris re survey .1; email to TT re same .1; review court notice and call to DO re same .1;	.3	
7/28: Receive and review rural TC mailing list from Chiodo and emails to and form same re survey help .6; emails to DO re handling .1;	.7	
TOTAL ATTORNEY HOURS	43.9	
TOTAL PARALEGAL HOURS		2.2

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: August 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
8/1: Review revised Minute orders from phase 4 .1; emails to and from DO re add on .1	.2	
8/4: Call with Robert Morris re suit and survey .5;	.5	
8/5: Emails to and from CM Tom Stevens re survey and lawsuit.3;	.3	
8/7: Emails and calls to PWS counsel re expert bills .2; review and markup proposed CMO .4; analysis of Bellanca data summary and records .2;	.8	
8/9: Calls with F Ciodo re lawsuit, his property issues, survey, and gathering survey volunteers 1.3; call from Jim Tribizi re suit and survey .8; emails to and from KL and JT re expert bills .2; emails to and from Leon re records .1; call from CM Hernandez re suit and survey .4; email to TT re Tribuzi and update master memo .1;	2.9	
8/12: Call from Wanda Leon re survey issues .3; status email to TT , long call with Richard Skaggs .6	.9	
8/13: Call with Richard Skaggs re lawsuit, survey, Oso TC, and assistance with project 1.1; status email to TT .2; call from David Kerr re survey and lawsuit .4; update master survey memo .3; emails and call to Rogers re survey help .3; emails to and from DO re expert issues .2;	2.5	
8/14: Emails to and from Wood .1; long call with class member Houchen lawsuit, survey, and other issues 1.1; review Chiodo public notice for meeting and call to same .2; call with B Rogers re meeting and lawsuit issues .4; drafting and revision of summary memo of history of lawsuit for class members .8; prepare bullet point memos (short and long form) to class members re legal issues, expert survey, and litigation 1.5; email to class members re dissemination of same and meeting .3; call from Tom Houchen re suit and survey, email to TT re same .7; emails and calls with Birt and CM Pollack re lawsuit, property status issues .6; emails with client re meeting .1;	5.8	
8/15: Emails to and from Wood re meeting and survey.4; call with Rogers re meeting issues .3; emails to and from KL re order on expert payment .2; emails to and from Weeks re same .1; email to RWalker re hearing on billing problems .1; emails to and from DO re handling of Carno .2; emails to town council members .2; revise short form summary and email to Rogers .2; email to defense counsel re settlement .3; call with client re same .2; travel to and attend Fairmont town council meeting and meetings with various class members 5.8; review settlement correspondence from DE and WM .1;	8.1	

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8/16: Calls with CM J McDonald re suit and survey .8; email to same re add'l info .2; call from B Rogers re article and survey issues .3; email to Kiodo and Rogers .2; review database re class member info .2; call from J Perkins re followup Qs after meeting .5; call to Wood .2; call with Miliband re settlement and expert .5; review of RZ jury trial brief and brief research re same .5; calls from CM Perkins and review records from same .2; email to CM King re survey project .2; email to Rogers re Oso TC .1; emails to 3 Fairmont members re survey and questions .4; email to Skaggs re help on survey .1;	4.4	
8/17: Review PWS and LO jury trial briefs, and legal research re same .6;	.6	
8/18: Review information on other town council, and calls to same .3	.3	
8/19: Call from Tootle re settlement .7; memo to file re same .1; review Hoier records emails to TT re Fairmont and followup .3; emails to and from J Werner for Zimmer .1; long email to WMilliband and revise same .4; emails and call with CM Workman re properties and lawsuit and survey .6; call with Austin re records and handling survey issues .5; emails from Cardno re billing problems .1; long call from P Hedlund re newspaper story, suit background and status, and small pumper issues .9; 8 emails to and from Hedlund with information regarding case, survey etc .7; call with Skaggs re lawsuit questions and Oso meeting .6; emails to and from same with information on survey and lawsuit for distribution .5; further emails to and from Hedlund re questions on story details .5;	6.0	
8/20: Call from Leslie West re survey and lawsuit .7; email to TT re same .1; review Lytle records and call to same re missing info .3; email to TT re same .1; call with Ron Banuk re his solar system and survey, flow meter install .4; email to TT re same .1; call from A Austin re his property, lawsuit and survey .8; call to H Maldini re lawsuit and survey .5; emails to TT re Maldini and Austin .1; call from Jeff Godde on lawsuit and survey, family issues, LO class suite, email to TT re same .7; call with Jacob Newcomer re suit and survey .6; email to Maldini with further information .2; emails to and from Skaggs re Oso meeting and planning for same .4; suppl. master survey memo .4;	5.4	
8/21: Check Godde class notes and emails with TT .1; emails to and from Weeks re payment, update memo re dame .1; many emails to CM Rogers re survey help .5;	.7	
8/22: Long call with Kerr .8; review BBK email and related documents .2; review and analysis of adjudication map, property records, class lists and prepare summary memo on Fairmont volunteers 1.2; email to TT re status .2; call from Entrix re BBK billing troubles and handling .3; emails to and from RWalker on hearing .1; emails to and from TT on same and class members .2; call with W Reasor re suit and survey .7; call with Earl Whiteside re same .5; call from D McCrae .1; emails to TT re class members .3; 3 calls from class members re lawsuit and survey .6; review new volunteer list and email to TT re same .2; prepare documents for class member meeting .8; travel to and attend meetings with class members 5.6; email to TT re billing .1; email to CM Lytle re records issues .2;	11.8	
8/23: Emails to and from KL and DL re expert billing .2; review Kerr documents and email re same .1; email to TT re billing troubles .1; review and analysis of mail merge and cross-reference against database, instructions re handling same .6; draft new letter to class members and revise same 1.1; review and revise summary memo .3; check survey mailing round 4 .5; call with Brown re lawsuit and survey .4; emails to and from DE re settlement .1;	3.4	

8/23: AH: Attention to mail merge preparation .8; attention to mailing 4 and checking addresses against public records 6.7;	0	7.5
8/24: Emails to and from McCraes re survey water issues .3; draft new fees provision and email to DO re same .5	.8	
8/25: Analysis re class status of numerous purported class member volunteers, review records, cross-reference spreadsheets, and research public record filings .9; email to CM Guillen .1; email to Devoe re class membership problem .2; email to TT re status issues .2; phone call with M Guillen re purchase and well issues .5; email to TT re same .3; call with CM Webb's son .4; email to TT re same and Skaggs .1; update master memo re survey .3;	3.0	
8/26: Revise settlement agreement and email to D counsel .5; email to BBK re billing issues .2; calls from two class members re adjudication questions and survey .6; emails to and from Guillen re water suit and survey and Edison bills .3; call from same re assisting him with his issues, and Mr. Carrle .8; conf call with Bunn and Evertz re settlement and memo to file .7; prepare long email to TB and DE, revise same .6; email re expert billing issues with County .3; review of expert bills and prepare and file notice lodging .4;	4.4	
8/27: Review BBK billing email and call to Entrix billing in Dallas .3; long call with J. Kertzman re lawsuit and survey issues .8; call with Dumin re same .7; call with George Curtis re same .6; memo to file re class member calls .4; emails to and from TT .1; email to Dumin .1; emails to and from Landsgard re Rosamond meeting .2; emails and call with P Hedlund re further article .5;	3.7	
8/28: Call with DE re settlement issues, memo to file .7; phone call from T Steele re case and survey issues .7; phone call with H France re lawsuit and survey issues .6; long call with potential class member Devoe re well issues, property purchase, lawsuit history, and survey 1.1; email from C Gutierrez and analysis re her three properties and potential status in class, pull public records .6; emails to and from same re further details and class status .4; memo to file re class member calls .5; call from Roland Valentine re lawsuit status, property info, and survey .8; review Devoe files for relevant records, and emails to TT re same .4; phone call with Judith and Roger sides re lawsuit and survey .5; call from Robbins .2; emails to and from TT re several class members .3; emails to and from TT re Landsgaard family, review public records on various properties, and databases re same .7; emails with several class members on survey issues .3; review Newcomer records and call to same re issues and handling with SCE .2; calls to Landsgaard family members .2; update master survey memo and review class member records .4;	8.6	
8/28: AH Attention to organization of class member records and creation of survey folders for each, cross check MM master memo re same 4.7	0	4.3

8/29: Review 14 class member voicemails and memo to file re same .5; call from Jeanne Gregory re lawsuit questions and survey .6; emails to and from N Clawson re survey .4; call from Fina and Martin Morel re lawsuit, property and survey .5; call with R Fennell re same .7; calls to and from Mike Ponce de Leon re survey .1; call with Diane Nelson re property history and survey .5; emails to and from C Francour re property and survey .3; emails with Weeks and Milliband .1; call with J Ward re lawsuit and survey .4; calls to and from Nye re same .2; call with Mark Thompson re same .7; call with Russ Clawson re lawsuit and survey .5; call from R Broffel .1; call with Jack Schietzer re survey and lawsuit, pumping history .6; long email to CM Guteirrez re survey and property issues .3; six emails to and from Valentine re same .4; call with Ted Schnaidt re lawsuit and survey .6; call with L Garcia re same .7; memo to file re class member discussions .5; review voicemail from 8 class members and emails to several re survey .4;	9.1	
8/29: Follow up calls to 24 class members re records for class water survey 5.8	0	5.8
8/30: Emails to and from L John re lawsuit and survey .3; review 11 class member voicemails, memo to file .4; emails to and from C Francoeur re suit, father, survey issues .5; call with CM Nelson re lawsuit and survey .5; update master survey memo re documents and phone call data .6; emails and call with T Landsgard re property issues .5; long email to defense counsel on settlement issues, conf with DO and revise same .9; call from CM Cashbaugh re survey and suit .4; email from D counsel re settlement .1; review PWD stmt of claims .1;	4.3	
8/31: Emails to and from CM Hoyt re survey and lawsuit .3; emails to and from DO re settlement issues .2;	.5	
TOTAL ATTORNEY HOURS	89	
TOTAL PARALEGAL HOURS		17.6

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: September 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
9/1: Further revisions to settlement agreement .8; analysis of production data and preparation of settlement grid .7; call with Devoe family re questions on lawsuit and handling their situation, class membership .7; email to Stevens re survey .1; long status email to TT .2; email to TT re Gutierrez .1; emails to TT re 11 class members .4; update master survey memo .6;	3.6	
9/2: Complete review and revision of settlement agreement and email to PWS .8; review settlement grid and email to PWS .1; call with De Leon re survey and property issues, memo to file .7; call with Prelewicz re lawsuit and survey, and other potential participants .6; call with Broffel re survey, water use, and impact of class exclusion .6; email to Stevens re survey .1; commence comprehensive memo re class member issues and survey status 2.4; email to TT re status .1; email to Dunn n/c; assessment of L John boundary issues and long email to same re survey .5; phone call from Mynear re survey and lawsuit .6	6.5	
9/3: Phone call with Tom Stevens re survey and lawsuit .6; review class member records and email to TT re same .1; phone call with Pat Connelly .4; call from Dave Hester re same .5; review Lemieux letter and conf with DO re same .1; phone call from R Large re suit and survey .5; call with T Stevens re suit and survey .3; review class member records and emails to TT re same .3; continue comprehensive survey memo .3; phone call with John Graham re suit and survey .6; call with Welsh family re suit and survey .4; phone call with J Tucker re survey, suit and property, research DB and public records to locate same .7; emails to three class members re survey issues .2; call with Dave Hester re suit and survey, property issues .5; email to TT re Hester and Stevens .1; two emails to TT re 5 class members .2; call with CM Webb re survey issues and other owner info .4	6.2	

<p>9/4: Review and analysis of John boundary issue, check public records, emails to John and Bunn re same .5; email to Gutierrez re property issues and survey .2; call from Avila re Del Sur, class status, survey, and options, memo to file .5; call from M Tucker re lawsuit and survey .4; call from S Macisaac re lawsuit and survey .5; call from Edith Hoyt re survey .3; follow up calls to several class members .2; email to TT re master survey list .1; call from M Doucette re survey and lawsuit .6; call from P Hedlund re survey status .2; call with L John and emails to and from same .4; emails to TT re class members .4; revise and update master survey memo .5; prepare ex parte re OSC on expert bills .7; call from Mary Murphey re survey and lawsuit, and email to TT re same .5; phone call from T Steele re pump records and survey issues .2; long call from I Csaki re lawsuit, survey, property, Willis class issue and fixing status in case .7; update master memo on survey .2; email to TT re Csaki .1; call from Kuhs re phase 5 and reporter .2; email to counsel on court reporting .2; phone call to T Munz .5; call with Quillen re survey and lawsuit .5; email to TT re same and survey status and handling .2; review Houchen email and check database records re same .2; review TT status email, check master memo count, and email to same .2; check file and records on Chiodo and email to TT re same and survey .2; emails to and from TT re Robert Morris .1; check public records and database on Schweizer and emails with TT re same .3; review records and notes re R Stevens, and long email to TT re same .4; emails to and from TT re Webb .1;</p>	<p>10.5</p>	
<p>9/5: Review survey memo and TT correspondence, prepare status report .9; emails to TT re same .2; call from Mike Grimes on survey and suit .3; call from Terry Munz re survey and property issues .6; call from S Brewer re same .5; email to court on 7/29 MO and review same .1; emails to and from DO re handling same .1; review docket filings of last month relevant to trial setting and other hearing issues, and prepare for hearing tomorrow 1.3; review Stip and order re expert fees and emails with DO re handling .2; review court orders and prepare objection to stip and order 1.1; call from CM B Munz .1; call with CM Fennell re survey and lawsuit .5; call to CM Enos re survey .3</p>	<p>6.3</p>	
<p>9/6: Travel to and attend trial setting conference and meeting with counsel afterward 4.1; email to liason committee re discovery .2; email to Wang and all counsel re meet and confer, phone call .2; call with David Masters re lawsuit and survey .5; review statements of claims .1; email to and from R Walker re invoices and hearing issues .2; review stip and order on expert fees .1</p>	<p>5.4</p>	
<p>9/7: Review 12 class member voicemails and supplement master memo re same .6; call with R Bryan re lawsuit and survey .3; calls to and from J Marguiles re same, and property issue with well .9; email to TT re Masters and SCE .1; call with J Coffman re survey issues and class status .2; call with S Davidson re survey and lawsuit, email to TT re her .6; call to CM Sterling re suit and survey .4; call from CM Huston re survey .3; call to CM Perkins re survey and lawsuit .4; call to CM Hill re survey issues .3; call to Damron re survey .5; update master survey memo .3;</p>	<p>4.9</p>	
<p>9/8: Emails to and from S Reed .1; emails with RZ re trial issues .1; review and analysis of survey files, update master memo, and research analysis re return mailing issues for random selection mailings 5.2; call with CM Ward re survey and lawsuit issues .4;</p>	<p>5.8</p>	

9/9: Review PdLeon fax and call with same re survey .2; review OSC, emails to and from BBK and call to D 308 re transfer .2; call from Sid Fromberg re lawsuit and survey, memo to file .9; call from class member L Levin re survey and lawsuit .4; call with Ad. Gonzalez re lawsuit, property and survey .4; call with K Wonnell re survey and lawsuit .5; review numerous class member records, and three emails to TT re 10 class members .6; emails to and from Dumin re SCE documents .1; emails with RWalker and Dunn .1; emails with RGK re discovery .1; update master memo re notes on 4 calls .2; prepare for and participate in discovery meet and confer conference 1.0; email to LC re meeting .1; call with Basner re lawsuit and survey, and multiple property issues .7; call with L Storsteen re lawsuit and survey .4; email to Guillen re pump test .1; email to Skaggs re survey status .1;	6.1	
9/10: Review and analysis of database and notice records re Basner propertites .2; call with Basner re survey and lawsuit, opt in issues .6; research on public records regarding problematic class member parcels .5; email to Basner re handling issues .2; review Marcolaise records .2; email to Rogers re status of records .1; review other client records received .2; emails to TT re supplement master survey memo .8; emails to and from DO re trial dates .1; review of 2014 trial calendar and email to Wang re same .4; email to Dunn n/c; emails to and from RZ re status .1;	3.4	
9/11: Call with T Crawford re lawsuit and survey issues .6; call from J Sulek re same .4; many emails to and from counsel on phase 5 and meet and confer .4; call to Dunn re handling .1; emails to and from RWalker re minute order issues .3; review and analysis of Weeks discovery and notes on issues to address .4; participate in meet and confer call 1.4; email to LO counsel re trial setting hearing .1; call with A. Floyd re lawsuit, property purchase, and survey .8; emails to and from L John re boundary issue .2; call to RZ re hearing .1; email to Dunn and email to TT re Crawford .1; emails to and from P Murphy .1; prepare and revise trial setting statement 1.3; review comments to statement from LO counsel .2; call with Zimmer on handling numerous phase 5 trial issues and structure of trial, memo to file .6;	7.1	
9/12: Long email to LO counsel re issues and strategy for phase 5 trial, and revise same .7; revise trial setting statement .5; email to LO counsel re revised version and comment deadline .1; phone call from Pat Murphy re add on to class, property issues and survey .5; call with Tim Coyle re survey and lawsuit issues .6; call from Matt Gormon re Jules records .1; emails to and form same review and analysis re class records of many class members, and supplement master survey memo .6; emails to TT re records .1; call to class member May Thomson on survey and lawsuit .4; review Murphy property records and email .1; call with Charles Maupin re lawsuit and survey .5; supplement master survey memo .4; review Zimmer statement .1; email with DE re settlement .2; emails to TT re class members .1; call from CM May Tong re suit and survey .4;	5.4	
9/13: Legal research on ethical issues raised by DE settlement emails and duties of class counsel in negotiation 1.2; draft email to DE re settlement framework and ethical issues, conf with DO and revise email .7; call with Zimmer re strategy and issues for hearing, memo to DO .6; prepare for trial setting hearing .3; attend trial setting hearing 1.1; prepare memo re same .2; emails to and from Rodgers re survey issues .3; calls with class member R Smith with class membership issues, lawsuit, class notice and survey .8; brief review of Add-on and conf with DO re same .1; emails to and from RK re same .1; review and analysis of Jules Marcogliese records .3;	5.7	
9/14: Emails to and from B Rogers re survey issues .1;	.1	
9/15: Emails to and from B Rogers re survey issues .1;	.1	

9/16: Review and analysis re numerous survey issues and prepare matrix re handling same .9	.9	
9/17: Call from Lester Miller re survey and lawsuit .6; emails to and from Jung re survey and call with same .5	.6	
9/18: Calls to and from Csaki re records .2; emails to and from Guillen re numerous issues on well and survey .4; research on records location with COLA .3; email to client re yield test handling .1; phone call with J Coffman re survey issues .3; phone call from J Cagigas re multiple properties, database and survey issues .6; call from class member Peggy Do re survey .3; call with CM Larson re survey .3;	2.5	
9/19: Review emails re LC and respond to same .1; analysis re Hoier .1; call with Tribuzi re survey issues .2; call with CM L Dunn re lawsuit and survey .7; update master survey memo .2;	.4	
9/20: Call with G Hogan re lawsuit, survey and property issues .6; memo to file re same .1; email to BBK re billing issues .2; brief review of 4 motions of RK and BJ .3;	1.2	
9/22: Legal research and analysis re coordination issues on CRC and statutory authority 1.6; commence preparation of opposition to Add-on Petition 1.8; emails to and from DO re add on issues .3;	3.5	
9/23: Emails to and from Hogan .1; further legal research on discovery act preemption of PRA rights 1.1; review of Ariki depo transcript for exhibit to opp .4; complete opp to Add-on Petition 2.0; emails to and from LC members and brief review of CS documents .2; emails to and from TB re L John parcel .1; email to TT re same .1; call and emails with John re further handling of parcel .3	4.3	
9/24: Call from S Brown re lawsuit and survey .6; call with Gregory re survey issues .2; review of class member records .2; review BB memo on return flows and email to LC re same .3; call with Joyce re motions and trial issues .5; call from class member Magyar re survey and suit .4; call with class member Maslanik re suit and survey .6; call with class member Hogan re survey .5; review LL schedule .1; emails to TT re class members .2; call with Reuter family re survey and lawsuit .4;	4.0	
9/25: Review and analysis and markup of draft CMOs .5; participate in liason committee call 1.0; memo to file re same .1; emails to and from Jung and Thompson re documents .1; call with Reasor re survey, email to TT re her docs .2; review of Large estimate .1; review and analysis of many class member records and many emails to TT re class member records .7; update master survey memo .3; emails to and from LO counsel re core phase 5 discovery .2;	3.2	
9/26: Review and analysis of client documents, master survey memo and calls with 5 CMs re survey .7; call with Evertz on settlement, conf with DO re same .6; call with class member C Tyler on lawsuit, survey, and handling his water issues .7; call with L West re survey .2; many emails to TT re CM records .3; call with J Kertzman re same .1; emails to and from P Lennox re survey .1; review and analysis of prior pleadings and transcripts re scope of Phase 3 and return flow issues .6; review and analysis of TT master spreadsheet and cf with our records on survey status .3; emails and calls with Bellanca re records .2;	3.8	
9/26: AH Reminder calls to 26 water survey volunteers 3.7; make new files for survey members and update existing files 3.4;	0	7.1

9/27: Emails to and from LC re draft status .2; email to LO counsel re work on CMO .2; review LL draft CMO, email to counsel .1; email to TT re Bellanca, update master memo .1; email to LO counsel re LC and CMO issues .3; call with class member P Lennox re survey and lawsuit .4; review various CMO drafts and prepare revised version 1.0; call with Sanders re CMO and email to DO .3; review of transcripts and order from Phase 3 on return flows .4; emails to and from LO counsel re handling CMO issues. 3; calls to RZ re same .1; email to Bellanca re records issues and handling .3; call from Hansen re transcript .1; call with Sanders re further revisions and LC deal, memo to file re same .3; emails with TT re Moore .1; modify and finalize proposed CMO .4; many further emails with LC re CMO .4; review Sanders further redraft .1; emails with LO counsel re handling CMO issues .2; review Dunn revisions and many further emails with LC re handling CMO .3; calls to several LO counsel re same .3; review PWS CMO .1; prepare notice of lodging re issue of return flows in Phase 3 1.2;	7.2	
9/27: AH check MM master memo against documents and files rec'd from clients 2.1	0	2.1
9/28: Call with CM Greg Hogan re opt in .2	.2	
9/30: Call from RZ .1; brief review of settlement agreement and emails to and from DE .3; phone call with class member Brown re survey and lawsuit issues .2; review of Hogan records and emails to and from same re property issues and class membership .3; review class member records .2; emails with TT re survey issues .2; review AGWA joinder and search phase 3 notes for status of expert report .5; email to LO counsel re CMO .1; call with RZ re CMO .4; review LL response to CMO .1; email to DO re settlement issues .2; emails to D counsel re settlement agreement .3;	2.9	
9/30: AH Prepare catalogue of returned survey mail and check mail merge files and database for alternate contact info 3.6		3.6
TOTAL ATTORNEY HOURS	111.8	
TOTAL PARALEGAL HOURS		12.8

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: October 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
10/1: Review US motion to stay and conf with DOL re same .1; call from class member P Lennox on survey and lawsuit issues .4; meetin with S Reed re handling deposition deals for phase 5 and 6 .6; call from S Brown re survey and lawsuit .3; review Phelan trial filing .1; call with Evertz re settlement and memo to DO re same .5; call to CM Doucette .3; call from CM Suarez re survey and lawsuit .6; update master survey memo .3;	3.2	
10/2: Phone call with CM G Gregory re survey .2; conf with DO re handling settlement issues .2; review Doucette data .2; email to BB .1; legal research on domestic use issue .8; long email to DE re settlement and domestic use issue .5;	2.0	
10/2: Phone calls to 38 small pumper survey volunteers reminding about records and instructions on dealing with SCE issues 4.8; prepare summary memo re same .5; supp class member files with records and check master memo and spreadsheet re status and notes 1.4	0	6.7
10/3: Phone call with DE re settlement conf with DO re same .4; emails to and from R Walker re schedule .1; emails from DE .1, and conf with DO .1; call with R Walker re hearing issues .2; call with DE re settlement timing and issues, email to DO .3; emails to and from DE re numbers on settlement .1; review prior filing of settling Ds to confirm production numbers .4; emails to and from KL re confidentiality, conf with DO re handling same .3; review and markup of revised settlement agreement 1.4; prepare proposed judgment .4; phone call with CM Brown re lawsuit and survey .5; emails to client re settlement .2;	4.5	

<p>10/4: Emails with Bellanca re data .1; emails to and from TT re missing info, and analysis re same .4; settlement call with PWS counsel 3.0; email to RW re ex parte hearing Tuesday .2; call with CM B Moore re property issues and survey, review his records .4; email to Walker re ex parte .1; revision and editing of settlement agreement 2.3; three emails to PWS counsel re settlement .2; email to Bunn et al re handling County, revise same .3; call to CAA re class notice estimate .3; call to Rust re same .2; review US discovery .1; review and analysis numbers requested by Weeks per Willis and email to D counsel .4; long email to client on settlement update and status .5; emails to DO re settlement allocation issues .3; emails from Bunn and Evertz .1; detailed review and revision of settlement agreement 3.1; email to D counsel re same .1; email to client re further changes to terms .1; prepare BBK version of settlement and email to Bunn re handling same .5; further modification to settlement agreement, email to counsel re same .4;</p>	<p>13.1</p>	
<p>10/5: Emails with JT and DE .2; calls with DE and DO re settlement issues .5; review settlement agreement and input further DE changes .9; review Bunn email to D40 .1; emails to and from DE and TB re settlement issues .2; commence preparation of proposed class notice 1.1; emails to and from class administrator re plan and costs .4; emails to and from RWalker and call from same re settlement hearing .2; ten emails to A Horn re class notice cost estimate .7; emails to DO re billing .1; further revision and editing of settlement agreement and email with D counsel .8</p>	<p>5.2</p>	
<p>10/6: Long call with client re settlement agreement 1.1; further changes to agreement and email to counsel .3; emails to and from counsel re handling of ex parte .4; complete draft of class notice 3.3; emails to and from DE .2; attention to fees and costs analysis .8; legal research on good faith issue with fees 1.6; emails to vendors re cost issues .2; prepare settlement matrix .8; emails to and from Horn re notice .2; long email to defense counsel re settlement terms, revise same .7; email to DE re further numbers .2; 3 more emails with DE and TB re fees and costs .2; call with DE and memo to file re same .4; revise fee matrix and email to all counsel re same .6; review client signature and email re same .1; review comments from counsel and prepare revised version of settlement .4; revise class notice and email re same .1; attention to determining fees and costs, and long email to D counsel re proposal for resolving same by stip 2.3; further emails to DE re fees .3; email to D counsel re confidentiality .1; review Bunn changes and prepare new base agreements and notice .5;</p>	<p>14.8</p>	

<p>10/7: Email to KL re settlement .1; prepare and revise ex parte application OST 1.2; many emails with counsel re from and handling of same .5; email to KL re settlement .1; prepare proposed order on motion for preliminary approval .7; call with Bunn and DE re settlement, and revise same .2; emails with WM re approval .2; further revision to settlement agreement and emails re same .3; emails to and from R Walker .1; emails to Orr and other counsel on changes .1; review and revise class notice .2; prepare short form notice .5; emails to and from BW re approval .1; prepare motion for approval 3.3; emails to and from KL re his clients and settlement, and conf with DO re same .6; prepare allocation for these four Ds .4; emails to and from Tootle .2; revise judgment .3; 10+ emails re various settlement issues .3; call from CM Brown .2; further revise judgment and emails with Bunn re same .3; revise and finalize settlement agreement .8; prepare MDM declaration .6; review all papers for filing .7; further emails with KL, memo to file .2;</p>	12.1	
<p>10/8: Email to KL re settlement .1; review defense emails and email to same re signatures .2; prepare declaration for fees and costs .5; email to DO re same .1; emails to and from DE re settlement .1; participate in ex parte hearing and conf with DO re handling .3; long email to PWS counsel re further handling of settlement and info needed .5; analysis of B Moore material from Wildermuth and emails to TT and Moore .3; emails to and from DE and TB re D40 adverse position .1; call with class member M Guzman re lawsuit and survey .5; long email to settling counsel re class settlement procedure .4; review MO and prepare proposed order .3; email to Rwalker .1; email to DE and TB re global .1; email to DO re handling same .1; call from DE re fees, attention to declarations, pull case authority, and email to same .4; review and analysis of class member documents received this week, and 3 emails to TT re same .4; review KL email and email to TB and DE re same .1; emails to and from KL and DO re settlement .2; update master expert survey memo .3; review motion to stay .2; email to DO re same .1; emails to and from RGK re CMO changes .1; emails to and from KL re settlement .1; email to RWalker re motion to stay and add on .1;</p>	5.7	
<p>10/9: Emails to and from WW .1; emails to and from DE re settlement .1; call with DE re settlement issues and memo to file .5; call with TB re same .1; long email to settling counsel re D40 problems, conf with DO and revise same .8; review comments to draft CMO and revise same .7; emails with WW re stay n/c; email to DE re hearing conflict .1; email to LO counsel re further handling and questions re CMO .2; email to SC re D40 plan .1; email to and from DE re D40 plan .3; emails to and from BW re settlement .3; draft long settlement letter to WW, conf with DO re same, and revise same 1.5; review of prior correspondence and long email to KL re settlement .6; review Brown data and photos, update summary memo, and email to TT re same .3; email to client on status .2; review WW email and several further emails to and from him and counsel .4; email to client and DO re hearing .2;</p>	6.5	

10/10: Emails to and from DE re settlement .1; draft and revise long email to WW re settlement .9; email to DO re KL .1; emails to and from RGK .1; emails to and from AR re hearing .2; emails to and from class member P Murphy .1; emails with Bunn .1; review markup of CMO and modify same .7; prepare opp to US motion to stay and notice of lodging .6; email to LO counsel re same .1; call from CM Moore .2; email to Walker re stay motion .2; emails to and from client .3; many emails (30+) with D counsel re settlement issues .9; further WW email .1; call to same, and email to D counsel .1;	4.8	
10/11: Call from DE .1; email from Wellen ad return emails to DO and D counsel .2; emails with DE re signatures .1; call from atty Avila .1; call from J Belcher re filing issues .2; 20 emails re settlement approval .3;	1.0	
10/12: Email and call from CM Sloney re lawsuit and survey, update master memo .4;	.4	
10/13: Email to TT re Brown records .1; long email to TT re wait list folks .4; review new CM records, update master memo on survey .4; three emails to TT re survey .2;	1.1	
10/15: Call with class members Moore and Hogan re survey and lawsuit issues .6; call with Craig Stewart for Cook Bros re lawsuit and survey .5; review AVEK discovery .2; email to Walker re hearings .1; emails to and from TT, check CM files .3; review opp to stay motion .1;	1.8	
10/16: Prepare for hearings on ad-on and CMO .6; travel to and attend hearings 3.5; memo to file re same .2; email to RWalker re CMO .1; emails re approval .1; emails with Bellanca .1; email to BW re QH pull out .3;	4.9	
10/17: Prepare and file notice of ruling .3; prepare proposed order re add on petition .2; email to RWalker re same .1; emails re approvals lacking .2; email to Avila re status on Putnam .1; prepare and file notice of intent .1;	1.0	
10/18: Call with Michelle and Mark Thompson re survey and lawsuit .5; emails with settling counsel .1; call and email to class member Olsen re survey and lawsuit .4; email to Weeks .1; call to Tootle and Bunn re settlement .2; prepare notice of filing .2; review and analysis re class member master memo re persons needing to be added to class list, and review class lists and property records .5; prepare notice of filing signature pages .2; prepare opt in form .3; call with J Coffman re survey and class membership .3; prepare form for her opt in .1; call with R Pike re survey and class issues .4; prepare form for Pike .1; call to W Basner re opt in property .3; email to same re motion .2; review property records and email to P Murphy re class inclusion .2; email to Hogan re ad-on issues, and review records re same .2; prepare notice of intent for Phase 5 .1; call from Tootle re settlement .2; call with RGK re settlement and litigation issues .9; memo to file and email to same .1; emails to Murphy and Guillen re class membership .1;	5.7	
10/19: Emails to and from RK .1; review King records	.2	

10/21: Calls to and from RGK re settlement .5; email to CM King re survey .1; review court orders and docket on class notice orders .4; modify judgment, approval order and class notice .6; emails to TB and DE re same and status .2; email to LO counsel re non-opp .2; emails to and from RGK .1; emails to and from DE and TB .2; revise judgment and email to same .2; review Copa response .2; review RK and Rosamond filings .1; review opps to motion for approval .4; emails to and from DO re same .2; emails with D counsel re opps .2;	3.6	
10/22: Review 6/6/11 transcript, and prepare summary of same .5; many emails with D counsel re handling opps and hearing .5; review Bellanca records, update memo, email to TT re same .1; email to DO .1; email to and from DE re handling issues in opps .4; revise settlement agreement and email re same .6;	2.2	
10/23: Prepare ex parte re SCE records 1.9; emails with Bunn re approval .1; review CMO .1; emails to and from TT re survey .3; update master survey memo .2; emails to and from Bunn and DE .1;	2.7	
10/24: Reivew billing materials from BBK .1; prepare fully executed agreement and notice of same .4; call from CM Thompson and email to TT re same and docs .4; letter to all counsel re ex parte .3; review and analysis of AVEK discovery .2; emails with SCE .2; emails with TT re CM issues and attention to handling same .4; call with CM stevens and emails to and from same re membership .4; review WM memo for hearing call with defense counsel re same .6; email to NM re ex parte .1; review discovery order and conf with DO re same .4; emails and calls with JM re survey .3; legal research on CM MG property and call with same re survey .5; review Davis letter .1; preparation of ex parte re class membership list, including calls to clients and public records research 2.3; emails with counsel re hearing .2; prepare proposed order .3; prepare for	7.2	
10/25: Travel to and attend prelim approval hearing in San Jose and meeting with counsel re settlement 7.1; phone call with B Moore re membership and class issues .9; review court orders .1; emails with RW .2; calls and emails with Horn re notice costs and issues .8; revise and finalize notice .3; call with NM re SCE .3; prepare subpoena for same .5; emails with counsel re settlement .1; call with BB .3;	10.6	
10/26: Calls and emails with CMs re ex parte .4;	.4	
10/27: Review Sloney materials on survey and call with same .6; email to TT re same n/c	.6	
10/28: Emails and calls with GCG re class list and notice issues 1.6; call with Rust .2; emails and calls with CAA re notice .5; email to D counsel re notice .3; many emails with GCG re notice .5; call with A Horn on notice .4; review and analysis and attention to numerous class list issues 3.9;	7.4	
10/28: Attention class list research and analysis for notice and correction of master list, conf with MM 4.5	0	4.5

10/29: Email to NM re SCE records .3; email to TT re same .1; emails and calls with administrators re notice .6; emails with RWalker re hearing .2; email to D counsel re notice .3; review class list 1.1; email to A Horn re notice project .5; emails with D counsel re same .2; further revisions and editing of class notice .4; many emails with A Horn on notice, and analysis of DB issues 1.1;	4.8	
10/30: Emails with NM re SCE .2; call to AV press re notice issues .4; review GCG final notice .5; emails with D counsel re same .2; email to WM re fee issue .2; emails with D counsel re publication .2; emails and calls with G Putnam re membership .9; email to TB re same .1; emails with BBK re expert bills .3; calls with GCG re notice .4;	3.4	
10/31: Emails with BBK re billing .2; emails with D counsel re notice .2; calls and emails with AV Press re same .4; emails and call with GCG re notice .4; call with J Nye re class .3; call with Putnam .3; review cover email for notice .1; call with DE .2; emails with A Horn .2;	2.3	
TOTAL ATTORNEY HOURS	133.2	
TOTAL PARALEGAL HOURS		11.2

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: November 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
11/1: Call with CM GP re water issues, lawsuit, property history, class membership, survey and options .8; emails with TB .2; emails with Horn re notice .2; emails and calls with Entrix re billing .4; review WE doc .1; emails with GP .2; review many trial filings .3; emails with NM re SCE .3;	2.5	
11/2: Prepare inclusion form for Putnam .2; emails to and from same .3; emails with GCG re notice and review materials .4; research and analysis of CM notice problems, public records review, revise list and emails with GCG re handling same 1.7; emails with GP, revise inclusion paperwork .4; emails with DE .1;	3.1	
11/3: Call with D Kent and emails to same re class .6; calls from CM re survey and review records .4;	1.0	
11/4: Emails to TT .2; emails with D counsel re settlement .3; emails with CM Daniels .2; call form AV Press .2; review of D40 disco responses .2; emails re publication .3; emails with Daniels re class issues .3;	1.7	
11/5: Review notice .1; emails with D counsel re notice .2; review Moore docs, calls and emails with same re opt out .8; review and summary of disco responses 1.2;	2.3	
11/6: Emails with Kent re class issues .4;	.4	
11/7: Settlement group conf call and memo to file re same .5;	.5	
11/8: Numerous calls from CMs re notice and settlement 1.6; review and summary of disco 1.2; email with D Kent re class .3;	3.1	
11/9: Calls from three class members re settlement .8;	.8	
11/11: Review and summary of disco 1.7; review motions filed .2; calls and emails re CM Barone .5; review GCG stats .2; many emails to and from CMs re settlement .7;	3.3	
11/12: Calls and emails from CMs re settlement issues .7; emails with GCG re notice issues .5; emails with TB re same .1; call with Barrone .3; review and summary of disco responses .6; review and analysis of new stipulation from US 2.3; review DE motion .2;	4.7	

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11/13: Emails and calls with D counsel re final approval .8; phone calls from 4 CMs re settlement 1.2; memo from BB .1; emails with TT .1; review MSJ papers .3; analysis re survey issues and emails to TT .5; commence final approval motion 1.3; review and correction of billing statements 3.8;	8.1	
11/14: Research on one final J and fees issues 2.4; participate in settlement call 1.6; attention to decl of GCG re notice 1.2; call with NM re SCE records, memo to file .4; emails to and from TT .2; complete draft of final approval motion 3.5; emails and calls with RK re settlement issues .7; further emails with TT re survey .2; calls from 3 CMs re settlement .8; review weekly stats on notice and call to GCG .3; conf with DO re fees and motion .3; emails with DE .1; review and revise DO decl .3; emails with TT re survey .1; review and correction of billing statements 2.8;	14.9	
11/15: Emails with DO re fee motion .3; call with DE .2; several dozen emails with D counsel re approval motions .9; emails with GCG re notice and decl .5; emails with RGK .3; emails and call with NM re SCE .4; review motion limiting fees .4; emails and call with Lane re class .3; call from Deckert re survey .2; revise and finalize approval motion 2.1; calls from 3 CMs re settlement 1.1; email to RK .1; review and correction of billing statements 4.4;	11.2	
11/16: Review of hearing transcripts for fees motion 2.4; emails with DO re same .3; call with DE .2; attention to drafting of fee motion 1.6; review and analysis of CPUC decision .3;	4.8	
11/17: Analysis and preparation of fee motion documents, MM decl 7.9;	7.9	
11/18: Email to JD .1; review Oct hearing transcripts .3; review and summary of discovery responses 2.5; review weekly class notice stats .1; calls from two CMs re settlement .5;	3.5	
11/19: Email to D counsel re notice 1; call with CM Kling re settlement .4; emails with NM re SCE .2; emails with RZ .1;	.8	
11/20: Review BB letter .1; emails and calls with Entrix .2; emails to and from 3 CMs re settlement .5;	.8	
11/21: Calls with two CMs re settlement .5; emails to and from TB .2; emails with D counsel re notice .2; analysis re Lane properties and call and email with same .6; email to Rogers re settlement .2; email to TT .3; call from Mtn Ent re settlement .6; emails with JD re motion for fees .2; review WS settlement materials and prepare for settlement meeting 2.7;	5.5	
11/21: Prepare settlement binder	0	2.8
11/22: Emails re settlement .2; travel to and attend settlement conference 5.0; call with Bellanca re survey .3; call with May Tong re survey and settlement .6; review and summary of discovery 1.3; analysis re discovery .2;	7.6	
11/23: Call with B Basner re class membership .5; emails and calls with 6 CMs re settlement 1.2; calls and emails with B Moore .5;	2.2	

11/25: Legal research on standing issues on class actions 2.2; emails with RWalker .2; review and analysis ex parte application to continue approval hearing .2; prepare opposition to ex parte, decl of MM 2.7; email to Wang re website .2; emails with Krieger re settlement .3; emails and call with client .5; emails with D counsel re ex parte .3; emails with BBK re billing .2; emails with GCG re notice .3; emails with Moore .2; emails with RK re disco .3; review and summary of disco responses 1.4;	9.0	
11/26: Courtcall hearing, memo to file .5; call from CM Vartanian re lawsuit .4; emails with NM re SCE .2; emails with GCG re notice .2; email to WW .1; email to TT .1;	1.4	
11/27: Prepare and revise draft order .5; call with CM Bellanca re data and settlement .5; email to Rwalker .1; call with CM Basner re settlement and opt out issues .5; email to NM .2;	1.8	
11/29: Research on attorneys fees, hourly rate cases 2.1; review RB comments and email to same .3;	2.4	
TOTAL ATTORNEY HOURS	105.3	
TOTAL PARALEGAL HOURS		2.8

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: December 2013

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
12/1: Continue review and summary of disco responses 2.5; email to AH re work on same and preparation for phase 5 trial .4; review of opposition to approval motion .2;	3.1	
12/2: Phone call from CM Davis re lawsuit and survey, update master memo .6; review and revise notice declaration .3; call from C Stead re class settlement and options .5; call with BB .3; review meet and confer letter .1; review court order n/c; emails and calls with RK re settlement .5; emails to and from WW .2; emails with D counsel re reply and POS .3; email to Deckert re survey .1; emails to and from A Brown and call with same re Lane .4; emails and calls with three CM re settlement .8; preparation of Horn declaration, emails and call with same 1.0; emails to and from TT re survey .2; emails and call with client re settlement .3; review revised GCG decl and call to Horn .4; emails to D counsel re opt outs .1; emails from RB re objection .1; review AVEK decl .1; emails with RW re ex parte .1; letter from Lane .1; review of filings and email to C Stead re settlement .4; review further revised GGC declaration and email comments re same .4; email to Walker re hearing .1; review Stead opt out and email to GCG .1; emails to and from NM re SCE .1; review further opt out and email to GCG and D counsel .1;	7.7	
12/2: Summary of disco responses 3.4; prepare expert disclosure summary and research on same 1.9;	0	5.3
12/3: Review BB comments to settlement draft .1; emails with 4 CMs re settlement questions .7; call with B Horne re same .4; research on membership issues re same .2; review and comment on updated GCG decl .3; email to RB re hearing .1; review minute orders re class .1; email to RW re same .1; emails with D counsel and review decl .2; emails to and from TT re survey .2; prepare supp MM decl re notice .6; email to RK .1; emails to and from NM re SCE docs, review and analysis of response to same .6; legal research for reply on final approval .8; prepare draft reply brief re final approval 3.8; conf with DO re same .2; emails with D counsel re same .1;	8.6	
12/4: Emails with RW .1; revise and finalize reply brief, prepare MM decl 1.2; emails with D counsel re hearing issues .2; review numerous case filings of today .3;	1.8	
12/5: Call with RGK re trial and settlement .6; emails to LO counsel .3;	.9	

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12/6: Call with Janet McDonald re survey and lawsuit .6; Grace Fink call re lawsuit, new property, and survey .7; emails with RZ .2; review and summary of MW disco responses 1.3; emails with class members re settlement .5;	3.3	
12/7: Email to RWalker re stip .1; email to NM re records .1;	.2	
12/9: Emails with RK re disco .2; conf call with counsel re discovery order .7; call with RGK re handling phase 5 and 6 discovery, memo to file .7; review depo notices and email to BB re same .2; email to S Reed re reporting deal .2; emails with NM re records .2; emails with TT re same .1; email to TT re Larson .2; review Veritext proposal and call to S Reed re same .3; review of SCE records and further emails with NM and TT re same 1.1; emails to 4 CMs re survey issues .3; analysis re CM survey issues and further email to TT .9; emails to and from Reed re revised proposal .2; review GCG stats and email to D counsel and GCG .2; emails with McDonald re suit .2;	5.7	
12/10: Emails with CM Hogan .1; emails with D counsel re hearing .3; review settlement proposal .2; emails with 4 CMs re survey issues .6; emails with Reed re pricing terms .2; review disco order .1; prepare for final approval hearing, travel to San Jose for final approval hearing 4.3;	5.8	
12/11: Prepare for hearing .8; travel to and from attend hearing on final approval etc., meeting with counsel 4.3; call with RGK re discovery and phase 5 issues, memo to file .4; review MO n/c; emails with LO counsel re disco issues .3; review updated settlement drafts .9;	6.7	
12/12: Review and markup latest phy solution 1.6; emails with counsel re same .1; emails with LO counsel re disco .2; emails with B Rogers re hearing .3; prepare proposed judgment 1.7; email to TT re bills .1; attend settlement call, memo to file re same 2.1; email to counsel re class issues .1;	6.2	
12/13: Emails with client re settlement issues, and call with same .6; emails with D counsel re revised judgment .3; emails from TT re survey and attention to same .4; review and summary of disco responses .8;	2.1	
12/14: Email to DE re judgment .1; modify same .2; email to LO counsel re PWD .2;	.5	
12/16: Emails with BB re settlement .2; review final stats and emails with GCG .2; analysis re exclusion requests .2; emails with D counsel re same .1; emails with TT re survey .1; email to BB re disco .1;	.9	
12/17: Emails with BB re depositions .2; call with same re same .3; review Warnack records .2; attention to Warnack issues and emails with JL re handling .5; emails to and from TT re survey, analysis re records issues .4;	1.6	
12/18: Prepare outline for water supplier depositions PWD and Reed 1.3; attend part of PWD and Reed depositions 2.9; email to Reed re depositions .2; review Sept 6 transcript .2; review client records .2;	4.8	
12/19: Attend Palm Ranch deposition 1.0; call from RGK re depositions and strategy, memo to file .5; attend Littlerock depo 1.1; call with RGK re well 6A, memo .8; review and summary of disco responses 1.2; email to BB re Bones depo .1; emails to and from DE re Annex, analysis re same .7; emails to counsel re LCID issues .2;	5.6	

12/20: Review Rosamond discovery and prepare outline 1.2; participate in Perez depo, memo to file 1.9; call from RGK re same and injunction .2; review settlement documents .2; conf call with settlement group, memo to file 2.0; emails with DE re Annex .1; emails with AH re class list .2; review revised list and email to LO counsel re status .5; emails with Entrix re billing .2; review revised settlement terms .8; email form BB .1; email and call from D Wada re class .3;	7.7	
12/20: Analysis and revision of class list, analysis re class member households and dup entries 2.4; review and summary of disco responses 2.7	0	5.1
12/22: Email to LO counsel re LRID .1; review and summary of disco response 1.6;	1.7	
12/23: Emails with counsel re settlement .2;	.2	
12/24: Emails to and from LO counsel re LRID .8; email to D counsel re expert cost .3; review and analysis re Bellanca issues, emails with TT .3;	1.4	
12/26: Emails with TT .1; emails with GCG on notice .1; email to Wada .1; review Wood records and email to TT .2;	.4	
12/27: Review revised settlement docs .8; email re depositions .1; review draft motions on fees .4; emails with D counsel re same .3; emails re expert depositions .3; legal research for reply brief on fees 3.2; commence drafting of reply brief on fees 3.7	8.8	
12/28: Review and analysis of Leffler and Wildermuth transcripts, 2011 trial transcripts for expert depositions 3.3; email to Dunn .1; continue drafting of reply brief 4.7;	8.1	
12/30: Email to D counsel re fee allocation, review Willis filings re same .5; legal research on expert motion, markup DE motion and long email re same 2.3; emails with BH re depositions .2; emails with DE re motion .1; long settlement email and analysis of stipulation draft 1.1; emails with D counsel re motions and hearing .3; emails with LM re depositions .1; further review of settlement docs and new matrix, long email to LO counsel re settlement .8; email re class size .1; review MSJ papers .5; research and analysis on exhibits ISO of reply brief on fees 2.9	8.9	
12/31: Emails with Drake .1; emails with settlement group .3; drafting of reply brief on fees and MM decl re same 10.8	11.2	
TOTAL ATTORNEY HOURS	113.9	
TOTAL PARALEGAL HOURS		10.4

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: January 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
1/1: Drafting and revision of reply brief and MM decl ISO of same, attention to exhibits 7.1	7.1	
1/2: Call with RK re settlement issues, memo to file re same .9; review of latest settlement draft and email to counsel re same 1.2; review Willis agreement and email to counsel re Willis issues .6; analysis of 85% cap issue, Willis agreement and long memo to LO counsel re negotiation issues on PWS allocation 1.3; emails with JD re stip .2; emails to and from LO counsel re allocation and other settlement issues 1.0; call from RZ .7; emails re depositions .2; further emails re settlement issues .3; long email to WS re settlement issues .4; emails with Reed re depo issues .2; emails to counsel re depositions .2; email to JD re same .1; emails this JD re meeting .1; email to RZ et al re US .1; prepare NOD for Williams .3; emails with LO re settlement .1;	7.9	
1/3: Conf call with settlement group 1.0; call with RK re settlement issues .5; attend Wagner deposition 1.4; emails with RK re golf course .2; emails with LM re depositions .2; email to LO counsel re settlement issues .6; emails to Reed re depo issues .1; emails with RWalker re ex parte .1;	4.1	
1/4: Emails re depositions .1;	.1	
1/5: Finalize judgment and prepare MM decl .6; prepare for Ariki depo 1.3;	1.9	
1/6: Long call with D Wada re class membership and county issues .8; emails with RWalker .1; attend Ariki depo, memo to file 3.5; emails with LO counsel re depositions .3; prepare and file ex parte re oversized brief .5; review and markup of proposed watermaster language 1.2; prepare proposed order on fee motion .3; email to Walker re order .1; emails and call with TB re same .3; emails with DE re RCSD .3; emails with TT .1; review fee order issues and emails with D counsel .4; review RZ disco .2; emails with TB re fees, review docs .4; email to counsel re settlement .1; revise and file judgment and proposed order .4;	9.0	
1/7/14: Travel to and attend court hearing on fees and other motions 4.7; email to RK re CMO .3; emails to CMs and TT re survey issues .4;	5.4	
1/8: Emails with DO re fees, meeting with same re trial issues .5; call with Dyas re class .5; prepare proposed order on fee motion, revised, email to JD .4; long email to D counsel re fee order .4; emails with client on status .2; emails with D counsel re depositions and settlement .2;	2.2	

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1/9: Emails with TB re fee order .2; email to JD re same .1; email to RWalker re hearing .1; call and email with client re settlement .3; email to RWalker re order .2; emails with RK re CMO .2; emails with counsel re fee order .1; prepare for Flory depo .5;	1.7	
1/10: Attend Flory depo, memo to file 1.2; review and summary of disco responses 1.8; review and analysis of latest settlement draft, markup of same 1.3;	4.3	
1/12: Settlement group emails .1; review further settlement docs .4;	.5	
1/13: Review state language .1; settlement group conf call .7; emails with RK .1; emails with counsel re settlement .2; commence prep for Williams depo 1.1; prep for Wagner depo .8; review and summarize discovery responses 1.7	4.7	
1/14: Conf with counsel on order, memo to file .5; revise fee order and email to counsel .4; attend Wagner deposition, memo to file 2.7; prep for Beeby depo 1.3; emails with TT .2; emails with D counsel re settlement .2; email to RWalker re order .2; emails with TB .1; emails with DE re payment .1;	5.7	
1/15: Prepare for hearing .3; attend hearing on discovery issues, memo to file .9; review and analysis of Phase 3 SoD and emails to LO counsel re return flow issues and briefing .5; participate in Beeby deposition 2.6; call with RZ re phase 5 and 6 issues, discovery .9; landowner strategy call re handling depositions and trial issues, memo to file 1.0; review and analysis of summary expert report and preparation for Williams deposition 2.7; emails with LO counsel re disco and trial issues .6; conf call with LO counsel .6; review MC letter draft .1;	10.2	
1/16: Email to DE re RCSD .1; travel to and attend expert Williams deposition 8.9; call with RGK re handling expert issues and phase 5, memo to file .7; email to LO counsel re Williams issues .3; emails with LO counsel re model and disco issues .5; long email to LO counsel re Williams summary and trial issues .7;	11.2	
1/17: Review and analysis of settlement agreement and long email to counsel re comments 1.8; call from WS re small pumper and settlement issues, memo to file .7; further drafting of and markup of global judgment 1.2; participate in settlement group call 3.1; email to JD .1; many emails to counsel re settlement 1.1; call with WS .3; email to client re same .5; emails with TT .1; emails to DE re fees .2; email to RWalker .1;	9.2	
1/18: Review latest settlement docs, emails with counsel and client 2.2;	2.2	
1/19: Long call with client re settlement issues, memo to file .9; emails with counsel re settlement .2	1.1	
1/20: Attention to expert accounting issues .3; review further settlement redline .5; numerous emails re settlement .6; review and summary of disco responses 1.5	2.9	
1/21: Calls with Zimmer re phase 5 and 6 issues, handling D40 experts .9; letter to Jeff Dunn .4; review prior Joe S transcripts .7; call with RZ re settlement issue .8; review and analysis of revised judgment, client comments thereto, prior versions, and markup of J 1.7; email to client .1; email to LO counsel re settlement issues .7; emails with RK .2; meet and confer letter to JD re Williams .4;	5.9	

1/22: Call from CM re opting in .3; emails with LO counsel re settlement .3; emails with RWalker re fee order .1; email re settlement .3; email and call with client re settlement .4; call from Wada re class .3; emails with counsel re settlement issues .5; call with RZ re trial and Williams, memo to file 1.0;	3.2	
1/22: Review and summary of discovery responses 5.1; commence summary of depositions 1.8	0	6.9
1/23: Long email to LO counsel re strategy issues .9; call from client re global settlement issues 1.2; email to JD .1; 10 emails re handling Williams .3; emails with DE .1; many emails with counsel re settlement issues .4; emails with JD .1; call with JD .2; emails from TT .1; review further settlement revisions and emails re same .6;	4.0	
1/24: Emails with LO counsel on Williams .5; review Williams rough .3; emails with counsel on settlement .4; email to BB re reporters .2; letter to JD re Williams .5; analysis of lag time issues .5; review Jan 7 transcripts .3;	2.7	
1/25: Email to S Tyler re depo issues .2; letter from JD and long email to same re Williams.9; research and phone calls for modelling experts 2.3; many emails with LO counsel re same .7; emails with client re settlement and class issues .4;	4.5	
1/26: Review and analysis of motion filings and prepare for hearings 1.2; emails to LO re ex parte on return flows .3; email to RWalker re same .1; long email to LO counsel re trial strategy .7; review Dyas docs .1;	2.4	
1/27: Attend hearings on motions for phase 5, memo to file 1.2; call with RZ re settlement .5; emails with RWalker on hearing issues .2; review many filing of today .3;	2.2	
1/28: Preparation of ex parte application to continue return flow issue 2.8; review court order .1; emails with client re settlement .5; emails with LM .1; emails with R Walker .1; emails with TT .2; review and analysis of MILs .5; emails with DE re fees .1;	4.4	
1/28: Summary of new discovery responses 7.1	0	7.1
1/29: Emails with Martin .1; call with Wada .3	.4	
1/30: Prepare for hearing .3; attend hearing, memo to file .7; commence phase 5 trial prep on US issues, review prior testimony and summary of exhibits, draft outline Qs 5.5;	6.5	
1/31: Emails with Chiodo re settlement .3; review and analysis of voluminous trial filings and motions, legal research on phase 5 issues 3.7; review of voluminous discovery documents (part) 1.7;	5.7	
1/31: Summary of new discovery responses, prepare trial binders 8.3	0	8.3
TOTAL ATTORNEY HOURS	133.3	
TOTAL PARALEGAL HOURS		22.3

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: February 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
2/1: Emails to and from CM Wada .1; email to LO counsel re Williams testimony .2; prepare joinder 1; emails to and from client .1;	.5	
2/2: Emails to and from LO counsel re unreported hearings .1;	.1	
2/3: Emails to and from LO counsel re strategy issues .1; review and analysis of discovery responses and trial exhibits and filings 1.1;	1.2	
2/4: Review and analysis of discovery responses and trial exhibits and filings 1.4; emails to and from Thompson .1; call from CM Godde .3; review of ex parte .1; emails to and from LO counsel re dismissal .1; review of Ariki depo transcript .8; review of Beeby transcript .7;	3.5	
2/4: Attention to indexing trial exhibits and preparation of trial binders 4.6	0	4.6
2/5: Review discovery responses of AVEK .2; emails to and from Thompson re survey .1; many emails to and from counsel re settlement agreement .3; review and analysis re draft settlement agreement .8;	1.4	
2/6: Review and analysis of MILs .9; call from CM Godde .2; review and analysis of AVEK records .3; emails to and from counsel re depo costs .1; review and analysis of new discovery response and trial exhibits .9	2.4	
2/6: Attention to indexing trial exhibits and preparation of trial binders 2.8	0	2.8
2/7: Review MIL replies .3; review and summary of Harder depo transcript 1.6; review and analysis of trial exhibits of US and PWS 1.2; review and analysis of Phelan disco responses .4	3.5	
2/7: Attention to indexing trial exhibits and preparation of trial binders 2.1	0	2.1
2/10: Travel to and attend Phase 5 trial 8.8;	8.8	
2/10: Attention to indexing new trial exhibits and modification of trial binders 1.7	0	1.7
2/11: Travel to and attend Phase 5 trial 6.3; phone call from Cardno .2; review and analysis of billing problem with expert .2; review expert exclusion briefing .3;	7	

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2/12: Phone call from CM R Harvey re add'l class members and lawsuit questions .4; review and analysis of Flood transcript .8; emails to and from counsel re trial issues .3; review Rosamond stip .1;	1.6	
2/13: Many issues to and from LO counsel re trial strategy issues .4; review and analysis of AVEK witness depo transcripts 2.2; review new trial filings .3; emails to and from Wes Miliband re trial .2; emails to and from DO re trial status .2; prepare dismissal .2;	3.5	
2/14: Emails to and from counsel re trial issues .3; emails to and from WB re settlement and trial issues .5; emails to and from LO counsel re dismissal .2; review PWS RJN .7; review new trial exhibits .3;	2.0	
2/14: : Attention to indexing new trial exhibits, and judicial notice filings, and modification of trial binders 2.2; summary of Perez and Wagner depositions 3.9;	0	6.1
2/15: Email to and from LM .1;	.1	
2/17: Status email to class member listserve 1.1; review and analysis of new trial briefs and exhibits 1.2; prepare summary of key trial exhibits and cross exam notes 2.3;	4.6	
2/17: : Attention to indexing new trial exhibits, and judicial notice filings, and modification of trial binders 1.3	0	1.3
2/18: Travel to and attend Phase 5 trial 9.3; call with CM Wada .2; review and analysis of many new trial filings .8; emails to and from LO counsel re Williams and trial issues .2; email to client re settlement agreement .1;	10.6	
2/19: Travel to and attend trial and attend mediation session 12.2;	12.2	
2/20: Travel to and attend mediation sessions 9.4; emails to and from D Hall .1;	9.5	
2/21: Email to US re settlement .1; travel to and attend mediation sessions, memo to file 7.7; email to LO counsel re Willis language .1;	7.9	
2/22: Review balance assessment language .1;	.1	
2/23: Emails to and from LO counsel re handling class issues .9; emails to and from counsel re Willis language and strategy .3; review Long Valley decision .2; revise Willis settlement language and long email to counsel re same 1.6;	3.0	
2/24: Emails to and from WM .1; call from Entrix re payment issues .2; email to counsel re Willis language .2; email to US re balance assessment .1; many emails to and from counsel re trial cost issues .4; many emails to and from counsel re settlement issues 1.8; email to M Davis re trial .2;	3.0	
2/25: Emails to and from M Davis .2; phone call with client re settlement .5; emails to and from WM re settlement .2; review revised draft agreement .4; review and analysis re Chester matrix and allocation issues, review underlying LO docs and discovery summary re same 1.8;	3.1	
2/26: Emails to and from CM Wada and Thompson .1;	.1	
2/27: Review AVEK return flow brief .2;	.2	

TOTAL ATTORNEY HOURS	89.9	
TOTAL PARALEGAL HOURS		18.6

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: March 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
3/3: Emails with B Paez re class issues .2; emails with CM Rodgers re public meeting .1; review and analysis of discovery responses of Tejon, QH, D40, Cal Water, Palmdale, Rosamond CSD and Crystal 1.1; emails with client re settlement .1;	1.5	
3/4: Call with LL re settlement and memo to file .3; emails with counsel re trial stips, and D40 settlement announcement .4; email and call to RWalker re ex parte status .1; review ex parte application and emails with LO counsel re response to same .3; emails with SOrr re settlement changes, review agreement .1; email to BB re settlement .1;	1.3	
3/5: Phone call to BB, emails with same .1; call with Dunn re settlement, memo to file .5; call with RGK re settlement issues and trial .4; call from County re Wada issues .3; emails with WW and counsel re settlement .2; review ex parte filings .2; draft and revise ex parte response .6; email to LO counsel re settlement talks .1; call with client re settlement issues .2; email to US re balance assessment .1;	2.7	
3/6: Attend ex parte conf call and counsel discussion, memo to file .9; review latest US draft .2;	1.1	
3/7: Call from Tom Bunn .1; review draft stipulation .5; email to all counsel re changes to same .3; many (15+) emails with LO counsel re Bunn call and settlement issues .5; emails with client re settlement talks and current draft .1; review memo from BB .1; emails with DE re Rosamond .1; phone call from B Martin re class status and settlement .3; emails with CM Harvey .2;	2.2	
3/8: Review and analysis of Palmdale's discovery responses .4; email to LO counsel re US remedial issues .1;	.5	
3/9: Revision of stipulated Judgment 1.2;	1.2	
3/10: Complete review and revision of revised stipulated J .8; prepare project list memo and cross reference with draft redlines, revise same .7; participate in conf call re settlement 1.1; call from RZ and JD re class issues, memo to file .3; email to same re call to RK .2; email to LL re draft J issues .1; email to Sloan re class issues .1; emails with RGK re settlement .1; emails with counsel re Willis issues .1;	3.5	
3/11: Emails with client re settlement meeting .2; emails and call with CM Wada .6	.8	

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3/12: Travel to and attend settlement talks 8.2; detailed review of latest redline draft and prepare revised language 1.1;	9.3	
3/13: Travel to and attend settlement talks 9.4;	9.4	
3/14: Call with RGK re settlement status and handling allocation issues .6; review AVEK trial filings .1; emails and call from Cardno re billing .1; review of D40 MIL and motion .3;	1.1	
3/15: Draft long email to BS and RK re allocation issues, edit same .5;	.5	
3/16: Emails with LO counsel re settlement .1	.1	
3/17: Many emails with RGK re settlement issues .2;	.2	
3/18: Travel to and attend settlement meetings 8.7; call with RGK re same, memo to file .5; calls and emails with client re settlement .4; email to LO re trial continuance .1;	9.7	
3/19: Emails with Wada re class status .1; review US discovery responses .1; email to LO counsel re settlement issues .2; review draft exhibits and emails with counsel re same .2; emails with PWS counsel re payments .1; analysis re Cardno billing and email with RW re ex parte .2; phone call from CM Dyas re property issues and settlement .5; email to Brunick re same .1; prepare inclusion request form for Wada and emails with same .2; prepare Dyas forms and emails with same .2; emails with Maline re billing issues .1; prepare dismissal paperwork and service instructions re AV Materials case .3; prepare ex parte app re approval of expert bills, analysis re same .3; review Dyas forms and email to same re filing .1; revise ex parte with POS, amend filing instructions .1;	2.8	
3/20: Review US ex parte .1; review of ex parte re expert bills and prepare supplement to same .2; review Wada forms and email to same .1; review CMC statements .1; emails with MF re settlement gap .1; return phone calls from two class members re settlement issues .7	1.3	
3/21: Emails with MF and RGK re settlement .1; attend status conference, memo to file .5; many emails (12+) with Cardno re ex parte and billing .3; email to US and D40 re settlement closure .1; phone call from atty svc re CCW filing issues and emails with RW re same .1;	1.1	
3/24: Emails with client re settlement .1; brief review latest draft of physical solution and emails with LO counsel re same .3; phone call from CM Resor re settlement issues .5;	.9	
3/25: Call with RGK re handling settlement issues, memo to file .6; detailed analysis of current version of stipulation of settlement, and compare with last version 1.4; emails and call with client re settlement issues .4; emails with counsel re settlement .2; email to MF re juniper group .1; review RGK summary settlement terms memo .1; email to JD re missing settlement terms, email to client re same .1	2.9	
3/26: Participate in settlement negotiations 6.3; long email to client re changes to class section .5; phone call with client re revisions to class language .2; email to Garner et all re new settlement language .4; emails with LO counsel re Annex and class list cross over .2; emails with RW re filing issues .2; many emails with LO counsel re settlement issues .2	8.0	

3/27: Emails and call with D Revelt re class membership issues .5; prepare ex parte application for add on .5; public records search on Wada and Dyas .1; email to Wada re issues .1; call to same .2; analysis re Llano Del Rio membership issues .3; email to Carson re same .1; review and analysis of AGWA records and discovery, and many (30+) emails with RGK and WS re issues with same for allocation 2.8; review WS AGWA spreadsheet .1; call with Weeks re AGWA issues and settlement, memo to file .4; review of central basin judgment .2; email to LO counsel re juniper .1; emails with MF re AGWA issues .4; review AVEK deliveries summary and analysis of AGWA claims .4; return phone calls to two CMs re settlement issues .6;	6.8	
3/28: Calls to Wada and Dyas re ex parte .2; review and revise same and prepare proposed order .4; email with RW re same and filing issues .1; prepare amended ex parte .2; receive and review revised class forms, and prepare errata .3; call with JD and WW, email to DO re same .2; emails and call with client re settlement issues .3; email re settlement agreement revision .1; review and analysis of CM records and emails to TT re same .3; email to LO counsel re filing issues .1; review new balance assessment language .1; emails with Wada re claim .1;	2.4	
3/29: Emails with counsel on settlement, review new language .2; review and analysis of jury trial motion, and reply for same .4;	.6	
3/30: Review and analysis of AGWA materials, discovery re claims 1.0; emails with counsel re settlement issues .2; review of new judgment .3	1.5	
3/31: Review and analysis of latest version of stipulated judgment .9; emails to and from LL re same .1; travel to and attend settlement conference at BBK 9.8; phone call from Carson and	10.8	
TOTAL ATTORNEY HOURS	84.2	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: April 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
4/1: Participate in court hearing, memo to file .6; phone calls with numerous parties re settlement issues 1.1; long settlement proposal email to LO counsel .9; 20+ emails to and from LO counsel re settlement ideas .3; call from client re status of settlement and trial .6; prepare further settlement language and review class language .4; assessment re Llano and other class list issues, and several emails with Carson re same .5; emails with PWS counsel re expert issues .3; assessment re Kuney proposal .1; participate in LO settlement conf call 1.9; call with BB re settlement .2; long email to JD re status of same .3; email to LO counsel re BB and settlement issues .4; research on AVEK class member issues and emails to LO counsel re same .2; email to LO counsel re Rosamond Annex .1; emails to DO and RW re trial .1; email to RK and WS re AVEK and trial .2; email to DO re status on settlement .1; phone call from Carson and analysis re class list issues .3	8.6	
4/2: Emails with BB .1; emails with LO counsel re settlement issues .2; call from RGK re allocation and settlement issues, memo to file .6; emails with MD re mutuals .1; call with CS re settlement issues .5; call with JG re City and settlement issues, memo to file .5; email to LO counsel re status of public overlies .3; emails with class members re status of admission .2; review and analysis of Cal Water expert payments .2; email to Tootle .1; review Jan G settlement comments .2; review phase 5 new trial exhibits .3;	3.3	
4/3: Long settlement email to LO re allocation .5; emails to and from MF re settlement proposal .2; participate in settlement meetings telephonically 2.1; phone call with RK re Willis agreement points .6; drive to and attend settlement meeting at BBK 6.1; status email to Kuney on AGWA position .2; email to settlement group on AGWA status n/c; review and analysis of Juniper Hills list and current class list for conflicts, email to LO group re status of same .5; email to Fife re status and removal n/c; review ex parte application re phase 6 .1; emails to and from JD re settlement .1; review and analysis of current allocation Ex 4 .6; emails to and from DE re Annex .2; emails to and from RGK re settlement .2; review Exhibit 6 .1; emails to and from counsel re settlement .1; emails to and from LO counsel re allocation and Juniper, class list .2;	11.8	

4/4: Conf with DO re settlement issues .4; attend status conf re settlement .5; phone call form WM re Phelan settlement issues, memo to file re same .7; prepare and revise email re AGWA water .2; research and analysis re legal authority for cramdown .6; long email to LO counsel re same and prescription .4; review Mojave case and email to LO re transfer issue .4; review Phelan emails and email to LL re ex 5 change .1; email to group on status of call to RK re Willis .1; prepare and revise email to settlement group re Phelan call .2; analysis re conflict issue, review Rutter, and long email to LO group re AGWA strategy going forward .8; email to LL re Phelan invite .1; emails to and from LOs re AGWA .1; email to JD re Phelan .2; review draft Ex 5 and email to RGK re same .1; review LAWA special provision, past drafts of stipulation, and emails to LO counsel re problem with same .5; email to JG re airport issue .1;	5.5	
4/5: Emails to JG re settlement and airport .1; emails to and from LO counsel re City of LA issues .3; call and email to client re same .3;	.7	
4/6: Email to client re settlement .1;	.1	
4/7: Review revised judgment .5; many emails with LO counsel re settlement issues .4	.9	
4/8: Email to LO counsel re settlement .2; call with RGK re AGWA .4; call with MF re settlement .3; many calls with LO counsel re settlement issues and AGWA troubles 1.7; calls and emails to BB and CS re same .1;	2.7	
4/9: Call with BB re AGWA and memo to file .3; call with CS re same and review notes on prior settlement positions .6; call with SK re AGWA and settlement issues, memo to DO re status .5; review and analysis of SK comments to past draft .3; brief review of revised draft changes .2; email to counsel re Willis position .3; emails to and from BB re settlement .3; review Kuney comments to judgment .3; emails to and from CM Putnam .1; email to LO counsel re Phelan .2; emails to and from SK re AGWA water .1;	3.2	
4/10: Email to BB and CS re water contribution .2; status email to MF re same .1; review and analysis of latest draft of stipulation .9; email to WM re Phelan claim analysis .3; travel to and attend settlement conference and brief meeting with LO counsel after 9.8;	11.3	
4/11: Email to BB and CS re AGWA .2; email to LO counsel re AGWA .2; prepare and revise email to LO counsel re handling AGWA .3; call with RGK re AGWA, memo to file .3; email to LO re same .1; draft long letter to MF re settlement issues, research for same 1.2; emails to and from LO counsel re changes to same .3; email to MF re status .1; call from RK re further changes .1; review of RGK minutes and email to LO counsel .2; review Edwards data .1;	3.1	
4/12: Review and analysis of Rosamond Annex, check court docket for party status, and cross reference with class list .9; email to LO counsel re same .2; review and analysis of latest draft judgment and task list .7; call with MF re settlement issues, memo to file .3; email to and from same re settlement .2; email to RGK re Annex .1;	2.4	
4/13: Email to LO counsel re Annex .1; status email to BB re AGWA discussions .3	.4	

4/14: Participate in Rosamond Annex conf call, memo to file .6; review Kuney letter and email re comments to same .2; all with BB and MF re AGWA issues .5; call from WW and EG re settlement issues, memo to file re same .6; email to LO counsel re status of settlement issues .2;	2.1	
4/15: Analysis of class cert issues and preparation of timeline .5; email to counsel re same .1; conf with DO re status of settlement .2; review of new Willis language and several emails to and from LO counsel re same .4; emails to and from WW re settlement .2; email to RGK re same .2; review Phelan letter and email to SK re same .1; email to JD re Annex defendants .1; emails to and from RGK .1; emails to and from counsel re handling Phelan .1;	2	
4/16: Emails to and from Dubois re settlement .1; review and revise Phelan letter .2; phone call from potential CM Phil Barone .4; emails to and from counsel re handling Phelan .2; emails to and from BB re AGWA .1;	1.0	
4/17: Emails to and from client and call with same re settlement issues .4; emails with WS and RGK re Blum .1; review and revise judgment draft, email to JD re same .7; emails to and from SK re Phelan .1; emails with CM Wada .2; emails to and from JD and LL re judgment .3; emails to and from RWalker re class inclusion .1;	1.9	
4/18: Emails to and from JD and revise SP language for judgment .5;	.5	
4/21: Call from client re settlement issues .4; emails to and from RZ re Blum trust .1; review and analysis of Bolthouse records and emails to and from RZ re Blum lease .6;	1.1	
4/22: Prepare Rosamond agreement and email to DE re same 1.0; emails to and from DO and DE re Rosamond .1;	1.1	
4/23: Emails to and from WW and DO re fees .1;	.1	
4/24: Emails to and from client .1; review revised Phelan proposal .2; emails to and from SK re same .1	.4	
4/25: Emails to and from JD and DO re handling fees .3; Emails to and from counsel re Phelan .1;	.4	
4/26: Review and analysis re Bolthouse settlement agreement with Blum .2;	.2	
4/28: Review and analysis re revised judgment .4; emails to client re same .1; review DE comments to agreement .1;	.6	
4/29: Emails to and from LL and LO counsel re settlement .2;	.2	
4/30: Review draft settlement exhibits .1	.1	
TOTAL ATTORNEY HOURS	65.7	
TOTAL PARALEGAL HOURS		

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: May 2014

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
5/1: Emails with Cardno on billing .1; review Evertz draft agreement, analysis re class notice billing, revise agreement, and email to DE re same .6; emails with CM Wada .1;	.8	
5/2: Emails with DE re payments .1; review new judgment language from RZ .3;	.4	
5/4: Emails with DE re Rosamond .4;	.4	
5/5: Emails with counsel re settlement issues .2;	.2	
5/6: Emails with DE re Rosamond .2; phone conf with counsel re settlement .5	.7	
5/7: Emails and call with CM Rogers re settlement status and issues .5; emails with DE re Rosamond deal .1; phone call from CM Wada .3;	.9	
5/9: Call with Barone re lawsuit and settlement issues .6; review emails re settlement , emails with WW .1; review and execute Rosamond agreement .1;	.8	
5/12: Phone call with CM Rogers re settlement issues .4; emails with DE .1; phone call from CM Maldini re settlement and class membership issues .4	.9	
5/13: Emails with JD re settlement .1; review Bartz exhibits .2; review of new draft judgment and exhibits .8	1.1	
5/14: Emails with client re settlement issues .3; emails with counsel re settlement .3	.6	
5/15: Emails with WS re fees .1; attend settlement meeting conference call 1.8	1.9	
5/16: Emails with counsel re settlement issues and SP language .5; analysis of AV mutual numbers and discovery documents supporting same .8; review revised judgment and exhibits .5;	1.8	
5/19: Phone call from CM Smith and Barone re settlement issues .4; analysis and research re solar entity Recurrent and email to LO counsel re same .7; emails with DO re CM issues and fees .2; review Willis SC statement .1; phone call from BofA re CM parcel and litigation .4;	1.8	

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5/23: Review status conf stmts .1; attend status conference, memo to file .4; review of revised judgment .4; review of Cardno invoice .1; emails with LO counsel re settlement .2;	1.2	
5/26: Emails with DO .1	.1	
5/27: Emails with LO counsel and WW re settlement .2	.2	
5/28: Emails with LO counsel re settlement .2; emails with US re SP class numbers .1;	.3	
5/29: Prepare for LO conf call on settlement issues and attend same, memo to file 1.1	1.1	
5/30: Phone call from CM Dunn re settlement issues .4;	.4	
TOTAL ATTORNEY HOURS	15.6	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: June 2014

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
6/2: Phone call from CM Marios re settlement .3;	.3	
6/6: Return phone calls from two CMs re settlement and membership issues .5; emails with counsel on settlement issues .1; review and analysis of JD email and draft stipulation, and revised judgment, prepare comments to same 1.0	1.6	
6/9: Review changes to judgment and emails of counsel re same .1; phone call with RGK re settlement .4;	.5	
6/10: Email to LO counsel re settlement issues .3; emails with RGK .1;	.4	
6/11: Emails and call with client re settlement issues .5; emails with LO counsel re settlement .2; emails with CM Barrone re settlement .1;	.8	
6/12: Emails with CM B Smith re settlement .2; emails with administrator and PWS re invoice issues .2; analysis re fees and costs, call with DO re same, and preparation of demand letter re same .9; emails with LO counsel and WW re fees .1; review SK revisions to draft stip .1; review Blum letter and new Roe amendments, cf class list .2; review RZ changes to stip, call to same .2; emails and calls from CM Ellis re settlement issues .5; phone conf with LO counsel re settlement, review further revised stipulation .8	3.2	
6/13: Many emails with LO counsel re stip, review revised version of same and comments on changes .5;	.5	
6/14: Review further revised stip and SK email re same .1; email with LO counsel re settlement and class fees .2;	.3	
6/20: Review RZ email on Blum .1; emails with AV hideosert press re adjudication and settlement issues .4; review Blum corr, email to client .1; email to RGK re settlement n/c	.6	
6/21: Review Chodos opinion and email to DO re same .3;	.3	
6/23: Emails with DE and administrator .1; review LO emails re stip .1; emails with JD re class numbers .1;	.3	
6/24: Review Milliband letter, Bunn letter, emails from LO counsel re settlement .1; emails to DE and MD .1	.2	

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6/25: Emails with JD and call and emails with Entrix .2;	.2	
6/26: Emails with DO and DE .1	.1	
6/27: Emails with Rosamond .1; phone call with DE et al, memo to file, analysis re class issues and email to same .4; review and analysis of revised judgment .3;	.8	
6/30: Email with DE and R CSD re payment issues .2; review Zimmer letters .1	.3	
TOTAL ATTORNEY HOURS	10.4	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: July 2014

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
7/1: Analysis re new Roe parties and email to LO counsel re handling in settlement .3; emails with settling counsel re meeting .1; emails with BB re PWS and settlement .1; emails with DO re settlement issues .4;	.9	
7/2: Emails with LO counsel re settlement issues .3; emails with WW re settlement .1; review and analysis of new Roes .3; review of emails on watermaster issues .1; phone calls with LO counsel re settlement .3	1.1	
7/6: Review emails re settlement call .1;	.1	
7/7: Review and analysis of class list issues, membership status, orders and email to Dubois re status 1.8; review and analysis of current stip and proposed judgment .5; attention to settlement accounting issues and emails with DE et al re same .2; analysis of new Roe defendants .4; review of Annex list, court records, and emails with counsel on handling settlement of same .6	3.5	
7/8: Prepare for settlement call .2; participate in settlement conf call 2.1; memo to file re same .2; review of revised stip .1; emails with counsel re handling Annex parties .2; review and sign DE forms and emails with same .1; emails and call with CM Davis re rejoining and settlement terms .5; review CMC stmts and corr of this date .2; email to BB re water master provision and AVEK board .1; review draft CMC stmt from US, emails to LL re same .1; many (15+)emails with counsel re changes to joint statement .2;	4.0	
7/9: Review new drafts of judgment and stip, and exhibit portfolio, prepare memo re same 1.0; review Zimmer response to non-stipulators, emails re same .1;	1.1	
7/10 Review and analysis of RGK Roe list and compare with class list, email to LO counsel re same .6; emails with counsel re settlement issues .2; : Settlement conf call, and memo to file re same 2.0; review amended new Roe list	2.8	
7/21: Review MO from 7/11 and call to DO .1; return phone calls to three class members re settlement issues .7; review and analysis of John U mutual list .1; review and markup of Kuney memo and new section 5.5 .4;	1.3	

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7/22: Phone call and emails with CM Sevilla re settlement and transfer issues .5; emails with counsel re settlement and Willis .2; phone call and emails with CM Schuder .1;	.8	
7/23: Emails with liaison comm and LO counsel .1; emails with BB re watermaster impasse .1; many emails with counsel re settlement and watermaster issues, revise language .5;	.7	
7/24: Many emails with settling counsel .3; call from SB re settlement .4; phone call to client re settlement issues .4; emails with DE re Rosamond .1; phone call from CM Parker .5; email with Reesdale Mutual .1; phone call from atty Pandolfi re Shelton .3;	2.1	
7/25: Call with Reesdale re adjudication issues .3; emails with DO .1; emails with CM Sevilla .1;	.5	
7/27: Emails with RGK re settlement .1;	.1	
7/28: Phone call with class member Shuder re membership and water right issues .6; review and analysis re public records re same .2; prepare inclusion form .2; email to same re handling .1; call with RK re settlement, memo to file .4; email to RGK re same .1; emails to LO counsel re settlement .2; call from JD re AVEK meeting .1; call from Class member Ellis re membership .5; emails to client re settlement meeting .2; analysis re Carrle and Harvey properties and emails and call with Harvey .5; calls and emails with CM Ellis .3; prepare inclusion forms for Putnam and email to same .3; emails with RK re settlement .1; emails with client re settlement issues .2;	4.0	
7/29: Call with client re settlement and trial issues .6; emails with RK re settlement .1; review and analysis of new judgment, stip and exhibits, markup of same for meeting .9; email to client re issues with same .2; emails with SK re settlement .1;	1.9	
7/30: Review client notes on meeting .1; travel to and attend liason comm and settlement meeting at BBK 7.5; emails with CM Ellis .1; review revised judgment .3; review Blum letter n/c; emails with CM Davis re settlement .1;	8.1	
7/31: Phone call with RGK re settlement .2; phone call with RK re Willis issues .6; call with RGK re settlement, memo to file .3; emails to RZ re Blum claim .1; review and analysis of Dubois summary email and changes to Judgment .1;	1.3	
TOTAL ATTORNEY HOURS	34.3	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

10490 Santa Monica Boulevard
Los Angeles, CA 90025
Phone 310.954.8271 Fax 310.954.8271

DATE: August 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
8/1: Emails with counsel re JD changes .1; phone call from Pandolfi re CM Shelton .5; prepare Shelton claim forms, emails with Pandolfi .3; draft email to JD, emails with DO re same, revise and send to DO .2; emails with RGK re same .1; emails with CM Cevilla and call to same re questions .4; prepare CM Ellis inclusion forms and emails with same .3; review letter from Blum and emails with LO counsel re same .2; review and analysis of revised judgment, stip and exhibits, cf. with MM notes .6; public records search on Sevilla property .3; review Sevilla deed and emails with same re inclusion, review and analysis of ownership history, and signed claim forms .3;	3.3	
8/2: Emails with RZ and Sevilla .1; prepare memo summarizing changes to judgment, email to LO counsel .4;	.5	
8/4: Review Kuney judgment changes summary, cf. with MM notes .3;	.3	
8/5: Emails with CM Davis re settlement .2; review Willis CMC stmt .1; call from RGK .5; review emails with Rusinek n/c	.8	
8/7: Emails to and from counsel re settlement issues .4; phone calls to landowner counsel re same .3; review draft joint CMC stmt and comments to same, emails with counsel re issues .3; review new party answers and Phelan CMC stmt and CMO .1; review hearing transcripts on fees issues, and prior orders .4; call with SK re settlement .5; emails with Dunn re CMC .1; long email to LO counsel re CMC handling and settlement issues .4; phone call from RZ re settlement and CMC .5; review clean draft judgment and exhibits, and stip 4;	3.4	
8/8: Prepare CMC statement .3; call with RGK .4; emails to and from WM .1; prepare ex parte application, MM decl., and proposed order re class list 1.1; review other CMC statements and many (15+) emails with LO counsel re same .4; review hearing transcripts, prepare and revise supplemental CMC statement, emails with LO counsel re draft of same 1.1; phone call from J Lewis re Warnack .2; emails with CM Davis .1; emails with LO counsel re CMC and review US CMC .1; phone call from CM Maldini .3	4.1	
8/11: Travel to and attend meeting with client, status conference, and meeting of counsel re settlement issues 10.0; emails with RK re settlement .1	10.1	

0305

JA 158917

8/12: Emails with WW re settlement issues .1; travel to and attend hearings and conferences with counsel 3.9; review letter from Holmes, and file re Ehyabide issues, email to same .4; emails with RGK re settlement .1; phone call from attorney Fetshans re class issues, memo to file .4	4.9	
8/13: Emails to and from J Lewis and attention to analysis re Warnack issue, email to settlement group .5; email to LL re change to Ex. 4 .1; return phone calls to three CMs, update master client contact memo re same .9; emails with RGK re settlement status .1; review minute orders and emails with CMs re same .1; analysis re AV Materials dismissal, emails with RGK .2; emails with TB n/c	1.9	
8/14: Phone call with CM Davis, prepare modified inclusion form and emails with same re form .5; email to settling counsel re Wilson and AV Mobile, call to Wilson re settlement .6; emails with RWalker re hearing .1; emails with counsel re Annex and class membership .2; emails with DE re settlement status .1; email with Wilson re settlement .1; phone call with JD, memo to file and emails with PWS re judgment terms final, email to DO re status .3; prepare ex parte and MM decl re CM list changes .5;	2.4	
8/15: Prepare for and attend hearing, memo to file re same .5; emails with CM Davis .1; phone all from Wilson re settlement and class issues .6;	1.2	
8/19: Email from Wilson re settlement .1; review new judgment language, emails with JD re fees .2	.3	
8/20: Emails with Cardno re billing .1; emails with PWS re settlement .1; analysis re expert billing and approval, emails with PWS re expert billing issues .4; emails with Maline re same .1; emails with KS and JD re fees issue .1; emails with JD and DO re settlement call .1; emails with LO counsel re settlement issues .2;	1.1	
8/24: Emails with CM Ellis .1;	.1	
8/25: Review new settlement language and emails to counsel .1; emails and call with client re same .4; call with RGK re watermaster provisions, memo to file .6; emails with CM Ellis .1; many emails with counsel re watermaster provisions and changes to J .4; emails with CM Shuder .1; emails with LO counsel re West Valley claim .1; review Phelan filings of this date .1; emails with client re changes to watermaster provisions .1;	2.0	
8/26: Call with client re watermaster and settlement issues .5; call with RGK re same .3; call and many emails with W Wilson re class membership and settlement .6; email to client re new settlement language .2; emails with JD n/c; email to CM Pandolfi .1;	1.7	
8/27: Emails with Wilson re class inclusion issues .2; email to settling counsel re watermaster board .1;	.3	
8/28: Emails with LO counsel re watermaster .2; review filings by Phelan and emails with Dunn .1;	.3	
8/29: Attend telephonic status conf, memo to file .7; analysis re fees and email to JD re resolution .2; emails with Reddix .1; return phone calls from two CMs .5	1.5	
8/30: Emails with Pandolfi re Hill Trust .1;	.1	

TOTAL ATTORNEY HOURS	40.3	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

44 Hermosa Avenue
Hermosa Beach, California
Phone 310.954.8271 Fax 310.954.8271

DATE: September 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
9/1: Emails with DO .1; email to LO counsel re settlement issues .2; email to RK .2; email to JD re meeting n/c	.5	
9/2: Phone call from Cardno re billing .1; email to RWalker re ex parte .1; review court notice n/c; email to DO re hearings and settlement .1; email to client re status conf .1;	.4	
9/3: Call with JD re settlement, memo to file .4; call with RZ re same .4; call with RGK re settlement .3; prepare status conf stmt .3; review CM Moore filings and email with DO re hearings .1; analysis re fees and costs and prepare settlement proposal re same .8; emails from BB and JD re settlement .1; email to BB and CMS re settlement 1; emails with Wilson and Fife re settlement .2; emails with DO re settlement .1; prepare status conf statement .3; review Milana filing and emails with LO counsel re Annex issues .2; email to CM Olaf re Moore .1; prepare ex parte app re class list, call to CM re same .3;	3.7	
9/4: Call with DE re Annex, memo to file .2; conf call with LO counsel re settlement .7; phone call from Cardno re billing .1; analysis re billing and evidence, prepare ex parte app and decl of MM re expert unpaid billing .7; emails with WM re expert bills .1; review Tapia ex parte papers and Phelan statement .1;	1.9	
9/5: Attend status conference, memo to file re same .9; email from TB re expert n/c; phone call from CM Johnson re settlement and class issues, supplement master client memo re same .5;	1.4	
9/7: Email to W Wilson re class admittance .2;	.2	
9/8: Emails from TB and Wilson, phone call from Wilson .2;	.2	
9/9: Travel to and attend settlement meeting at BBK, call with RGK and BJ 6.6; review filings of this date re trial .2;	6.8	
9/10: Phone call with WWilson, memo to file .5; emails with Cardno re payment status .1; emails with DE re settlement .1; emails with TB re same .1; phone call with Maline and emails with same .2; email to JD re payment of expert bills .2; analysis of BBK accounting and emails with Maline .3;	1.5	

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JA 158920

9/11: Emails to and from Wilson re class issues .3; many emails with Cardno and PWS counsel re expert billing issues, analysis re same .7; return phone calls from two CMs .5;	1.5	
9/15: Emails with PWS counsel re Cardno .1; review D40 filings .1; emails and call with CM Rodgers re settlement .4; phone call from CM Basner .5	1.1	
9/17: Phone all form Maline .1; review and analysis of SK email re timing and strategy issues, revise same .2;	.3	
9/18: Emails with Wilson .1; phone call from Thompson .1;	.2	
9/19: Emails with SK re settlement .1; email to JD and MF re Thompson .1; emails with TT and RWalker re expert firm change .1; review Willis and Tapia filings .1; prepare for settlement call .2;	.6	
9/22: Participate in settlement call, memo to file re same 1.2; review Phelan filing n/c	1.2	
9/23: Email to Thompson .1;	.1	
9/24: Email to JD .1; call with JD et al re settlement, memo to file .7; phone calls and emails to and from numerous LO counsel re settlement .3; legal research on case law in favor of fee determination prior to final approval 1.4; draft and revise email to all counsel re same .5; phone call with RGK and WS re fees and settlement, memo to file .6; review D40 CMC stmt and email re same .1; review prior expert orders and prepare ex parte re GSI change, email to TT re declaration .7; emails with CM Rodgers re status .1; analysis re new zoning changes impact on judgment provisions re same .7; legal research on fee allocation and email to LO counsel re same .6; review Phelan filings and D40 draft CMC stmt .1;	5.9	
9/25: Finalize ex parte and prepare order .2; call with DO re case status and hearing .6; phone call with SK re settlement, memo to file .4; review WM letter and emails to and from same .2; phone call with RGK and BJ re settlement and class issues, memo to file .7; emails with DO .1;	2.2	
9/26: Emails to and from LO counsel re fee issues .3; call with DO re status .4; phone call with LO counsel .5; emails with Cardno re unpaid bills .1; review AVEK letter and Tapia and Wilson filings .1;	1.4	
9/29: Emails with Cardno .1; emails with DO re settlement .1; review of AB 2507 and emails with DO and client re same .4	.6	
9/30: Review MO and call to client .1; emails with TB and RGK re class language .2; emails with WM re Williams depo and trial issues .2;	.5	
TOTAL ATTORNEY HOURS	32.2	
TOTAL PARALEGAL HOURS		0

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 2014

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
10/1: Call to RK .1; review and analysis of file materials, evidence, and Williams transcript re Phelan trial issues of concern 1.1; call with WM re same, memo to file .3;	1.5	
10/2: Emails with DO re scheduling issues .1; emails with WM re Williams .1;	.2	
10/5: Phone call from CM Landsgaard .4; emails to and from same .1; emails and call with client re settlement .3; email to JD re settlement .1;	.9	
10/6: Email to DO re Phelan trial .1; review and analysis of Blum MSJ .4; call from client re AV press and review article on settlement .3; emails to and from DO re hearing issues .2; emails to and from CM Lee re class joinder .2; call from Lee re lawsuit .5; review Phelan trial exhibits .5;	2.2	
10/8: Phone calls from two class members re settlement and lawsuit issues .7; emails to and from DO .2;	.9	
10/9: Analysis re Cardno billing issues, emails to and from counsel re same .3; review Phelan stip .1; emails to and from JD re meeting on settlement .1; review pending settlement issues list and supplement same .1;	.6	
10/10: Attend court status conference, memo to file .3; attend settlement group conference call 2.5; review CMO and emails to and from counsel re handling many settlement issues .7; emails to and from Cardno re billing .1; emails to and from TB re same .1;	3.7	
10/11: Status emails with client .2; review latest draft of judgment .4; emails with LO counsel re settlement .2; emails to and from RK re motion, and review same .2;	1.0	
10/12: Emails to and from WM re Phelan trial .2; emails with RK re motion to add Church .1;	.3	
10/13: Review and analysis of judgment exhibits .3; emails to and from counsel re settlement issues .3; emails with Cardno re billing, analysis re PWS matrix .3; emails to and from RGK re Willis .2; emails and call from MF re class issues .2; email to PWS counsel re Cardno billing .3; emails to counsel re CMO .1;	1.7	

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JA 158922

10/14: Emails to and from PWS counsel re Cardno payments .2; emails to and from Tapia counsel .3; email to and from counsel re CMO .2; review Blum declaration .1;	.8	
10/15: Emails with DE re Cardno, review depo notices .1	.1	
10/17: Many emails with counsel re CMO and call, review revised CMO .5; phone call with counsel re settlement and memo to file re same .7; review and revise CMO .3; emails with CM Munz .2;	1.7	
10/19: Review judgment and email to JD .1;	.1	
10/20: Emails with counsel re CMO .4; review same .1; commence revisions to judgment .5	1.0	
10/22: Emails and call with WM re expert billing .4; review PWS opp to AV mobile motion, call to Wilson .2;	.6	
10/23: Prepare revisions to Judgment and email to counsel re same 1.1; email to TT re various matters .4; emails to and from Cardno and attention to billing issues .2;	1.7	
10/24: Emails to and from counsel and Cardno re billing .2; review court orders .1; phone call from RK re CMO and settlement, memo to file .6; email to counsel re same .1;	1.0	
10/25: Phone call with client re settlement .3	.3	
10/26: Emails with client re settlement .1;	.1	
10/27: Emails with counsel re incentive award .3; review of client time and cost records and call with same .2; emails to and from CM Sevilla .2; email with counsel re settlement .1;	.8	
10/28: Review filings of this day .1;	.1	
10/30: Emails and call with RK re settlement and CMO .4; review filings of today .1;	.5	
10/31: Review revised stip .1; call and emails with Wilson .2; emails with RK re CMO and review opp to same .1; review trial briefs and Phelan motions .5; review revised judgment language and emails with counsel re same .2;	1.1	
TOTAL ATTORNEY HOURS	22.9	
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: November 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
11/2: Phone call with client re settlement .1;	.1	
11/3: Review SK comments to judgment, redraft Wood section, email to counsel re changes .8; emails and call to client .2; revise Judgment re RAL incentive, review client corr re time and expense, and email to counsel re same .6; many emails to and from DO and client re settlement issues for class 1.1; review revised judgment, and emails to counsel re further changes .4; emails to and from counsel re changes to SP section of same .3; review filings of today .1; emails with counsel re settlement meeting .2;	3.7	
11/4: Review D40 Phelan exhibits .3; emails to and from SK re judgment changes .1; call with Walter Wilson and memo to file .2; travel to and attend CMC and related hearings 3.8; meeting with client re settlement .4; email to counsel re handling AV Mobile, and analysis re same .2;	5.0	
11/5: Emails with counsel re AV Mobile .3; emails with client re transfer provisions, review judgment and analysis re same .4; review revised judgment and email to counsel re further changes .4;	1.1	
11/6: Review and analysis re judgment exhibits and emails to and from counsel re same .7	.7	
11/7: Review new judgment, revise same, and emails with counsel re changes 1.2; emails with client re same .2; email to SK re drought provision .1;	1.5	
11/8: Review emails from counsel re settlement .1;	.1	
11/9: Emails with counsel re judgment changes .2;	.2	

11/10: Emails with counsel re judgment .1; email to TT re expert order .1; legal research re finality of appeal and impacts CMO procedures on same .8; review and analysis of Judgment and long email to counsel re issues 1.9; call with SK re settlement issues .2; call with RGK re settlement issues 1.2; emails to and from BB re Willis .1; emails with RGK and TB re settlement .2; emails to RK re Willis .2; emails with JD re Willis judgment .1; review Phelan stip of fact .1; emails with counsel re settlement issues .2; review and analysis of Willis language and long email to counsel re handling same, and impact on LO parties .8; emails with counsel re meeting .1; many emails with counsel re judgment issues .3; emails with JD re handling Lane dispute .3; review of revised judgment and exhibits .7; review and analysis re record and long email to RWalker re class approval order .3; email to EG re judgment changes .2;	7.9	
11/11: Review client time summary and emails with same .2; emails to and from liason group re call .1; review and analysis of CM Dunn records, emails to TT re same .2;	.5	
11/12: Call with WM re trial and settlement issues, memo to file .6; review court orders .1; emails to and from client re settlement .2; review judgment exhibits .2; review Rusinek changes to stip .1;	1.2	
11/13: Review of settlement comments .2; emails to counsel re same .1; attend settlement conf call with counsel 2.8; email to client re status of same .3; review of record and long email to RWalker re class settlement approval order .6; call from CM Landsgaard .2; emails with same re Rosamond CSD .2; review RGK judgment questions and emails with counsel re same .2; email to JD re incentive payment .2; review revised judgment language .2; review Rusinek changes to judgment .1;	5.1	
11/14: Analysis of Lane dispute and emails with counsel re same .6; emails to and from TC re same .2; emails to DO re settlement .2; emails with MF re settlement .1; email to JD re Lane dispute .3;	1.4	
11/17: Review BB comments to judgment .1; emails to and from counsel re changes to judgment .1; call from Renwick re DM Douglass and analysis to status of same .2; email to same re same .3; email to same and WW re handling .2; review new comments to judgment, and detailed review of full document 1.1; review of stipulation .1; email to JD re edits .1; review WW further comments and email re additional changes .5; further review of definitions, monitoring and new Willis language, email to JD re changes .5; review Phelan SoD .1;	3.3	
11/18: Review many emails re changes to judgment and emails with JD .2; review of latest full version and redlines of same, emails to and from JD re changes .7; emails and call with client re settlement issues .5; review judgment exhibits .2; emails with JD re Granite .1; phone call with RGK and Taylor re handling of dispute, memo to file .6; review Armstrong case re correlative rights prove up .3; long email to US re position on Granite/Lane dispute .4; many emails to and from M Kruells re class membership, research re property history .8; prepare inclusion forms for same .1; review and analysis of EG new use changes and emails to and from EG and numerous parties re same .6; emails to and from DE re judgment .1;	4.6	
11/19: Review new draft of stip and judgment .5; many emails to and from counsel re same .3; emails with JGK re Lane dispute .4;	1.2	

11/20: Review and analysis of judgment and many (30+) emails with counsel re Phelan and other provisions .7;	.7	
11/21: Email to counsel re Phelan language .2; emails with JD re settlement procedure .3; review RK letter and email to DO re same.1; emails with RGK re Lane dispute .2; review original exhibit 4 and analysis re same .2; participate in settlement conference call, memo to file 3.1; phone call with RGK re Granite dispute .2; review and analysis of settlement records and preparation of long email to TC re handling of Ex 4 issues 1.5; review and analysis of notice provisions in settlements, prepare redline memo or relevant provisions, and email to counsel re changes and issues 1.1; review expert demands, analysis re experts needed, email to client re same .4; research on potential appraisal experts .8; email to CS and JG re Lane dispute .2;	8.3	
11/22: Emails to and from client re settlement issues .2; email to counsel re further judgment change .3; email to US re Lane dispute .2; emails with EG re judgment .1; legal research and email to TC re Lane dispute and litigating Exhibit 4 .6; many emails with counsel re handling Lane issues .3;	1.7	
11/24: Phone call with RZ re settlement issues, memo to file .5; emails with US re judgment .2; emails with RGK re Lane .1; email to counsel re same .2;	1.0	
11/25: Emails with HGK re Lane .1; emails with RGK re Lane .2; participate in settlement conf call, memo to file/DO re same 1.2; review and revise notice language and email to JD and TB re same .3;	1.8	
11/28: Receive and review new stip and judgment, emails with DO re issues .8	.8	
TOTAL ATTORNEY HOURS	51.9	
TOTAL PARALEGAL HOURS		0

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: December 2014

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
12/1: Review and analysis re appellate language, email to DO and draft email to JD re stip issues .7; emails with counsel re stipulation .3; review stip and further comments to counsel .2;	1.2	
12/2: Review Tapia decl .1; receive and review final judgment and stip .5; emails with client re same .2; email to JD re changes to judgment .1; emails with RGK re Lane .1; analysis re handling Willis and long email to counsel re strategy for same 1.0;	2.0	
12/3: Call with CM Barry Munz .6; emails to and from client re settlement .2; emails with client re procedure on settlement, research re same .5; review Levy decision and email to MD Re same .4; emails with DO re same .1; emails with B Munz re problems with judgment .4; analysis re shared well problem and long email to counsel re handling same .7; prepare revisions to judgment and emails with counsel re same .4;	3.3	
12/4: Emails ton and from CM Munz re settlement and shared well issues .3; email to and from counsel re shared well language .4; email to all counsel re revised judgment .2; email to client re same .1;	1.0	
12/5: Emails with DO re settlement .1; emails with counsel re changes to judgment .2; emails and call with Maline re expert billing, analysis re same .2; review revised settlement document and exhibits .6; email to client re same .2;	1.3	
12/6: Emails with client re settlement issues .6; call with same .2; email to Cardno re billing .1; email to DO re fee motion and settlement handling strategy .4; review Phelan filings of this day.1;	1.4	
12/8: Review emails from counsel re settlement .1; review Blum motion filings .2;	.3	
12/9: Emails with counsel re settlement .3; review revised judgment .2; emails with client re same .2; emails with JD re signature issues .2;	.9	

12/10: Emails with MF and RGK re Ex 3 issues .2; emails with JD re same .1; review and analysis of judgment provisions in light of Ex rampdown numbers issues .4; phone call from RGK re same and handling, memo to file .6; many (50+) emails with counsel re Ex 3 issues .9; emails to and from client re same and other exhibit issues .2; emails with JD re section 8.3 .2; email to DO re status of Ex 3 .1; review and assessment of Exhibit 1, and emails to and from AH re means of identifying class defaults .3; meeting with JC re class list issues .1; emails to TB re Ex 3 .2; emails with client re settlement .1; emails to DO re settlement issues .2; emails with LO counsel re settlement issues .3; review new judgment exhibit binder .2; long email to CM Munz re settlement issues .5;	4.6	
12/10: Review of Exhibit 1 and class list for identification of erroneous defaults JC	0	6.1
12/11: Review of Exhibit 1 and class list for identification of erroneous defaults JC	0	7.5
12/11: Emails with counsel re settlement .1	.1	
12/16: Review minute order and emails from counsel re settlement .2; review opposition and reply papers for Willis motion .2;	.4	
12/11: Review of Exhibit 1 and class list for identification of erroneous defaults JC	0	3.5
12/17: Review Tapia history and filings .2; emails to and from JD re handling same .2; emails to and from LO counsel re allocation issues for Tapia .3; review Blum reply .1; emails with DO on settlement .2;	1.0	
12/18: Emails with counsel re settlement procedure .3;	.3	
12/19: Review further revised stip, judgment and exhibits .6; review court filings of today .1; emails to and from counsel re settlement timing .2;	.9	
12/22: Many (35+) emails with counsel re handling Jan 7 hearing and objections, and settlement issue .4; email to counsel re Willis .1; emails to RK re settlement .2; email to SK and RK re Willis strategy .2;	.9	
12/23: Many emails (25+) with counsel re Willis and Tapia .4; conf call with settling counsel, memo to file 1.3; call to RK .1;	1.8	
12/24: Email to RK re settlement .1; emails with counsel re Willis .1; review and sign CMC stmt .1;	.3	
12/29: Emails with SK re CMC .1;	.1	
12/30: Emails to and from J Lewis and JD re Warnack, review file on class status .2; attention to drafting small pumper class settlement agreement 2.7	2.9	
12/31: Review Lane status conference stmt .1; email to all counsel re settlement .2; long email to JD re Willis strategy .7; call to RGK re settlement issues .3; email with same re Lane .2; review and analysis of settlement provisions on re disputes .2; continue drafting small pumper settlement agreement 1.3; email to counsel re same .1; emails with counsel re Lane issues .3	3.3	
TOTAL ATTORNEY HOURS	28	

TOTAL PARALEGAL HOURS		17.1
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Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: January 2015

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
1/2: Email from DO re changes to settlement agreement .1;	.1	
1/4: Attention to review of 2014 timesheets (April – Dec.), review relevant time notes and make correction notes 4.1; email to AH re work on same .2; return phone calls to four CMs re settlement, update client contact memo re same .9	5.2	
1/5: Prepare case management conference statement draft, analysis of filings relevant to same .9; attention to review an correction of timesheets from late 2013 through March of 2014, review relevant time notes 2.3; emails with DO re fees and costs issues .2; emails with D40 re fees and costs .2; review CMC statements .1; research and analysis re current market rates, email to DO re same .8;	4.5	
1/6: Complete case management conference statement and declaration of MM .7; prepare notice of change of address .1; email to counsel re depo of RK clients .1; legal research on Estrada parcels, review assessor files and images, email to WW re same .7; phone call form CM Putnam .3; email to Putnam re inclusion .1;	2.0	
1/6: Review and correction of timesheets (Oct 2013 – April 2014), summary memo to MM re same 3.5 AH	0	3.5
1/7: Emails to and from JD re CMO .2; emails to and from RGK re Lane issues .2; participate in status conference .7; emails to and from Brumfeld re Tapia .2; phone call from RGK re Lane and Willis .3; many emails to and from RK re Estrada deposition .5; legal research on class rep substitution standards 1.6; email to CM Putnam .1; analysis of Annex parties and emails with DE and counsel re same .5; analysis of Archdiocese property and public records re same, emails with D40 re same .6; email to settling counsel re settlement issues .1; phone call from CM Witt re settlement and membership issues .4;	5.4	
1/8: Emails with JD re CMO and settlement .2; legal research on adequacy and class rep conflicts, amendments to add class reps 3.1; emails with DO re Willis motion and conflicts .1; prepare opposition to Willis motion to add class rep, and declaration of MM 4.4; phone call with Jeff Dunn re settlement, memo to file .3; phone call from Juniper Hills class members .8; email to TB re Wildermuth search .1; review of Tapia decl and docket for filing history .1;	9.1	

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1/9: Phone call from CM Janice Wise re adjudication and town council meeting .6; email to TB re property search for same .1; emails to and from WW re website .1; phone call from CM Chiodo re class issues, property record search re same .4; email to DO re file handling and expert data file management procedures .1; emails with Wise .1; email to TT re contact change n/c; review and analysis of CMO, revise and prepare email to settling counsel re new CMO .4; return phone calls to two CMs re settlement .5	2.3	
1/10: Revise CMO and email to counsel re same .1; emails and calls from counsel re CMO handling .5;	.6	
1/11: Attention to review of corrected timesheets (pre-April 2014) .6;	.6	
1/12: Call from JG re City timing, memo to file .2; revise CMO and email to counsel re same .2; emails with TB re settlement and class issues .2; receive and review final version of stipulation, judgment and exhibits, cf. against prior version and notes tracking changes, email to client re same 1.1; many emails (15+) with counsel re CMO .5; emails with Maline and call from same, email to Thompson re expert billing and motion .3; analysis re expert billing issues and further emails with Maline re same .3; email to PWS re nonpayment .1; many (20+) further emails with Cardno and PWS counsel re expert billing, review and analysis of records re same .6;	3.5	
1/13: Many emails (20+) with LO counsel re CMO .4; emails with Cardno and PWS counsel re payment .1; long email to LO counsel re settlement issues .3; email to client re settlement issues and timing .2; return phone calls from three CMs re settlement .6	1.6	
1/14: Emails with TB re settlement execution .1; emails with Alshire re payment .1; phone call from CM Landsgaard re settlement .5; review and analysis of fees and costs paperwork, and long email to Dunn re settlement of same .8; emails with JD re CMO .1; phone call from Mackey and emails with same re billing .1;	1.7	
1/15: Phone call from Bill Brunick re Sorsabal, memo to file .3; analysis re settlement issues and timing, long email to counsel re same .3; many emails with counsel on CMO, review and revise same .5; emails with two CMs re settlement .3; emails with RW re CMO revision and ex parte .1; many emails with counsel re CMO, review revisions to same, email to settling parties re same .6; email to DO re changes to SP settlement agreement .2; many (20+) emails with LO counsel re settlement strategy issues .8; emails with JD re motion for approval .1; revise SP settlement agreement and email to D40 .4; draft and revise ex parte re CMO amendment 1.0; emails with counsel re settlement issues .2; return calls to CM Edwards and Harden re settlement and lit issues .6;	5.4	
1/16: Emails with with RGK .1; emails with MF re Will and prove up .3; review RK reply filing .1; review dismissals, email with D40 re same .1; review flings of this date .1; analysis re expert billings and prepare ex parte re same .2; call from CM York re settlement issues .3;	1.2	
1/19: Review Willis filings and docket material and prepare and revise letter to RK re meet and confer on discovery dispute re Estrada 1.2;	1.2	

1/20: Review and analysis of Willis Class filings .3; review of conflict letter from Brunick re Dyas .1; emails with DO .1; emails with CM Sorsobol re settlement .2; prepare discovery conf statement and MM decl., revise same 1.6; emails with TT and review and analysis of Tolman, Bellanca and Banuk records .4; long email to LO counsel re prove up strategy issues and Willis .4; review Willis ex parte and email to LO counsel re same .1; many (20+) emails with LO counsel re hearing strategy issues .6;	3.8	
1/21: Conf call with LO counsel 1.5; prepare for hearings .9; phone call with Tom Bunn re hearings and settlement issues, memo to file .4; legal research for informal discovery conference re compelling Estrada depo 1.0; review tentatives and email to DO .1; prepare opp to Willis ex parte and revise same .6; email to LO counsel re hearing strategy .1;	4.6	
1/22: Travel to, prepare for hearings, and attend same, meeting with LO counsel in San Jose 9.9;	9.9	
1/23: Emails to and from RWalker .1; prepare proposed order on exert .1; long email to TThompson re status .6; phone call with Cardno re billing .2; phone call with client re status and settlement .3; email to client on status .2; emails with Maline re billing .1; review CMO and MO and email re calendaring .1; return phone calls to two CMs re settlement .2;	1.9	
1/24: Many emails with LO counsel re Willis and settlement issues .5; email to PWS re settlement .1;	.6	
1/26: Review Wildermuth report an calls to CM Wise and Witt re same .4; analysis of revisions to SoD .1;	.5	
1/27: Emails with counsel re settlement .1; phone call to client re settlement .2	.3	
1/29: Emails with CM Sorsabal .1; phone call with WM re settlement issues .6	.7	
TOTAL ATTORNEY HOURS	66.7	
TOTAL PARALEGAL HOURS		3.5

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: February 2015

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
2/2: Email and call with client re settlement .4; emails with JD and DO re settlement .2; review and revise SP class settlement agreement 1.0; email to counsel re same .1; emails to DO re settlement .2; emails with CM Wise .1; emails with BB and review of SP settlement terms re membership status and rights .5; email to KL re SP settlement .1;	2.6	
2/3: Emails with client re JH meeting .1; travel to and attend JH town council meeting re settlement and class membership and trial issues 4.5	4.6	
2/4: Phone call from CM Enger re settlement and membership .5; review Phelan SoD .1; emails with client re meeting and stip sign .2; emails with PWS re expert billing .1;	.9	
2/5: Phone call with DO re settlement issues .3; email to CM Wise about meeting .1; emails with client re settlement .1; phone call from CM Lewis re settlement and class issues .5;	1.0	
2/8: Modify SP agreement and email to PWS counsel re same .5; email and analysis re settlement issues .2;	.7	
2/9: Phone call with Tom Bunn, memo to file re same .5; phone call with Miliband re settlement and litigation issues .5; email to TB re settlement .1; email to LO re same .1; email to MD re settlement issues on signatures .1;	1.3	
2/10: Emails with WM re expert .1; email from RGK n/c	.1	
2/11: Emails with BB and WM re settlement .1; phone call from CM Sherman re settlement .4;	.5	
2/13: Phone call from CM Nadich .4; emails with Kratzer re expert payments, analysis re same .3; review Jan expert bill and long email to Mackey at GSI re lawsuit and billing handling .3;	1.0	
2/17: Calls to and from JG re settlement .1; phone call with Jim Dubois and call with Dunn re settlement .4; email to PWS counsel and analysis re settlement timing .1;	.6	

2/18: Review JD settlement comments and revise class settlement agreement 2.2; email to and from JD and DO re settlement .4; email to Dubois re settlement .1; email to LO counsel re settlement issues .2; emails with PWS counsel re timing and SP agreement .2;	3.1	
2/19: Many (40+) emails with counsel re settlement issues 1.3; analysis of signature list and emails with JD re handling of same .2; emails (15+) with WWilson re settlement .4; long email to settling parties re settlement problems .2; emails with TB name issues .1; emails with GSI re billing and payment .1; finalize SP agreement and email to PWS counsel re same .3; review final settlement exhibit binder .7; call from Lewis re Warnack and emails with JD re exhibit binder errors .1; analysis re Annex parties and long email to LO counsel re same and settlement issues status .5; email to J Lewis re Warnack .1;	4.0	
2/20: Emails with counsel re settlement issues .3; phone call to client re status .2;	.5	
2/21: Email with LO counsel re settlement issues .3; emails and call to client .2; emails with JD re signature status .1;	.6	
2/22: Analysis re handling late comers and emails with JD Re same .2	.2	
2/23: Conf with KD re master settlement tracking project .3; emails with JD re status .1; email to MD re signature issues .1; review of CM data and analysis re expert report data, review MM notes on and data summary re CM production estimates 1.0; phone call from LL and JD re settlement issues, memo to file re same .5; analysis re Ex 4 and long email to LO counsel re same .5; email to JD re LO problem .1; emails with LO counsel re settlement .3; conf calls with LO counsel, Dunn, re settlement issues and memo to file 2.3; phone calls and emails to several stipulating parties re settlement status .4; email to JD re prove up .2; email with Lewis re Warnack .1; phone call from CM Enger .2; long email to settling parties re class status and settlement .4; emails with TB re class issues .2; emails with WS re settlement .1; review of further signatures .1; emails with LO counsel re settlement .3; emails with JD re prove up and settlement .2; many (15+) emails re numerous parties re signatures and status .3; review of current tracking spreadsheet .1;	7.8	
2/23: Assist MM with review of settlement and preparation and editing of master signature spreadsheet and binder 1.6; KD	0	1.6
2/24: Emails with DE re settlement and Annex .2; analysis re Ex 4 party status and long email to LO counsel re same and handling non signatories .9; email to WW re Annex .1; call to Blum .1; many emails to and from LO counsel re handling Annex .5; call with RZ and RGK re Blum and Annex .6; conf call with LO counsel re handling various settlement issues, memo to file .8; emails to and from Weeks re signature .1; emails with US re status of issues .1; many (20+) emails with counsel re settlement .4; emails with Dunn re D40 .1; prepare draft email to all settling parties re status of non-signatories and Annex .4; emails with MF re AGWA status .1;	4.4	
2/24: Attention to settlement master signature spreadsheet and binder update .8; KD	0	.8

2/25: Call from Rich Zimmer .4; status email to settling parties .2; meeting with KD re master contact list project .2; phone call with DO .2; call to Davis .1; phone calls to and from JD, memo to file .3; review new signatures .1; many (15+) emails with LO counsel re Annex email and Ex 4 .5; meeting with KD re settlement signature and status issues .2; phone call with SK re Annex .2; call to DE re Annex n/c; revise Annex email and send same .3; phone call with DE, memo to file re same .4; phone call with KL re settlement issues, memo to file .5; many (40+) emails with counsel re settlement 1.2; phone call with Blum re settlement .4; phone call from Walter Wilson on settlement .3; email to LO counsel re AV Mobile and Desert Breeze negotiations .2; phone call with Wilson .2; emails with DE re Annex .1; emails with JD re settlement issues .1; review and analysis of master party contact spreadsheet and supplement same .3; email with US re same .1; emails and calls to settling parties re signatures .3; many emails with LO counsel re Annex settlement terms .3; call and emails with Wilson re AV Mobile settlement .3; emails with US re settlement issues .2; review and analysis of master tracking spreadsheet, phone calls to 5 parties re settlement .6; email to LO counsel re outstanding tasks .1;	8.3	
2/25: Attention to settlement master signature spreadsheet and binder update .7; preparation of master settling party contact database, review of court file, docket and corr for same 3.7 KD	0	4.4
2/26: Email with R Walker re settlement filing .1; emails with counsel re hearing date and settlement issues .5; review mutual and other new signatures, check master list, phone calls and emails to four parties re signatures .5; phone call from Wilson .1; email to JD and analysis re lists .2; emails with LL re settlement .1; emails with Bunn re Exhibit 4 .1; prepare and file notice of status .2; review new signatures and new list from JD, review notes, email to counsel re status .3; many emails with LO counsel re work needed .3; phone call from AB re settlement .3; phone call from BB re QH .1;	2.8	
2/27: Many (20+) emails and calls with counsel re settlement .7; phone call from SB .2	.9	
2/28: Emails with JD re settlement .1;	.1	
TOTAL ATTORNEY HOURS	46	
TOTAL PARALEGAL HOURS		6.8

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: March 2015

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
3/2: Emails with JD and review current status list .2; prepare for conference call with all parties and attend same, memo to file 1.3; analysis re handling NE, call with DO, and emails with JD re same .3; emails with counsel re settlement issues .3; return calls to two CMs re settlement and membership issues .6	2.7	
3/3: Review revised Exhibit 4 .1; many emails with LO counsel re Ex 4 issues, Annex, and filing .5; many emails (20+) with MF re Juniper Hills issues, members, analysis re same, review class list, and modify Ex 4 .7; emails to counsel re settlement status .1; emails with WW, review Doe amendment and Ehreyabide file .1; prepare and revise draft motion for preliminary approval of settlement, legal research re same, review records and settlement terms for same 3.4; emails with Mackey re GSI billing .1; emails with JD re signature binder and filing .1; email to settling parties re settlement status .1; emails with DE re status of Annex parties .1; review and analysis of final stipulation for judgment, cf with master tracking spreadsheet .2; review final version of judgment and exhibit binder .4;	5.9	
3/4: Emails with US re missing signatures .1; emails with MF re Juniper settling parties .1; email to RWalker re status and location of hearings .1; review revised stip and exhibits .3; emails with KL re NE status .1; many (20+) emails with LO counsel re changes to exhibits .4; prepare class notice and email to JD re same 2.8; emails with JD re changes to motion for prelim approval, review and revise draft .3; prepare proposed judgment 1.0; prepare order of preliminary approval .9; emails with JD re settlement motion papers .1; prepare short form notice, check class website .2; review JD comments to same and revise .1; review and finalize motion and summary notice .5; review JD changes to proposed order, finalize same and emails to JD .3; emails with US re exhibit issues, and attention to fixing same .2; emails with MF re resolution of Juniper issues .1; phone call from Blum re settlement .4; emails with counsel re Blum offer and Annex parties .3; emails with JD re judgment .1; review and analysis re settlement exhibits and cover pages, emails with US re issues with same .3; phone call to TB and email to counsel re exhibit problems, attention to correcting same .3; review changes to class notice, revise same and emails with JD re same .5; emails with counsel re settlement issues, modify motion .4; review final filing package .2; emails with MD re signature issues .1;	10.2	

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3/4: Attention to review and organization of motion exhibits and settlement documents, review signatures for filing 1.2 AH	0	1.2
3/5: Review Willis expert and class rep motions .1; long email to LO counsel re strategy on Willis class .4; long email to JD re Willis .3; email to DO re settlement .1; emails to LO counsel re addition of new parties .1; email to Blum re settlement .1; emails with CM Wise re settlement .1; emails with counsel re Blum claim .1; review and analysis of Bolthouse agreement and long email to RZ re dealing with Blum claim .7; emails with DO re class contacts .1; phone call from CM Enger re status and settlement .4;	2.5	
3/6: Emails with US re settlement issues .2; phone call from Blum .2; emails with counsel re non signatories .2; emails with DO re Willis strategy and Blum .3; emails with CM Wise re settlement issues .2; emails with LO counsel re pending settlement issues .1;	1.2	
3/7: Emails with client re settlement .2; test class website links and email to WW re same .1;	.3	
3/9: Emails to and from potential CM Parsons re property issues, and adjudication .4; emails with WW and House re website .1; analysis re Parsons property and public records search .3;	.8	
3/10: Analysis re two Juniper residents class status and adjudication boundary issues .4; emails to and from Parsons re same .2; participate in settling parties conf call, memo to file 1.5; research and analysis re fee motion experts and counsel .7; email with DO and fee expert .2; phone call with Rich Zimmer re settlement issues and Blum .5; phone call with LO counsel re settlement issues 1.0; long email to R Pearl re fee motion .4; call from CM Parsons .2; review of AV trial transcript of November 4, 2014 .3; emails with LO counsel re trial experts and Williams .3; analysis re prove up experts and emails with TB re Wildermuth .3; emails with Parsons re property issues .1; emails with LO counsel re conf call re prove up .1; email to RK and DO re Estrada depo .1; attend LO conf call re prove up, memo to file 1.4; emails with JD re prescription .1;	7.8	
3/11: Phone call with Blum re settlement .3; email to same re same .1; emails with counsel re Blum and prove up .1; phone call from CM Lewis .3	.8	
3/12: Legal research on post judgment decertification issues 3.6; emails with counsel re West Valley .1; analysis re Blum claim and emails with counsel re same .4; emails with counsel re Willis class rep motion, analysis re same .2; emails with counsel re decert motion opp .1; prepare and revise opposition section for Willis motion 1.6; emails to and from PWS re same .2; conference call with setting parties counsel strategy and trial issues, memo to file re same 1.2; emails with LO counsel re decert motion .1; review draft motion from Bunn, email to same .2;	7.7	

3/13: Phone call with RZ re settlement issues and Blum .3; analysis re class rep arguments, legal research re same, review D40 opp and emails with WW re same .8; emails with Blum re settlement .2; emails with counsel re Blum settlement and documenting same .3; emails with counsel re master settling party contacts and approval .2; emails with Wilson re settlement .1; emails with JG re Blum .1; review Phelan filings of this date .1; emails with US re consent and amendment issues, analysis re current lists and settling parties exhibits .4; email to KD and meeting with same re master contacts list project .2; emails with TB and KD re master list .2; review PWS briefs file this date .1; review and analysis of Phelan contract arguments, prior settlement, and emails with TB re same .5; phone call with Blum re settlement issues .3; prepare opposition to Willis class rep motion, review docket and exhibits for same, brief legal research .9; analysis re master contact list, emails with KD re same .4; emails with counsel re same .1;	5.2	
3/13: Meeting with MM re settling parties phone, email and address list, research and review re same and work on building and checking database for same 5.2 KD	0	5.2
3/14: Emails with counsel re settlement issues .4; review and analysis of master party contact list, modify same, and emails with counsel re same .7; modify list and email to settling party counsel re Blum and settling party consent handling .3	1.4	
3/15: Emails with settling counsel .1;	.1	
3/16: Many (20+) emails with counsel re non-settling party issues, analysis re Annex parties .7; phone call from LL and JD re Blum .2; phone call with DO re settlement hearings .2; review and analysis of new US list .1; meeting with KD re list project .1; phone call with Blum re settlement issues .5; emails with client re settlement issues .1; review and checking of new stipulating party database and email to US re same .3; review new AGWA signatures and emails to KD and US re same .1; phone call from Blum re settlement issues .3; emails with RW re color settlement docs .1; brief review of Willis opp and objections, emails with JD re same .4; review new Ex. 4 and emails with counsel re same .1; review new Annex contacts, emails to US and KD and DE re same .1; emails with counsel re reply to Phelan and Willis .2; emails with LO counsel re Ex. 4 and Blum .1; analysis of water allocations and email to US re pool available, call from same .3; emails with US re and review email to all parties re Blum .1; emails with LO counsel re handling Blum addition .1;	4.1	
3/16: Supplement contacts list with signature pages and new contact info, compare with settlement exhibits and other records 1.6; preparation of court settlement binders 1.2	0	2.8
3/17: Many emails with US re settlement issues, check and revise master spreadsheet .5; review drafts of Exhibit 4 and emails with TB re same .1; emails with RWalker re court settlement binder .1; review Dunn letter, call from JD and TB, and emails with same .2; review NE signature and emails with counsel re same and Blum .1; analysis re handling Blum settlement and long email to same, review stipulation and prior corr .3; review emails with counsel .1; email to Blum re status and Ex. 4 revision .1;	1.5	
3/17: Revise and complete court settlement binder and copy for MM 1.1 KD	0	1.1

3/18: Email to RZ and LO counsel re prove up issues and strategy .4; emails with LO counsel re settlement .1; phone call with C Sanders re settlement and call with all larger public and private landowners re prove up trial and prescription 1.6; emails to and from EG and JD and settling parties .1; review stip and email to Blum re same .1; prepare draft email to D40 .1; emails with US re settlement issues .1; emails with EG and LO counsel re meeting agenda .1;	2	
3/19: Review status of Blum approval .1; review Willis reply briefs and CMC stmt .2; preparation of reply brief re settlement, review Phelan and Willis filings, D40 reply 1.1; conf call with LO parties re settlement issues, review judgment and emails with same, memo to file 1.1; emails with EG re meeting, and prepare notice of withdrawal .3;	1	
3/20: Phone call from R Zimmer re settlement issues .5; phone call from SK re same, memo to file .8; emails to and from EG and LO counsel re settlement issues .4; emails with DO re same .1; phone call with TB, memo to file .2; review draft stipulation, emails with counsel re same .1; many emails with counsel re meeting and agenda for same .1;	2.2	
3/21: Prepare for and attend conference call with EG, RZ and TB, memo to file 1.7; emails to LO counsel re same and strategy for Monday meeting .2; review and revise do-over stip and emails with counsel re same .3; review of stipulation and emails with counsel re prescription protections .3;	2.5	
3/22: Emails to and from LO re meeting .2; review EG prescription email and underlying authority .7; emails to and from EG and RZ re settlement .2; review new drafts of stip, revise same, and emails with SK re same .4;	1.5	
3/23: Review new EG email and analysis re case authority .8; prepare for group settlement meeting .3; travel to and attend meeting, phone call with Dubois re settlement issues 5.5; email to Blum re and LO counsel re settlement .1; review and revise notice of filing, emails with counsel re same, review amended settlement documents .2;	6.9	
3/23: Review and analysis class member property records for expert survey and preparation of memo re same 3.5	0	3.5
3/24: Many (15+) emails with counsel re revised settlement filing, review of drafts and final .6; phone call from Ruderow re settlement issues and prove up .3; emails with counsel re settlement issues .2; review of Phelan writ and some exhibits .2; analysis of means of proving CM past self-help, legal research re evidence issues impacting same 1.8	3.1	
3/25: Many (35+) emails with counsel re settlement issues .5; review new stip language, email to RZ re same .1; emails with LO counsel re same and review WS revisions .1; prepare for and attend conference with settling parties re hearing preparation, memo to file 1.4; review and analysis of motion filings and underlying case law, prepare for motion hearings, prepare argument outlines 2.8; phone call from and emails with Wilson re settlement .3;	5.2	

3/26: Prepare for hearings 1.1; emails with Wilson re settlement .1; travel to and attend hearings on prelim approval and Willis motions, meeting with SK and BJ re settlement, and meeting with settling counsel prove up issues, memo to file 6.8; email to administrator re class notice .1;	8.0	
3/27: Review and analysis of CM records for survey, KD database and meeting with same .4; emails to and from administrators re notice .2; emails with SK and US re settlement .1; review opp to writ and MO .1; emails with DO re writ .1; emails with counsel re trial and settlement issues .2; emails with TB re notice of trial .1; preparation of memo re prove up hearing testimony, category and order of proof, phone calls to LO counsel re issues with same .9;	2.1	
3/27: Continue review and analysis class member property records for expert survey and preparation of spreadsheet for data 3.9	0	3.9
3/28: Emails with SK re Willis claims .1;	.1	
3/30: Emails with administrators and JD re notice .2;	.2	
3/31: Emails with GCG re notice .3; many emails with US re settlement issues .3; email to settling parties re AV Mobile problem .2; emails with MF re AGWA changes .1; emails with DE re Annex parties .1; many (50+) emails with counsel re settlement .3; emails with DH re settlement package changes, review of signatures and related file materials .4; emails with RZ and review stip language .1; review new signatures and emails with counsel re same .1; emails with JD re class notice .1; review Zimmer memo and emails with LO counsel re same .1; emails with DO re status .1; brief review of GCG database and cf with prior version, check class membership and filings on same .3;	2.5	
TOTAL ATTORNEY HOURS	89.5	
TOTAL PARALEGAL HOURS		17.7

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: April 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
4/1: Review and analysis of prior court orders and filing, legal research on public records for numerous class members and potential class parcels relative to self-help 3.4; emails with counsel re settlement amendment .2; review and revise class long form notice and emails with Penny re same and class notice .9; check website and email to JD .1; review and analysis of class list changes, court file, and prior class databases, email to RW re opt ins problem .8; phone call with DO re settlement strategy issues .4; review of Kuney spreadsheet on prove up and emails with counsel re revisions .2; revise preliminary approval order .2; emails with LO counsel re order .1;	6.3	
4/1: Attention to review and revision of class mailing list 1.9 KD	0	1.9
4/2: Review of RGK party list and emails with counsel re same .2; emails with GCG re class list and notice changes, review drafts of same .6; emails with TB re Ex 4 .1; emails with LO counsel re handling non stipulating parties .2; review SK disclosure and emails with counsel .1; status email to Pearl .1; many (40+) emails with LO counsel re settlement issues .6; review final class notice, email to Penny re changes .2; emails with DO .1;	2.2	
4/3: Review of class website and prepare and revise FAQs, and list of changes to same 1.3; attend AV landowner call on settlement .7; email to KL re checks for GSI .1; review prove up numbers from LO counsel .1; emails and call from CM Chavez .3; review of new stip and emails with LO counsel re same, execute same .2; emails with counsel re Phelan offer .1; phone call with RK re settlement .3;	3.1	
4/4: Emails with Do re settlement .1; review and analysis of Sonrise claim and many (20+) emails with SK and counsel re same .5;	.6	
4/5: Emails with RGK and analysis of Sonrise memo .3;	.3	

4/6: Phone call with SK re Van Dam, memo to file .5; phone call with RGK re same .4; research and analysis re public records, review settlement agreement and prepare and revise long email to SK re Van Dam issues 2.8; emails to LO counsel re same, and revise email .3; phone call with SK re resolution of claim, memo to file .4; phone call to RGK re same .4; emails to and from LO counsel re handling of Sonrise claim .4; email to SK re Sonrise solution .2; phone call with CM Clechefski re settlement .3; email to LO counsel re class notice .1; review revised prove up spreadsheets .1; emails with counsel re Sonrise and prove up issues .2; check website and emails with D40 and client re same .1; emails with LO counsel re Ex 4 changes .2; phone call from MD re settlement .2	6.6	
4/7: Emails with BBK re Sonrise .1; phone call with CM B Bellanca re settlement issues, memo to file .6; phone call from SF re website .1; phone call with CM Jones re settlement Qs .3; phone call from CM W Felder re settlement and class def issues .8; phone call with SK re Sonrise Farms issues, trial issues memo to file .5; phone call from CM Chavez re settlement .4; phone call from CM Sutton re settlement issues .3; review Milana objection and filings .1; emails with counsel re Sonrise .1; emails with SF re website and review same .2; emails with LO counsel re stipulation .1; review claims of non stipulators and emails with Wilson re settlement .2; brief review of Willis filings .1; review GSI invoices and call to Mackey re same .1; review Ex. 4 and emails with counsel re same .1; analysis re published notice and email to SF re same .1;	4.2	
4/8: Phone call from CM Vargas .4; long email counsel re Van Dam .2; emails to and from Klotz, analysis re membership issues, call with same .7; phone call with CM Schnaidt re settlement .4; emails and call with CM Simonis .5; emails with counsel re class notice .1; emails with SK re Van Dam .1; emails with US re revised settlement .1; emails with SF re published notice .1; emails with client re status .2;	2.8	
4/9: Phone call with CM Ojeda re settlement issues .3; long call with V Klotz re potential objections to settlement, adjudication issues .9; many (20+) emails with counsel re published notice .5; phone call to AV Press re publication .1; review AV press proof and call to Adams re same .2; emails with DO re hearing .1; call from GCG and email to clerk re prelim approval order .1; emails with LO counsel re class notice .1; phone call from CM Byrd re settlement .3; emails with SK re Sonrise n/c	2.6	
4/10: Emails with RK re depo .2; attend landowner conference call re trial and settlement issues, memo to file 1.5; phone call with CM Klotz re settlement objections 1.0; phone call to CM Jung re settlement and survey .4; prepare for and attend status conference with court, memo to file .8; emails with DO re trial .1; emails with LO counsel re trial issues .1; review approval order and emails with SF notice .1; call to RK .2;	4.4	
4/11: Email to client re class notice .1;	.1	
4/12: Emails with client .1; emails with CM Chavez .2;	.3	
4/13: Phone call from CM R Ellis re adjudication issues .5; phone call from DM Jung re settlement and allocation issues .4; phone call with CM Klotz re potential objections .9; emails with DO re status .1;	1.9	

4/14: Emails to and from BB re trial .1; phone call from R Ellis re settlement concerns and issues .8; emails with DO re trial .2; email to JD re objections .1; emails with SK re Sonrise n/c	1.2	
4/15: Phone call with SKuney re settlement issues .5; emails with DO re work allocation .3; participate in LO conf call re trial prove up issues 1.5; phone call with Bunn re settlement issues .2; attention and research re handling self help on classwide basis, review and analysis of real property records 2.4; phone call with CM Bellanca re well sharing issues and settlement .6; emails with TB re Wildermuth testimony, review depo summary of same .3; phone call with Bunn re trial and class issues, memo to file .5; emails with client .1; analysis re trial timing and presentation issues .3; email to counsel re same .2; phone call with Dunn re court expert and trial issues, memo to file .2; emails with RK re Estrada depo .2; research an analysis re David Estrada land holdings, research on public records, and email to various counsel re determination of past water use 1.3; phone call from WB re settlement .2; phone call with TB, memo to file .2; emails with LO counsel re Epstein and Estrada .1; review MO and email to counsel re trial, analysis re schedule issues .2; email to D40 re Willis claim .2; phone call with RK re motion to withdraw, Estrada depo, long email to DO re appellate and law and motion issues .8; review and analysis of SK memo on expert testimony, prepare notes re same .2; email to JD n/c	10.5	
4/16: Phone call from Dan Epstein re settlement negotiations for Desert Breeze 1.3; email to counsel re same .1; emails with McNevin re Sorrento .1;	1.5	
4/17: Emails with MF and Epstein .1;	.1	
4/19: Return phone calls to 14 CMs re settlement issues 4.3; emails with client re Estrada .1;	4.4	
4/20: Phone call with client re settlement, discovery and trial issues .8; phone call to CM Franc .3; phone call from CM Dunn re settlement issues and water use .6; phone call with RK re discovery and settlement issues, memo to file .6; phone call from DO re discovery committee issues .2; phone call with CM Firisick re settlement and water use issues .5; phone call with CM Bovee re settlement issues and water use .6; phone call from CM Pinjero re class notice .3; legal research on CM (80 parcels) real property records for survey and data for historical self help claim, analysis re same, review CM records and preparation of master summary memo re same 7.3; emails with client re Estrada and survey .1; email to TT re CM Dunn .1; emails with counsel re discovery comm .1; email to TT re data errors for numerous CMs .3;	11.8	
4/21: Return calls to 4 CMs re settlement 1.1; phone call with CM K. Metter re many class parcels and issues, settlement objections, review property records, emails to same and memo to file 1.2; emails and call with BB class issues .3; emails with GSI and analysis re payment issues .2;	2.8	
4/22: Emails and call with client re Estrada properties .2; call with CM Tyler re many settlement issues and potential objections 1.1; analysis re Estrada discovery issues .4; emails with SK re Sonrise .1; emails with BB and CM Lane and Dyas re shard well issues .2; emails and phone call with CM Francouer re survey and settlement .4; emails with PWS re expert bills .1;	2.5	

4/23: Phone calls with 5 CMs re settlement issues 1.3; analysis evaluation of discovery and trial issues for numerous non stipulating parties .7; emails with settling parties re Sonrise .2; phone call with client re trial testimony, depositions and Willis class .5; review of LA county assessor maps and long email to PWS re issues for defense of Willis class phone call with settling parties re witness and trial issues 2.1; phone call with T Bunn re experts at trial, memo to file .5; legal research on expert co-designation and emails with LO counsel re same .3; email to TT re expert report .3; email to LO counsel re trial experts and designation issues .4; phone call from CM G Sutton re settlement issues and shared well .4; email to same re settlement provisions .2; emails with Zlotnick re testimony issues .1; call with CM Reasor re settlement and property history .5; phone call with CM B Rogers re survey and settlement .7; review Cal Water exhibits .1; emails with MD re Sonrise .1; emails with CM Francouer re settlement issues, call to same re property questions .4; conf call with LO counsel re trial .6; phone call from CM Sutton, and emails with same re settlement .5; emails to TB and LO counsel re Estrada properties and boundary .1; emails with LO counsel re trial experts .2;	10.2	
4/24: Emails and call with Wilson re prove up .2; emails to and from numerous counsel re Sonrise handling .3; prepare long email all settling parties re Sonrise, review documents and revise same .5; review SK disclosure and emails re same .1; prepare and revise witness and exhibit list .8; review Wagas and PWD exhibits .1; emails with counsel re expert issues .2; many emails with PWS and GSI re expert bills, analysis re same .3; emails with US re amended settlement .1; emails with TB and SK re Sonrise .1; prepare ex parte re expert bills, email to KD re same .1;	2.8	
4/27: Emails with JT and GSI .1; review and analysis of exhibit lists .5; emails with settling parties re amendments .1;	.7	
4/29: Emails and call with CM Rodgers re survey and property issues .4; review Willis CMC stmt and disclosures .2; many (20+) emails with counsel and Epstein re Desert Breeze settlement .4;	1.0	
4/30: Emails and call from Epstein re Desert Breeze settlement, review and analysis of records .5;	.5	
TOTAL ATTORNEY HOURS	85.4	
TOTAL PARALEGAL HOURS		1.9

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: May 2015

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
5/1: Phone call from client re settlement issues .3;	.3	
5/2: Emails with SK re Sonrise .1;	.1	
5/4: Conference call with stipulating parties re trial issues, memo to file re same 2.7; attend telephonic status conf with court 1.5; phone call from Epstein re settlement .2; email to LO counsel re same .1; emails with DO .1; emails with US re Ex 4 changes .1; emails with SK re settlement .1;	4.8	
5/5: Emails with counsel re Desert Breeze settlement and discovery issues .4; emails with Epstein re settlement .1; return phone calls to three CMs re settlement .8;	1.3	
5/6: Review SK issue outline and supplement same .6; conf call with LO parties 1.3; emails with GSI re payment status .1; emails with TB re Willis and settlement issues .2; public records search and review of court filings re Archdiocese properties .4;	2.6	
5/7: Call with RK, memo to file re same .6; analysis re Archdiocese class member status and potential issues re same .8; email to TB re same .2; review discovery orders and JD letter .1; emails with LO counsel re settlement meeting .1;	1.8	
5/8: Emails with counsel re settlement meeting .2; return calls to two CMs re settlement .5	.7	
5/11: Emails with Wilson re settlement proposal .1; review Reesdale evidence, emails with LO counsel re same .2; participate in court ordered settlement conference 4.2; analysis re Willis settlement options and emails with LO counsel re same .4;	4.9	
5/12: Emails with LO counsel re settlement .1; review Tapia filing, email to client re status .1; emails with CM Ocwen .2; review joint CMC stmt .1;	.5	
5/13: Phone call with CM Doucet re settlement issues .5; phone call with atty S Alvarado re bank client CMs and impact of settlement on REO properties .7; emails with counsel re settlement .1; review CMC statements .1;	1.4	

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JA 158945

5/14: Analysis re Ocwen bank client class member ship issues and email to Alvarado re same .5; phone call from CM Nishimura re settlement .4; review Willis filings, email to DO .1;	1.0	
5/15: Review and analysis of CMC statements .2; legal research re proof at trial issues and potential waiver of Willis objections to evidence, long email to US re same 1.4; review McGuigan case and email to DO re same .3; emails with DO re Willis issues .2; telephonic status conf, memo to file re same .5; emails with LO counsel re trial brief .1; review and analysis of Phelan opposition .2;	2.9	
5/17: Review of Tapia data and emails with counsel re same .2;	.2	
5/18: Emails with client re new settlements and class impact .2; email to counsel re objections .1;	.3	
5/19: Emails and call with GCG re notice status and issues .4; return phone calls to 4 CMs, update master client contact summary .1.0	1.4	
5/26: Review Tapia declarations and evidence .1; review and revise GCG class notice declaration .8; review new Willis motions .1; review new settlement docs from SK .1; emails with GCG re decl .1; emails with settling counsel re settlement strategy .5; emails with DO re same .1; emails with MF re new settlements .1;	1.9	
5/27: Emails with counsel re handling new settlements .4; return calls to 4 CMs re settlement and membership issues, analysis and emails re same 1.1;	1.5	
5/28: Many emails with counsel re handling new settlements and settlement committee .4;	.4	
5/29: Attend settlement committee conf call, memo to file 1.7; call to Epstein and email to comm re same .2; call to Holmes re Ehyberbide discovery responses and settlement .2; prepare draft email to all settling parties .6; many emails to and from Committee re handling same and deal terms .4; conf call with LO counsel and JD re settlement prove up and expert issues, memo to file 2.1; phone call with MF re expert issues, memo to file .3; emails and phone call with CM Hooyerink re settlement issues .4; review SK draft settlements and emails with same .2; prepare settlement exhibits, revise and finalize email to all settling parties re non-stipulator negotiations .6; review exhibits and revise and send settlement email to all parties .2; emails with GSI re payment status, analysis re same and email to KL re issues .2; review Williams depo prep binder and email to LO counsel re same .3;	7.4	
5/31: Emails with counsel re new settlements .2; return calls to two CMs re settlement .6	.8	
TOTAL ATTORNEY HOURS	36.2	
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: June 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
6/1: Emails with LO counsel re settlement issues .2; review consents and prepare summary email re same .1; draft email to JD re Williams .1; attend LO counsel conf call on handling experts at trial, conf call with JD, memo to file re Williams questions 1.6; revise Williams email and send to JD n/c; phone call with Holmes re Eyharabide, memo to file on past water use .3; review and revise class notice declaration and emails with GCG re same .6; emails with US re settlement .1; emails with JD and LO counsel re model .1;	3.1	
6/2: Phone calls with Ed Petti and C Keith for Leisure Lakes re litigation, settlement and class issues 1.8; emails with counsel re LL settlement issues for numerous parties .4; review and analysis of LL records and class membership, emails to and from Petti re same .5; emails with WW re LL and check database and class Q index for Goodyork .3; phone calls to and from attys Chock and Fisher re LL and litigation issues 1.4; long email to negotiating comm re LL issues .3; emails with Fisher re trial issues .1; phone call with Sloan re trial experts and non stipulators .4; phone call with Sanders re LL and non stipulators .2; emails to and from RZ re same .1; review and analysis of PWS opposition to Willis motions .2; emails to and from LO counsel re reserved right .1; review outline for Williams meeting questions and emails with LO counsel re strategy for same .3; review revised class notice decl. and emails with Penny re same .3;	6.4	

<p>6/3: Phone call with MD re trial experts and model, non-stipulating party issues, memo to file .5; emails with MF re settlement of new claims .3; phone call with Kuney and MF re trial expert non stipulator negotiation issues 1.4; phone call with RGK re Tapia, Williams and settlements .4; email with D40 re Tapia .3; call with Dubois re revised stipulation filing and Williams issues, review file on non-stipulator signature and exhibits, emails to JD re handling same .8; many emails with US re settlement issues, review confirmation emails .2; research and analysis re Tapia claim, review of Tapia declarations and documents, and long summary email to committee re: handling strategy and issues 1.5; emails with LO counsel re Reesdale, Desert Breeze and Milana settlements .1; phone call with settlement comm, memo to file re to do list 1.4; prepare and revise long email to MF re Tapia claim, analysis of records .5; phone call from atty Chock re Leisure Lakes .2; review and analysis re LL class history, service and Q data, email to committee re same .6; emails to and from WW re class status .2; analysis re handling L Lakes potential claim, review of CMO, and long email to Chock re same .6; emails with GSI re payment issues .1;</p>	<p>9.1</p>	
<p>6/4: Emails with counsel re Williams meeting and strategy for same .3; review of notice declaration and exhibits .2; phone call to Administrator .3; review of summary notice order, proofs, and prepare MM Decl re class notice notice .5; emails with settle. Comm. Re new settlements .3; preparation for Williams meeting and review and analysis of Williams transcript, preparation of questions on modeling 1.5; review SK email and stipulation drafts .1; many (15+) emails with PWS and Mackey re GSI payments, review and analysis re accounting records .3; review Tapia stipulation and many emails with SK re same .3; long email to Stead re Ehyerabide settlement .2; emails to Brumfield and call to same re settlement for Tapia .2; email to RGK re settlement n/c</p>	<p>4.2</p>	
<p>6/5: Review of expert testimony memo and many (15+) emails with LO counsel re same .5; participate in expert phone call with Binder and Wagner re trial testimony and strategy issues 1.9; call to MF re experts .1; emails with PWS and GSI re billing issues .1; email and call with JD re experts, memo to file .2; email to MF re same .1; email to client re status and meeting .1; phone call to Cal Stead .1; prepare for meeting and attend Williams modeling conf call, memo to file 2.2; review PMK depo notice for Tapia, preparation of RFP to Tapia, emails with Wang re same 1.2; emails with TB re Phelan settlement .1; many (20+) emails with LO counsel re D40 expert strategy .4; review and analysis of Williams slides .3;</p>	<p>7.3</p>	
<p>6/7: Review and analysis of PMK depo notice and revise same and RFP 1.3; emails to Wang re handling Tapia discovery, including analysis of Tapia records .5; emails to and from LO counsel re Tapia discovery .2; analysis and review of class member real property records, class databases, and tax assessor records for prescriptive period self help case at prove up 3.7; emails with Stead re settlement n/c</p>	<p>5.7</p>	

6/8: Phone call with RK re settlement ideas, memo to file .4; emails with PWS and GSI re expert invoices .1; email with LO counsel re settlement and call to Wilson re same .1; phone call from CM Csaki re settlement and membership .5; phone call from Cal Stead .1; review depo notice of Tapia, comment to same and revise RFP 1 to same, emails with Wang re same .5; review and analysis of West Valley dec and records .1; phone call with CM Sides re property issues .3; phone call to Rogers .1; phone call with CM Mary Murphey re property history and settlement .4; phone call with CM Reasor re property history and settlement .3; call with CM C O'Laughlin re property history, settlement issues .6; emails with LO counsel re experts .1; review Willis motion filings of this day .2; review and analysis of CM public records and file materials for survey, prepare memo re changes to same and email to TT re same 1.3; emails with Brumfield re settlement n/c	5.1	
6/8: Analysis of survey spreadsheet and client records, editing of same and creation of legend and apply same, phone calls to five CMs re property questions 1.7 AH	0	1.7
6/9: Phone call with Walter Wilson re settlement .2; emails with Stead and settlement comm re settlement .2; many emails to and from Robar, review and analysis of real property records case docket, email to settlement committee re handling same .7; email to LO counsel re Robar .1; attend LO conf call re prove up experts, discovery, and non-stipulator issues 1.8; phone call with CM Dale Webb re prop history and settlement .4; phone call with B Rogers .1; emails with Clifton re Robar claim .2;	3.7	
6/10: Phone call with B Rogers re Fairmont TC meeting issues, settlement provisions, trial, and expert issues .5; emails with LO counsel re nonparties .2; emails to and from counsel re handling Robar issues .3; phone call with CM O'Laughlin re declaration .1; emails with Brumfield and Wang re Tapia discovery .1; emails with LO counsel re same.1; phone call with Bunn re experts and settlement .4; phone calls to SK and RGK re Leisure Lake and Robar history, settlement and trial issues .7; review Brunick memo on prove up, emails with counsel re same .1; review Willis CMC, call to RK .1; emails with RGK re Robar and experts .2;	2.8	
6/11: Phone call with CM Rogers .1; prepare draft declaration for Rogers, emails with same, and revise decl .4; phone call with CM T Schnaidt re settlement objections, survey issues, and property history .7; review and analysis of expert designations and prepare 2034 response .5; emails with DO re experts .1; many emails with SC re Tapia claim .3; phone call with CM Schweitzer re settlement and ownership issues .6; email to CM Thurston .1; emails with Wang re Tapia claim assessment .1; emails to LO counsel re Tapia claim history .2; phone call with CM Thurston re settlement and ownership issues .5; email to counsel re prove up hearing .1; prepare Thurston decl. and email to same, revise decl .3; review and analysis re Tapia material and phone calls to LO re handling settlement .9; emails to and from G Fisher, analysis re response from and Leisure Lake records, and email to same re class Q and notice issues .6; emails with SK re Tapia .1; review Tapia Ag permit and emails with counsel re same, emails to and from Wang re website .1; email to TT re survey info status .2;	5.9	

6/12: Phone call with CM B Smith re settlement, prop history, trial and settlement .6; prepare B Smith Decl and emails to and from same .3; phone call to CM Sides re survey .2; call with CM email to DO re Smith .1; review and analysis of Maldini records, and phone call to same .4; review of draft CMC statement and email to Wang re comments .3; phone calls to and from CM Reasor re settlement and property history, draft and revise declaration .9; emails to and from Reasor re trial and declaration .2; phone call to Maldini .1; phone call with CM G Webb re property history and settlement issues .5; prepare D and G Webb declarations, call with O'Laughlin re same .6; prepare notice of unserved properties, analysis re records for same .6; analysis of Willis experts, online research re same and email to counsel re depositions of same .7; phone call with CM Steele re settlement, property history issues .7; email to DO re Willis experts .1; review and analysis of expert disclosure, emails to counsel re expert depositions .4; review CMC statements .1; review Tapia subpoena and emails with counsel re same .1; email to DO re fee motion issues .1; emails with TT re CM decls, survey .2; review Willis and other filings of this date .1;	7.3	
6/12: Analysis of survey spreadsheet and client records, editing of same and creation of legend and apply same, phone calls to two CMs re property questions, and organization of CM records 1.8 AH	0	1.8
6/13: Review and analysis of Sterling, Murphey and Maldini records phone call with CM J Sterling re prop history and settlement .4; prepare Steele decl, call to same re same .5; emails to and from Wilson re Leisure Lakes settlement and class status issues .5; prepare for and attend CMC, memo to file 1.8; phone call with CM Maldini re settlement .3; emails with LO counsel re LL .1; prepare Sterling declaration .3; prepare Stevens decl, review records re same .4; prepare Murphey decl, public records search for transaction dates .5; emails to and from Wilson re LL, phone call from same .5; email to KD re handling class member records and decls .1;	5.4	
6/15: Westlaw research on testimonial history of Willis experts, prepare summary of same .8; emails with RZ and analysis re Phase 4 issues, review transcripts re same .5; attend status conference, memo to file re same, emails with client 1.0; phone call and emails with Wilson re LL .3; emails and call with CM Thurston re decl .1; conf call with LO counsel re settlement and trial issues .8; email with Wilson re class membership .1; emails with client re status .1;	3.7	
6/16: Review AVEK memo .1; emails with client and review records .2; emails with RK re class list and review history with production and filing of same .2; phone call from CM Smith .2; phone call from Wang n/c	.7	
6/17: Emails with RK class list .2; emails and phone calls with W Wang re class, settlement and handing non-stipulators .7; emails with LO counsel re settlements .2; review and analysis of CM database file, cf with public records and client documents, instructions for further modification of same 1.1; email to TT re same .2; review of Willis discovery .1;	2.5	

6/18: Phone call with R Kalfayan re class issues, trial, discovery and settlement, memo to file 1.2; phone call with client re case status, settlement and trial issues .7; review and analysis re prior class order and notice, email to Wilson re Leisure Lake status .4; emails with client re class definition issues, analysis re same .2; emails with Stead re settlement .1; review of Willis and Tapia discovery .1; emails to TT re survey .1; emails and call with Wilson re LL settlement .1;	2.9	
6/19: Review and analysis of Mojave basis records and BB memo .2; emails with CM Rodgers .1; emails with SK re settlement .1; email to CM Maldini re survey, call to same .1; review TT depo notice and analysis re responsive records .2; review and analysis re Willis and SP class order and cert history, class notice, and Phone call with DO re same .8; research on public records for 11 survey CMs, analysis re same .8; emails with DO re Willis overlap .1; emails to TT re survey and CM records .2; email to RK re class issues .2;	2.8	
6/22: Phone call with Henry Maldini re settlement and property history issues .4; review and analysis re Swayze and Maldini records, check public records re issues .4; phone call to Swayze re properties in class .2; review and analysis of CM decls, update master SS, and long email to TT re survey issues .5; review and analysis of phase 4 transcripts re handling of court expert for trial .4; research on missing CM survey public records, review spreadsheet re same .4; emails with JD re final approval .1; phone call to CM Austin re property issues and records, settlement issues, memo to file .3; prepare Maldini decl, phone call to same .3; emails with TT re depo and updated spreadsheet .1;	3.1	
6/23: Attend settlement comm conf call, memo to file re same 1.2; emails with DO re final approval motion .2; phone call with W Wilson re Leisure Lake and email to counsel re same .3; review of notes, summary and database documents for Willis list .2; call with CM Murphey re survey, settlement and trial issues .3; prepare instructions for copy co re hearing binders .1; many (20+) emails with counsel re settlements .1; emails with Wang re class pumping n/c	2.4	
6/24: Emails with MF re Tapia .1; review emails and file server materials and notes, emails with RK re Willis class list .4; participate in expert and trial conference call with settling parties, email to DO re same 1.9; emails with RK re court expert depo and class lists .2; phone calls with Reasor, Sides and Maldini .2; emails with RK re Thompson depo .1; legal research on Firsick property .1; emails to and from Thompson re various issues .2; phone call with CM Swayze re property history and settlement .5; review and analysis of stip provisions re cooperation and trial proof .1; email to LO counsel re same .1; phone calls from L Quass re Leisure Lake issues .8; emails with TT re survey issues .1;	4.8	
6/25: Phone call from atty Quass re party and conflict issue .2; phone call from Doug Martin re CM Smith issues and settlement impacts .4; emails with TT re survey and deposition issues .2;	.8	
6/26: Review of CM declarations, email to Smith re same .1; phone call from Quass re LL sale .3; emails to Wang re same .2; emails with LO counsel and D40 re same .2; call with CMS re settlement issues, review and analysis of Latham history as counsel and email to Quass re conflicts .4; emails with Wang re LL and email to RK re Thompson depo .1;	1.3	

6/28: Review revised stip and emails with SC re same .1; long email to R Pearl re fee motion issues and case history .8; emails with DO re final approval and analysis re list of stip parties .2;	1.1	
6/29: Phone call with DO re final approval and settlement issues .4; review and analysis of new client pump test records .2; phone call from client re pump tests, case update, settlement issues .7; emails with DO re draft motion for final approval and Delano parcel, call with same .3; email to SC re Rosamond MHP .1; phone call from D Martin re CM B Smith settlement issues .4; review and analysis of revised settlement stipulation, legal research on 664.6 issues and long email with comments to committee 1.1; email from Brumfield re Tapia discovery, review of CMO and discovery, and prepare email to comm re handling same .6; email from MF, review stip, and draft response re Sunnyside issue .3; emails to and from RK re settlement .1; emails to and from counsel re Tapia issues, revise discovery response and email to Brunfeld re same .3; email from CM Delano, assessment of class DB records, real property search, and long email to same re settlement questions and class status .5; phone call form Delano .2; emails with Pearl re fees issues .1; emails with SC re Tapia claim .1; emails with TT re survey records .1;	5.5	
6/30: Phone call with RK re class issues, expert discovery, trial, and settlement issues, email to DO re same 1.1; email with DO re Willis .1; review and analysis for LL claim records and analysis re class membership issues, emails with settlement committee .7; email to LO counsel re Willis challenge and settlement option .4; emails with client re declaration .1; emails with Quass re LL sale .1;	2.5	
TOTAL ATTORNEY HOURS	100.1	
TOTAL PARALEGAL HOURS		3.5

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: July 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
7/1: Review and analysis of revised stipulation, and emails to and from counsel re handling same .3; emails with DO re conflict issue with MD and WW .1; email to TT re depo .1; emails to and from LO counsel re discovery issues .3; review and analysis of Willis depo notice, CMO, and long email to counsel re handling same .7; emails to and from DO re settlement issues .2; emails with counsel re LL Doe amendment .1; phone call from client re trial and discovery issues, settlement prove up .5; emails with LO counsel re LL and TT depo .1;	2.4	
7/2: Attend SC conf call, memo to file re same .8; emails to counsel re depositions .1; review draft BB letter, comments to same, and filings of this date .1;	1.0	
7/3: Emails with TT re report, brief review of same .2;	.2	
7/4: Emails with client re status, emails with LM re letter .1;	.1	
7/6: Review revised trial stipulation and comments to same .1; review Desert Breeze records and emails re same .1; emails with LO counsel re trial issues .1; emails and call with CM Lightner re adjudication and settlement .5; return phone calls to three CMs re settlement and water issues .7; phone call from RGK .3;	1.8	
7/7: Attend LO conf call re trial issues and CMC statement 1.2; emails with DO and PWS re CMC stmt .1; emails with LO counsel re same .1; phone calls to TB and JD, emails with TT .1; review and analysis of PWS CMC statement, markup of same .2; emails with Wang and LO re CMC stmt .3; review draft LO CMC statement and prepare comments to same, review redlines of 3 other attys .5; attend LO conf call with JD, call to Dubois 2.0; phone call from CM Swayze re survey and settlement issues .3; commence detailed review of TT expert report, summary memo re same .9; emails with DO re trial witnesses .1; emails with US re trial issues .2; review revisions to LO CMC stmt and emails with LO counsel re same, insert new changes .3; review all filed CMC stmts, email to client re same .1; phone call with DO re trial and expert report .3; email from Wilson n/c	6.7	

7/8: Emails with RK re expert report .1; phone call with CM Quigley re class membership and settlement issues .4; phone call with Walter Wilson re settlement, trial and LL issues, memo to file and settlement comm .5; email to all parties re non-stipulating party issues .2; continue review of summary expert report and exhibits .8; call and emails with RGK .1; emails with LO counsel re new settlements, and LL .3; emails with SK and US re revised stipulation, review of Sunrise documents .2; emails with client re expert report .1; attention to revision of draft motion for final approval, MM decl., and proposed order approving settlement 2.6;	5.3	
7/9: Phone call with client .4; review of Dubois filing and emails to and from same re same .3; preparation of client declaration, including review of client records 1.0; many (35+) emails with LO counsel re trial issues, settlements and prescription .6; review Maldini decl, call to same and email to TT re same .1; review and analysis of Thompson Appendix documents and class member records 3.4; prepare instructions for filing expert report .1; review of revised stip from Dubois and emails to and from same .3; attend settling party conf call re hearing and trial issues 1.3; emails to and from settlement comm. and RGK .2; email to client re courtcall .1; review Williams letter and documents, email to LO counsel .1; review new stip filings, emails with US and LO counsel re same .2; emails with client re Williams .1;	8.2	
7/10: Attend telephonic phone conference with settling parties regarding trial issues 1.4; attend CMC, memo to file 1.5; emails with KD and RW re expert report and new version of stipulation for court .2; review depo notices and objections .1; emails re Wildermuth testimony .1; emails with counsel re trial issues .1;	3.4	
7/11: Review and analysis of Willis conflict motion papers .2; email to RK re same and change of hearing date .1; email and call to Olaf re motion .1; emails with DO and client re conflict motion .2; review historical corr re class composition and definitions for opp to Willis motion, emails with DO re same 1.2; emails with LO counsel re trial issues and Willis .2; prepare and revise ex parte application re Willis motion, MM decl. .6;	2.6	
7/12: Emails with DO re ex parte .1;	.1	
7/13: Emails with Olaf, RK and DO re Willis motion .2; review and comment to JG trial memo .2; review Willis ex parte and filings of this date .1;	.5	
7/14: Emails with DO and RW re ex parte .1; emails with client re expert report .1; emails with counsel re settlement .2; emails with Wilson re stip n/c	.4	
7/15: Emails with RW and review MO and RK letter .1; review Willis motion to enforce .1;	.2	
7/16: Review of conflict motion filings and prepare for hearing .7; attend telephonic ex parte hearing, memo to file .7; emails with LO counsel re Willis motion .2; review MO of this date and email to DO re same .1; phone call from John U, memo to file .1;	1.8	
7/16: Attention to class list overlap analysis 3.1 KD	0	3.1
7/17: Attention to class list overlap analysis 3.2 KD	0	3.2

7/18: Review TT depo notice .1; emails with Mackey and analysis of payment issues, email to PWS re same .1;	.2	
7/19: Review Trotsky case and emails with DO re conflict motion .3; emails with Weeks n/c	.3	
7/19: Attention to class list overlap analysis 2.8 KD	0	2.8
7/20: Review Williams depo summary and Williams file materials on model, USGS documents on original model, prepare list of questions and issues re same 1.6; review and summary of numerous responses to Willis discovery .7; emails to PWS re expert bills motion .1; return phone calls to five CMs re settlement and class issues 1.2; complete review, analysis and summary of expert report and exhibits, cf with CM records and data spreadsheets 3.4	7.0	
7/20: Assist MM with review of expert report exhibits and data and compare with CM records and data, prepare summary of same 2.6 AH	0	2.6
7/21: Prepare for Williams meeting and review of prior report .8; travel to and attend Williams pretrial meeting 3.6; phone call with O Landsgaard .7; emails and call with CM Wheeler .4; emails and call with DO re same and Williams .2; review Reesdale records .1; phone call with client re expert report issues .4; review Willis opp to final approval motion .1;	6.3	
7/22: Phone call with DO re handling conflict motion, memo to file re status of related issues and arguments .8; emails with Olaf re settlement .1; legal research on conflicts issues in classes 2.7; review Kear report and email to TT re same .1; review and analysis of file materials and transcripts re discussions with Willis counsel and other counsel re class boundaries, review Willis order filings and orders re same, many emails with DO re same 3.7; emails to and from BBK re same .1; assessment of 128.5 sanctions, and brief research re same, email to DO re same .4; emails with LO counsel re sanctions motion .1; review and analysis of review Trotsky case .1; review of draft sanctions motion .2; phone call with client re case status and handling motions and prove up .7; emails with counsel re hearing transcripts .1; commence preparation of opposition brief on withdrawal motion 2.3; emails to RK re witness fees .1;	11.5	
7/22: Attention to class list overlap analysis 2.2` KD	0	2.2
7/23: Phone call with Tom Bunn re conflicts motion and trial, memo to file .7; phone call from DO re sanctions and withdrawal motions .4; emails with TB re Widermuth testimony .1; draft client declaration and emails to from same re same .2; emails with D40 and LO counsel re Willis conflict motion .3; phone call from client re expert and trial issues .4; many emails with DO re same .2; emails with DO re class overlap facts .2; emails with TB and MF re motion .1; review PWS draft opp to Willis motion .1; emails with counsel re TT depo .1; drafting of opposition to motion to withdraw, review KD overlap analysis, many hearing transcripts and evidence, drafting of MM decl. 7.9	10.7	

7/24: Phone call from client re Thompson and trial .2; review and analysis of court transcripts and attention to preparation of exhibits to MM declaration 1.3; review comments to PWS opp, emails with counsel re same .2; review model stipulation and emails with counsel re same .1; phone call with MF re class conflict facts .2; emails with D40 re Willis objections .2; emails with BW re expert bills .1; emails with Brumfield re settlement and discovery, emails with D40 re same .3; continue drafting opposition to motion to withdraw and MM decl., including legal research and review of RK cases, email to counsel re review and filing, and issues with same 5.2; analysis re motion to amend Willis J, review file materials, and long emails to DO re same .4; review trial stip and emails with counsel re same .1;	8.3	
7/25: Supplement and revise opp to withdrawal motion, MM declaration, and prep of add'l exhibits 2.1; email to counsel re same .1; prepare reply brief on motion for final approval 3.8; phone call with client re expert and trial issues .4	6.4	
7/26: Long email to TT re depo prep issues .4; complete draft of reply brief on final approval and email to counsel re same 1.7; emails to and from TT re deposition .1; edit and amend opp brief to motion to withdraw and MM decl 1.1; prepare for Thompson deposition 2.6; review Tapia RFP response and documents .2; emails with Franco re prep of trial exhibits and binders .2;	6.3	
7/27: Review and supplement reply on final approval brief .7; review PWS opp to withdrawal motion, and email to same and DO re re same .3; travel to and attend Thompson deposition 8.5; phone call with TB and review 8/08 transcript .8; review opp to motion to admit alt physical solution .1; analysis re McCarran issues with classes and email to US re same .2;	10.6	
7/28: Phone call with DO re handling withdrawal issues .4; review draft motion to amend Willis J .1; emails and call with Franco re trial exhibits and binders .2; emails with TB and MW .1; emails with DO re Willis motion PWS opp handling, review and analysis of relevant settlement provisions .5; email to counsel re LL settlement issues .2; review Desert Breeze clarification request and emails with Wilson .1;	1.6	
7/29: Prepare Wildermuth outline .7; emails with Wilson re settlement .1; conf call with settlement committee, memo to file .8; phone call with Wilson re settlement offer and trial .2; conf call with TB and Wildermuth re trial testimony, memo to file .6; emails with Wang and analysis re WFF status .3; review and analysis of Willis reply on motion to enforce .1; review and summary of TT depo transcript 3.6;	6.4	
7/30: Prepare outline for RAW direct and potential cross, review client documents .6; phone call from Wilson and emails to and from settlement committee re handling issues with same .2; emails with SC .1; return calls from 4 CMs re settlement 1.1; phone call with client re trial prep .8; phone call from Wang re class member, memo to file .1;	2.9	
7/31: Review and analysis of voluminous Willis objections to settlement and prepare summary memo re responses to same 4.8; complete summary of Thompson depo transcript .8; commence trial direct outline of TT .7;	6.3	
TOTAL ATTORNEY HOURS	119.5	
TOTAL PARALEGAL HOURS		13.9

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 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
8/1: Complete review and summary of TT depo 1.8; review and analysis of Willis legal authorities and supplement memo re analysis of same, and contrary authority on treatment of dormant rights 3.3; emails and call to and from Wilson re LL settlement issues .3; emails with DO re MIL's .1; emails with client and DO re trial strategy and issues .3;	5.8	
8/2: Complete trial direct outline for TT, review and analysis of documents for use as Exhibits 3.1; phone call with client re preparation for trial testimony and cross .9; review and analysis of Phelan objections and 2013 settlement, prepare argument for same .9; emails with client and DO re trial issues, analysis re trial exhibits .6; emails with TT re outline and trial .2;	5.7	
8/3: Prepare for trial 2.1; review do over stip drafts, emails with LO counsel .1; travel to and attend meeting with DO and settlement prove up trial 8.9; review and analysis of Willis motion re prior settlement and other objections, prepare for oral argument 1.4;	12.5	
8/4: Prepare for prove up hearings 1.2; travel to and attend further prove up hearings, meeting with DO re handling Willis issues 4.0; review draft motion to amend Willis J, emails with DO re same .3; review draft email to RK re same, emails with DO, review LL stip .1;	5.6	
8/5: Phone call with client re status of trial and other issues .3; review drafts and revisions to trial stips, many emails with counsel re same .2; emails with DO re motion to amend .1; review Williams documents .2; emails with SC re LL settlement .1; emails with GSI and analysis re billing issues, email to BW re same .2;	1.1	
8/7: Emails and calls with WW, revise LL trial stip .3; emails with DO re motion to amend .1; review and analysis of Reesedale docs .1; return phone calls from 4 CMs re settlement and water issues 1.1;	1.6	
8/10: Phone call with settling parties re stipulation and trial issues 2.1; review revised trial stips, revisions to same, and numerous emails with counsel re same .3;	2.4	
8/11: Emails with counsel re settlement issues, review final trial stips .2;	.2	
8/12: Phone call with Wilson re various settlement issues, memo to file .3; email to settlement committee re handling several parties .1;	.4	

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8/13: Review Minute orders, call to client .1;	.1	
8/14: Phone call from WW and emails with SC re LL settlement .3;	.3	
8/17: Review and analysis of Phelan trial brief and trial exhibits .6; phone call to Ailin re fees issues, memo to file .4; email to same re resolution proposal .1; review and analysis of D40 trial brief and email to WW re same .3; review of Phelan cross complaint .1; attend settling parties conf call, memo to file .8;	2.3	
8/18: Emails with WW and SC re settlement .2; review Willis reply brief .1	.3	
8/19: Analysis re White Fence claims, review of relevant pleading re same .4; phone call to WW re conflict issues and handling non-stipulators, memo to file .3; emails to and from settlement committee re: Wilson and handling non-stipulators .4; many (15+) emails with LO counsel re same .3; assessment of Robar claim and property history .5; review Wilson court filings on non-stipulators, email to same re settlement and conflict issues .5; emails with MD re WFF status and handling .2;	2.6	
8/20: Emails with DO re trial issues and RK motion .2; prepare for and attend settlement committee conf call 1.5; review and analysis of Willis reply brief and decl .4; phone call from DO re Willis motion .3; review Robar material and call to counsel .1; many emails with MF re Tapia settlement .2; review revised stipulations, AVEK memo and emails to and from McElhaney .3; emails to and from counsel re Tapia .1; emails to and from DO re Phelan trial issues and Willis motion .2; brief review of SP trial transcripts .2; review trial exhibit list .1;	3.6	
8/21: Review and analysis of SK trial exhibit list, and Tapia stipulation .2; emails to and from Biloti re Robar .2; review and revise Tapia stip, email to comm re changes .1; email to LO counsel re Tapia .2; phone call to Brumfield re Ritter .1; emails to and from WW and MF re WFF3 settlement .6; review of defaults and meeting with KD re analysis of same .1; emails with Brumfield re Tapia claim and settlement .2; phone call from Biloti .2; review and analysis of Phelan trial exhibits .6; review and analysis of protective orders and email to Biloti re same .3; call with DO re withdrawal motion .3; email to WW re Leisure Lake .2; emails to and from Brumfield and settlement comm re Tapia .3; phone call from GSI and attention to North Edwards issue, emails with KL .2; email to Biloti re timing issues .1; review trial filings of this day .1;	4.0	
8/24: Review and analysis of cases cited by Willis in reply brief 1.3; prepare for hearing on motion to withdraw 3.2; long email to JD, TB and Markman re hearing issues .4; phone call from Wilson re WFF .2; emails with counsel re GSI billing .2; review D40 RJN and trial brief, underlying records and Phelan brief .2; preparation for Phelan trial .8; analysis re default filings and conf with KD re analysis of same .4	6.7	
8/24: Review of Doe/Roe default filings for class members, preparation of summary of same 2.1; preparation of hearing and trial binders for MM 1.1 KD	0	3.2
8/25: Travel to and attend hearings on motion to withdraw and Phelan trial, including preparation for same 11.9;	11.9	
8/25: Review of Doe/Roe default filings for class members, preparation of summary of same 1.4 KD	0	1.4

8/26: Emails with RWalker re hearing order .1; long call with Bilotti re settlement and litigation issues 1.0; phone call to RK re settlement and trial issues, memo to file .4; many emails with Wilson re settlement issues .4; many emails with SC re settlement issues .3; return phone calls from three CMs re settlement and ownership issues .8	3.0	
8/26: Review of Doe/Roe default filings for class members, preparation of summary of same 2.1 KD	0	2.1
8/27: Phone call from L Quass re Leisure Lake .6; revise LL trial stip and email to same .2; phone call to S Kuney re settlement issues, memo to file, review stipulations .5; phone call with RK and L Brennan re settlement, memo to file re same .8; call and email to BB re Parris .1; call with RGK .2; many emails to and from LO counsel re Willis settlement .4; phone call from CM Schnaidt re settlement issues .5;	3.2	
8/27: Review of Doe/Roe default filings for class members, preparation of summary of same 2.0 KD	0	2.0
8/28: Many (20+) emails with RGK re Willis .3; phone call from Brunick re settlement and trial issues, memo to file .5; many (35+) emails with LO counsel re same .7; attend settling party conf call, and call with BB and Sanders re settlement issues 1.3; many emails (15+) with RK and LB re settlement .8; review and summary of Tapia depo transcript 2.7; review new defaults and emails with KD re same .2;	6.5	
8/31: Phone call from CM C Sevilla re settlement and class order correction .5; review and analysis re Mojave boundary area data and reports, email to counsel re Phelan claims .5; review and analysis of Tapia records .4; review Robar filing, email to LO counsel .1; emails with counsel re Phelan .1; prepare draft order of denial of Willis motion to withdraw, emails to counsel re same 1.5	3.1	
TOTAL ATTORNEY HOURS	82.9	
TOTAL PARALEGAL HOURS		8.7

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: September 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
9/1: Emails with DO re motion to amend .1; emails with RK re same .1; review and analysis of proposed order from Brennan, and analysis and modification of proposed order for court on withdrawal motion .7; emails and phone call from GSI re billing issues, analysis re payment records .2; analysis re Robar claim and emails to and from counsel re same .4; preparation of MM declaration re expert work .5; analysis of expert billing issues, emails with GSI, and prepare ex parte application for approval .5; email to Brennen re order .1; emails to R Walker re hearing and order issues .1; review draft motion to amend judgment and emails with DO re same .4;	3.1	
9/2: Phone call from RK re judgment and settlement, memo to file .4; email to DO re same motion to amend .1; complete MM declaration re Thompson and email to DO .3; review Willis CMC stmt .1; return phone calls from two CMs re settlement .5;	1.4	
9/3: Phone call from Wilson re settlement .2; emails with RK re motion to amend and review of prior case filings re same .2; review Quass stip drafts .1; review filings of this date .1;	.6	
9/4: Phone call with DO re motion to amend, review same .2; attend settling parties conf call 1.0; prepare CMC stmt .2; review and revise motion to amend 1.2; emails to and from RK .1; attend status conf and memo to file re same .8; emails with RW re motion to amend .2; emails with LO counsel re trial issues .2; review trial filings of this date .2;	4.1	
9/8: Email to Quass re settlement issues .2; emails with BB re Willis settlement .1;	.3	
9/9: Review of court orders and transcript re 8/3 and 4 .1; phone call with Quass re prove up and case issues, memo to file .7; phone call from BB re Wagner and settlement, memo to file .1; emails with Quass re settlement and prove up for LL .4; analysis re prove up trial and prepare email to LO counsel re same .2; many (30+) emails with counsel re trial issues .7; emails with LB re discovery and settlement .1; email with JD and counsel re prove up issues .3; legal research re hearsay exceptions and declarations as well as EC 355 rulings 1.3;	3.9	

9/10: Many (15+) emails with LO counsel re trial issues .6; email to JD re stipulating parties .1; attend meet and confer conference re trial proof, memo to file re same 1.3; review and analysis of phase 4 transcripts and orders re evidence issues .6; emails with GSI and analysis of billing issues .1; prepare long memo to all counsel re prove up evidence, review transcripts, emails with DO and counsel, revise memo 1.2; attend Wagner deposition 3.1; emails with MD re prove up issues .1; conference call with setting parties re settlement and trial issues 3.1;	10.2	
9/11: Call with Kuney re expert issues .2; call with Jeff Dunn re trial issues .6; emails with LO counsel re do over .1; phone call with Brunick re trial and Willis .4; phone call to RK and emails with LB re trial .2; review and analysis of Willis settlement proposal, emails with BB re comments to same .4; emails with JD .1; review and analysis of settling parties revisions to CMO and joint statement, court orders relevant to phase 4 evidence .4; emails to and from DO re Willis motion, settlement, and trial issues .3; long email to LO counsel re evidence issues .3; many (25+) emails from LO counsel re trial issues .6; conf call with LO parties and JD re prove up issues, memo to file 2.4;	6.0	
9/11: Review of Doe/Roe default filings for class members, preparation of summary of same 2.9 KD	0	2.9
9/14: Email to KD re default analysis .1; many (15+) emails with counsel re trial issues .6; emails with SC re LL settlement .2; emails with Casey re trial .2	1.1	
9/14: Review of Doe/Roe default filings for class members, preparation of summary of same 1.5 KD	0	1.5
9/15: Emails to Casey and Bezerra re trial .1; participate in settling party conference call 1.4; review and analysis of trial stipulations, phone call to SK re trial stipulations .3; phone call with LB and RK re trial issues, memo to file .5; call with settlement counsel and Parris re Willis deal .5; email to counsel re Willis issues .1; phone call with DO re prove up .3; analysis re landowner witnesses .2; review witness list and email to JD re same .1; emails with SC re LL settlement .1; receive and review Willis writ .4; review D40 objections to Willis orders, emails with DO re same .1; review D40 opp and review and sign final do over stip .1; emails with LB re trial stips .1; emails with LO counsel re same .1	4.4	
9/15: Review of Doe/Roe default filings for class members, preparation of summary of same 2.0 KD	0	2.0

9/16: Review of Williams pumping assumptions, analysis or expert report for Class and summary expert report re same .3; review and analysis of joint CMC and CMO drafts, various redlines to same and email comments of counsel, and long email to counsel re comments to same .8; phone call with RGK re trial issues, email to DO re same .3; emails with RW re trial exhibits, email to counsel re same .1; call from Walter Wilson re trial issues for WFF and Desert Breeze, court expert .4; review of Tapia records .1; analysis re WFF3 claim and email to settlement comm re same .2; emails to and from Quass re trial .1; review and analysis of revised Willis proposal and relevant Judgment provisions, and prepare comments to same .5; return calls to two CMs re settlement and membership issues .5; review of 5/28/13 transcript, decls. in lieu of trial and emails with DO re evidence issues .4; review and analysis of AV mutual declarations for trial, cf. with prior discovery summaries .5; review of expert payment materials and emails with Mackey re same .1; review Willis opp to motion to amend and email with DO re response issues .2; review Wilson email and email to Quass re trial exhibits .1; emails to SC re WFF .1;	4.7	
9/16: Review of Doe/Roe default filings for class members, preparation of summary of same 1.6 KD	0	1.6
9/17: Review and analysis of expert stip and email to counsel re same .1; review of new CMO and joint CMC statement, numerous emails from counsel re same, e-mail to counsel re comments .4; review MD return flow analysis, emails with settlement committee and BB re same .2; phone call from Quass re trial issues .2; emails with SK re settlement issues .1; review settlement comm emails, Wilson emails and corr and prepare email to same re return flows .4; review newly filed declarations and exhibits .1; emails to KD re default project .1; review of trial stipulations and proposed physical solution judgment, and prepare and revise long email to settling counsel re handling same and status .6; legal research on phased trials, evidence issues, EC 355 1.0; draft and revise CMC statement, review trial transcripts for same 1.5; email to DO re Willis proposal .1; emails with LO counsel re conf call issues .1; review new defaults, email to KD re same .1; emails with MD re WFF .1;	5.1	
9/17: Review of Doe/Roe default filings for class members, preparation of summary of same 2.1 KD	0	2.1
9/18: Phone call from Cal Stead re trial and settlement issues, emails with same re Willis .4; emails with SC re Stead .1; emails with counsel and review CMC stmts .1; conference call with settling parties re Willis settlement, discovery and trial issues 1.5; emails to and from LB re Thompson .2; letter from LB, many emails (15+) with LB and JD re TT further discovery, review expert corr and other records re same .8; emails with DO re handling TT discovery .1; prepare ex parte and proposed order re Barrel Springs, review prior filings .4;	3.6	
9/18: Review of Doe/Roe default filings for class members, preparation of summary of same 2.4 KD	0	2.4
9/20: Review Willis CMC stmts .1; review of PWS exhibits, emails to AH re trial binders .6;	.7	

9/21: Attend status conference, memo to file .9; email to new stipulators .3; phone call from Coldren re stip and trial issues .4; review of PWS trial exhibits, emails with AH re same .7; review US And Willis CMC strmts .1; emails with KD re defaults .1; emails with SC re LL settlement .1; emails with Mackey and KD re expert payments, review billings .1; emails to and from SK re settlements n/c	2.7	
9/21: Review of Doe/Roe default filings for class members, preparation of summary of same 1.0 KD	0	1.0
9/22: Review of PWS new exhibits, emails to AH re same .4; emails with counsel and DO re writ .1; review and analysis of Willis counter proposal, cf with prior offers, prepare summary of same .5; review and analysis of LO trial filings of this date, email to AH re same .4; review of Willis trial briefs and legal research on authority cited .7; review PWS trial brief .2;	2.3	
9/22: Attention to preparation of trial binders, summary of PWS trial exhibits 6.5	0	6.5
9/23: phone call from Wilson re settlement issues .2; review BB Willis memo and emails with counsel re same .1; attend Williams depo 2.2; review trial filings of this date .1; review Wilson draft trial decl, call to same .1; review new trial exhibits, email to AH re same .3;	3.0	
9/24: phone call from Wilson re AV Mobile decl .2; review new PWS exhibits, email to AH re same .9; review trial filings of this date .4; call in to Beeby depo .7;	2.2	
9/24: Summarize Tapia depo and exhibits 4.6; attention to preparation of trial exhibit binders 3.7 AH	0	8.3
9/25: Phone call from CM Kalpakoff re trial and class issues .6; emails to and from Wood .2; review Willis settlement docs .1; participate in settlement conf call 1.0; attend Binder deposition, memo to file re same 1.9; emails to BB re trial stips, review and sign same .1; emails with client re trial and settlement issues .5; email to LB re SP settlement provisions, emails with counsel re same .2; emails with DO re trial issues .1; emails with DO and LO counsel re Willis settlement and meeting re same .3; review and analysis of trial filings of this date .5; review new Willis terms and emails with counsel re same .1; emails with JD and LO counsel re Willis settlement .1;	5.7	
9/25: Review of Doe/Roe default filings for class members, preparation of summary of same 3.2 KD	0	3.2
9/26: Emails with LO counsel re Willis and trial issues .2; prepare cross exam outline for Tapia .9; review trial binders .1;	1.2	
9/26: Attention to preparation of trial exhibit binders 3.4; prepare Willis settlement binder and summary .6 AH	0	4.0
9/27: Phone call with RGK and long email to TC re Lane issues .4; emails with US re Willis .2; review BB trial memo .1; analysis of Willis class term memo .1;	.8	
9/28: Emails with counsel re Robar .1; travel to and attend settlement meeting with Willis and phase 6 trial, meeting with counsel 10.2; review of motion to amend judgment and caselaw, and prepare for hearing .8; review new trial exhibits and trial filings of this date .6; emails with DO re trial .1;	11.8	

9/29: Travel to and attend trial, meetings with counsel 10.9; review trial docs filed this date .4; review of Williams depo transcript .6;	11.9	
9/29: Review of Doe/Roe default filings for class members, preparation of summary of same 1.4 KD	0	1.4
9/30: Travel to and attend trial, meeting this LO counsel 10.0; review trial filings of this date .2	10.2	
2; 9/30: Review of Doe/Roe default filings for class members, preparation of summary of same 1.8 KD	0	1.8
TOTAL ATTORNEY HOURS	101	
TOTAL PARALEGAL HOURS		38.7

Law Office of Michael D. McLachlan, APC

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

INVOICE

DATE: October 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
10/1: Emails with DO re trial .1; emails with Quass re trial .2; analysis re Annex evidence, email to DE re same .3; prepare for Willis objection argument 2.2; travel to and attend trial 4.6; many (20+) emails with counsel re trial issues .3; review trial filings of this date .1;	7.8	
10/2: travel to and attend trial, meeting with counsel 5.1; review Wills depo notice, emails with counsel re same .1; emails with BB re Willis settlement .3; review and analysis of Binder material .2	5.7	
10/3: Review and analysis of Willis changes to Judgment, emails to counsel re same .4;	.4	
10/4: Review and analysis of Phase 4 discovery, and related orders .5;	.5	
10/5: Participate in D40 conf call, memo to file re same 1.1; review and analysis of draft Willis agreement, prepare comments to same, and emails to and from counsel re same .9; emails with BB re Willis .2; emails with client re Willis issues .2; review new Willis memo and terms .1; emails with counsel re Tapia .1;	2.6	
10/6: Phone call from client .3; emails to and from same re Willis issues .2; review and analysis of Estrada materials and prepare cross of same .8; emails with BB re Tapia .1; review Willis brief and trial filings of this date .2; emails with client re Estrada parcels .2; analysis re expert billing and emails with counsel re same .1;	1.9	
10/6: Review of Roe default filings for class members, preparation of summary of same 2.0 KD	0	2.0
10/7: Attend telephonic status conf, email to DO re same .8; phone call from Sloan re Willis .2; phone call from MF re Willis and judgment issues .4; many (20+) emails with counsel re trial issues and settlements .3;	1.7	
10/7: Review of Roe default filings for class members, preparation of summary of same 1.5 KD	0	1.5
10/8: Emails with Quass .1; attend settlement meeting, memo to file re same 3.5; email to LO counsel re Willis strategy .2;	3.8	

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10/8: Review of Roe default filings for class members, preparation of summary of same 1.6 KD	0	1.6
10/9: Review and sign PO .1; emails with SC re settlement issues .2; emails with counsel re trial and settlement issues .2	.5	
10/7: Review of Roe default filings for class members, preparation of summary of same 3.0 KD	0	3.0
10/11: Review and summary of Roach transcript 2.1; review and summary of Kear transcript 2.5;	4.6	
10/12: Emails with counsel re settlement .1; phone call with RK re and emails with same .3; review of Robar decls. and email to Biloti re same .3; review and summary of Smith transcript 3.5; attend trial strategy conf call .6;	4.8	
10/12: Review of Roe default filings for class members, preparation of summary of same 1.4 KD	0	1.4
10/13: Emails to counsel re handling Robar .1; review and analysis of minute orders, Willis counsel corr., and expert discovery .2; phone call from client re trial and appeal issues .6; prepare cross exam questions for Smith .8; phone call from TT and email to JD and MF re same .3; prepare cross for Roach, and review of applicable appraisal guidelines for same 1.0; review filings and evidence on export issue, and prior discovery on relevant witnesses .3; review and analysis of AVEK exhibits .2; emails to KD re defaults, review summary .1; review trial filings of this date .1; emails with JD re evidence .1; review and analysis of new Willis class alt phys solution, email to DO .3;	4.1	
10/13: Complete review of Roe default filings for class members, preparation of summary of same 1.9 KD	0	1.9
10/14: Travel to and attend trial 9.7; review of trial filings of this date .1; emails with counsel re trial issues .1; phone call to DO re trial .1;	10.0	
10/15: Emails with KB re settlement .1; review default summary .2; emails with DO re trial .2; review Robar material, emails with counsel .1;	.6	
10/16: Conf with KD re AGWA project and cost review .2; review and analysis of Robar documents, emails with counsel re same .2; review and analysis re closing order, phone calls with counsel re handling same .4;	.8	
10/16: Review and analysis of AV cost and expense summary and backup 4.1 KD	0	4.1
10/19: Emails with SC re WFF, call and emails with Wilson re same .5;	.5	
10/19: Complete case cost analysis and summary 1.4 KD	0	1.4
10/20: Review and analysis of WFF3 records .1; phone call with Lenton re WFF3 claim and settlement .6; emails with BB re same .1; phone all with DO re trial and closing issues .5; phone call with RGK and memo to file .5; long email to counsel re closing .2; email to RW re motion to amend, review LASC docket re same .1; emails with counsel re closing issues .3;	2.4	

10/21: Phone call with BB re settlement and judgment issues, WFF3 .5; phone call with JD re SoD, email to DO re same .2; emails to counsel re SoD .2; emails to and from counsel re SoD issues and conf call .3; phone call with RGK and JD re closing and settlement issues, memo to file 1.2; emails with Biloti re Robar claim .3; many (20+) emails with closing and trial issues .5; email to SC re WFF, call to Lenton .3;	3.5	
10/21: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 2.0 KD	0	2.0
10/22: Review GSI invoice and billing .1; emails with SC re WFF .1; review Clifton decls, and emails with counsel .1;	.3	
10/22: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 2.1 KD	0	2.1
10/23: Legal research on SoD issues, email with DO re same .7; participate in settling parties conf call re trial issues 1.3; emails with counsel re closing and trial issues .3; return phone calls to three CMs re settlement issues .8;	3.1	
10/23: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 4.5 KD	0	4.5
10/26: Email to Mackey re expert payments .1; email to Lenton re settlement .4; emails with SC re Robar .2; emails with counsel and RK re closing .2;	.9	
10/27: Many (15+) emails with SC and MD re settlement issues .3; phone call with client re status and closing issues .5; phone call from CM Jackson .3;	1.1	
10/27: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 2.0 KD	0	2.0
10/28: Many emails (15+), and calls with counsel re Robar, settlement and closing .8; prepare outline of closing points .4	1.2	
10/28: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 2.2 KD	0	2.2
10/29: Prepare draft declaration for DZ, review and analysis of record for same 1.4; prepare summary email to DZ re same .8; email to RW re orders .1; emails with DO re DZ decl. .2;	2.5	
10/29: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 2.5 KD	0	2.5

10/30: Attend telephonic conference .8; many emails with Lenton re settlement .3; emails with counsel re WFF .1; review and revise DZ declaration, emails with same .4; phone call with RGK re Ritter, memo to file re same .7; phone call with Lenton re WFF3 claim .3; review court filings and analysis of Ritter claim, filings and related issues .7; prepare stip for WFF3 .4; phone call with Brady re Ritter, memo to file .6; emails to and from Lenton re claim and hearing issues .2; draft email to MF re Ritter, review of stip .3; return phone calls of three CMs re trial and rights issues 1.1; many emails with counsel re closing .5; emails with SC re Tapia settlement .2; emails with Quass, call from same .3; review MO and email with DO re same .1; emails with Lenton re settlement issues, call from same .4; emails with LO counsel re settlements and closing .2;	7.6	
10/30: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 5.3 KD	0	5.3
10/31: Review and analysis of AGWA filings, public record search re Ritter Ranch, review and assessment of Juniper Hills and White Fence representation 2.6; email to DO re Ritter .1; phone call and emails to KD re project on AGWA analysis .2; emails with RGK re Ritter .1	3.0	
10/31: Review and analysis of historical AGWA client filings and preparation of spreadsheet summarizing client status over time 4.0 KD	0	4.0
TOTAL ATTORNEY HOURS	75.9	
TOTAL PARALEGAL HOURS		41.5

Law Office of Michael D. McLachlan, APC

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DATE: November 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
11/1: Analysis and drafting of Objection to Ritter claim, review and analysis of preliminary spreadsheet from KD 1.3; emails to KD re further work on AGWA analysis .2; drafting of Ritter objection, including analysis of relevant filings 1.3; emails with MF re Ritter .3; analysis re judgment and emails with counsel re non appearing parties problem .4; emails with KD re AGWA project, review current spreadsheet .2; emails with counsel re class issues .2; emails with RGK re Ritter .1;	4.0	
11/1: Analysis re AGWA client history and preparation of spreadsheet re same 5.5 KD	0	5.5
11/2: Phone call with RGK re Ritter and handling of other no-show clients an related issues, memo to file .6; phone call to Brumfield re Ritter and Tapia claims .3; emails with LO counsel re same .1; meeting with CMs 1.1; review docket entries for Ritter, emails with BBK re Ritter service .3; prepare draft Lendon decl, review filings and notes, revise same .6; emails with TB re non appearing parties .1; emails with MF re Ritter and other dropped parties .1; phone call with DO re closing and post trial motions .4; phone call with Lenton re decl .3; phone all with RK re Ritter and other AWOL parties motion and judgment issues .4; revise and finalize Lenton decl .2; phone call from Brady re stipulation and judgment, memo to file re Ritter claim .5; emails with Lenton re trial issues .1; emails to sett. Comm re WFF issues .1; public records search for Ritter property, email to Brady re Ritter property location .2; emails to and from Lenton re claim and decl .1; review and analysis of initial AGWA analysis, meeting with KD and emails with LO counsel re same .6; emails to LO re Lenton and Ritter .1; drafting and revision of objection to Ritter claim and MM decl. re same, analysis re underlying records and exhibits for same and AGWA spreadsheet 7.6;	13.8	
11/2: Analysis of JCCP 4408 answering party status and preparation of summary database for same, emails to MM 8.9 KD	0	8.9
11/3: Emails to Brady and client re Ritter and closing .1; email to KD re answering party analysis .2; emails with counsel re AGWA and non-appearing party issues .3; prepare for closing arguments 2.9; travel to and prepare for closing arguments, attend closing arguments 6.5; attend meeting with LO counsel re closing strategy and dealing with judgment issues 2.4; review and revise closing outline .6; review Willis objections to prescription claim .2;	13.2	

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11/3: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.0 KD	0	2.0
11/4: Review and analysis of new revised Willis physical solution .4; review and analysis of answering party spreadsheet and email to counsel re same .2; work on closing details, draft final version 1.1; meeting with RGK re closing outline and judgment issues, Ritter .8; travel to and attend closing arguments, meeting with DO re judgment, class issues and non-appearing parties motion, review judgment and outline of SoD draft 13.6;	16.1	
11/4: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.5 KD	0	2.5
11/5: Emails with Stead re closing .1; review Ritter stip, emails with Brady .1; emails with counsel re cost memo as to Tapia and Phelan .3; review historical summaries of parties, emails to Wang re list of Does and Roes, email to KD re same .2; emails with LO counsel re SoD and prevailing parties .2; review of AGWA list and prepare memo re changes to same .5; brief research on AGWA party lands .3; legal research on 410.50 and 1014 and appearance law .9; long email to counsel re motion for judgment .3; emails with MF re AGWA list .2; emails with JD and attend conf call with settling parties, memo to file, outline SoD .8; email to DZ re decl .1;	4.0	
11/5: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.9 KD	0	2.9
11/6: Review and analysis of preliminary list of potential default target parties and conferences with KD re further work on same 1.4; phone call with S Kuney re motion and defaults, memo to file .3; review and analysis of revised target list, analysis of underlying parties, modify Fife and non-Fife lists and review of some underlying documents for same 1.7; email to settling party counsel re handling and review of list .4; emails to and from counsel re Request for Judgment, review of Judgment and class list for same .6; participate in setting parties conf call, memo to file .8; review revised answering party analysis and modify same, email to KD re further work on same .8; emails with counsel re party status issues .2;	6.2	
11/6: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 4.9 KD	0	4.9
11/7: Review and analysis of answer party spreadsheet and prepare list of modifications to same, memo re further work, spot check underlying date sources for accuracy 1.7; emails with counsel re party status issues .2;	1.9	
11/7: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.0 KD	0	2.0
11/8: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 3.5 KD	0	3.5

11/9: Review and analysis of Ritter filings, review CMC, many (20+) emails to and from Brumfield re issues with same 1.6; review of modified answering party analysis run against class database, spot check underlying data, email to KD re further work .9; emails with counsel re timing on motion for judgment .1; research on public records related to Ritter property and Trust, search of LASC court docket for relevant filings .9; emails with counsel re party status and motion for judgment .2; long email to counsel re Ritter claim and filings .4; phone call to WW re defaults and Request issues .3; phone call from CMS re judgment issues, review judgment re same, memo to file .6; phone call from J Kalpakoff .6; review real property and public records re same, and email to settling party counsel re lack of service on same .8; emails with and phone call to Lewis re non-appearing parties status .2; review and analysis of Santa Maria Judgment .2; review of proposed stip from Brady re LV Ritter and email to committee re handling same .3; review judgment draft and analysis re handling same .3; phone call with DO re judgment issues .3; emails with SC and Brady re LV Ritter stip .2; many emails with counsel re handling Ritter claim .3;	8.2	
11/9: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 3.0 KD	0	3.0
11/10: Emails with TB re judgment request and strategy .3; emails with KD re Doe and Roe analysis .1; phone call from Bunn re Ritter / Fife issues .4; phone call with Fife .2; review SoD transcript .1; participate in AV counsel call .1; email to JD and MF re Ritter and conf call .2; emails to TB re Fife .1; phone call from BJ re Ritter and judgment .3; attend telephonic status conf, memo to file .5; meeting with KD re Doe project .3; analysis re Ex 1 and emails with counsel re issues with same .2; emails with client re status and judgment .3; emails with counsel re answering party issues .2; emails with Wang re Does and Roes .1; emails with and call from Lenton re settlement .2;	3.6	
11/10: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.1 KD	0	2.1
11/11: Email to LO counsel re Doe and Roe accounting analysis and revise memo re same .5; meeting with KD re Doe project .2; review and analysis re case docket and minute orders for trial re SoD .4; phone call to RK and email to RW re missing orders .3; review Williams exhibits .2; emails with KD re Roe project .1; emails with Brady and SC re AV Ritter stip, review same .2; review and analysis of final AGWA member analysis, check underlying records and modify same .7; email to LO counsel re same .2;	2.8	
11/11: Assist MM in docket search for missing orders .4; analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 3.7 KD	0	4.1
11/12: Review LV Ritter stip, judgment, and emails with committee .2; email to Brady re stip status issues .1; review and analysis of final KD version of AGWA analysis spreadsheet, review underlying source materials and prepare instructions for finalizing same 1.4; email to LO counsel re same and handling multiple capacity parties and trusts .2; conf with KD re handling Doe project, review preliminary work on same .2; call and emails with RK .1;	2.2	

11/13: Review and analysis of Willis Class request for SoD .2; review of current Doe analysis spreadsheet, spot check underlying records and emails with KD re same .6; return phone calls to four CMs re settlement and membership issues 1.1	1.9	
11/13: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 6.5 KD	0	6.5
11/15: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 2.1 KD	0	2.1
11/16: Phone call from class member Houdeki .3; review and analysis of current draft Doe checklist, underlying docket and file materials, SP class list and Willis list re unserved defendants 2.7; public records search of numerous class members and unserved landowners 1.1; prepare long email to LO counsel re preliminary analysis and issues with unserved defendants .7; complete review of draft Doe analysis and email to KD re comments and changes to same .9;	5.7	
11/16: Analysis of JCCP 4408 answering party and Roe status and preparation of summary database for same, supplement AGWA summary 3.0 KD	0	3.0
11/17: Emails with KD re changes to Doe analysis and review same .4; emails with BB re Willis .1;	.5	
11/17: Analysis answering party and Roe status and preparation of summary database for same for motion for judgment 2.0 KD	0	2.0
11/18: Meeting with KD re Roe project issues .4; phone call to RK re judgment issues, memo to file .4; research on motion for judgment issues .7; preparation and revision of dismissal and MM declaration, review of file materials, emails to DO re same 1.3; review of Robar evidence .1; emails with JD re SoD .1; emails with DO re fee motion and appeal .2; review and analysis of class list and emails with counsel re issues with same .4;	3.6	
11/18: Analysis answering party and Roe status and preparation of summary database for same for motion for judgment 1.9 KD	0	1.9
11/19: Emails with counsel re party status issues .3; review of original file in Dept 1 re dismissals and defaults, memo to file .5; return phone calls to 4 CMs re settlement issues 1.0	1.8	
11/19: Analysis answering party and Roe status and preparation of summary database for same for motion for judgment 1.5 KD	0	1.5
11/20: Emails with SK re Van Dam status .1; review revised Roe analysis, spot check underlying documents, and emails with KD re same .6; review emails re SoD n/c	.7	
11/20: Analysis answering party and Roe status and preparation of summary database for same for motion for judgment 4.0 KD	0	4.0
11/21: Analysis answering party and Roe status and preparation of summary database for same for motion for judgment 2.0 KD	0	2.0
11/22: Emails with client re Willis and status .2;	.2	

11/22: Complete analysis answering party and Roe status and preparation of summary database for same for motion for judgment, conf with MM re same 2.0 KD	0	2.0
11/23: Phone call with client .2; review and markup of SoD draft .8; emails with LO counsel re same .1; review of closing transcripts .5; review and analysis of current Roe analysis, underlying records, and long email to LO counsel re same .9;	2.5	
11/24: Call from RGK re SoD .2; emails with counsel re same .2;	.4	
11/25: Phone call from BB re Willis and SoD .2; review revisions to SoD .4; emails with counsel re same .1;	.7	
11/27: Attend settling counsel call on SoD issues .7; analysis of KD spreadsheets on non-defaulted parties, email to Wang re same .7; review further changes to draft SoD .3;	1.7	
11/29: Emails with BB re SoD .1;	.1	
11/30: Review further comments to SoD draft .2; attend settling parties call re SoD issues .9; markup SoD re SP class and email to counsel re same .5; review of US comments and revised language .1; conf call with settling parties .1; emails with LO counsel .1; conf call with LO counsel re SoD issues .8; status email to TT .1; emails with GSI, analysis re billing issues, and emails with PWS re same .3; emails with LO counsel re SoD issues .2;	3.3	
TOTAL ATTORNEY HOURS	99.1	
TOTAL PARALEGAL HOURS		66.4

Law Office of Michael D. McLachlan, APC

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DATE: December 2015

Bill To:

Wood v. Los Angeles County Waterworks et al.

For:

Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	PARALEGAL
12/1: Emails with LQ re SoD .2; phone call from Wilson .1; many (20+) emails with counsel re SoD changes, review revisions to same .5; attend settling party conf call re SoD 1.3; phone call from Quass re SoD .1; legal research on 631.8 and judgment against not appearing parties, and bounds and impact of general appearance on same 1.6;	3.8	
12/2: Review new draft SoD, emails with JD re changes to same .2; emails with counsel re SoD .2; attend landowner conf call re SOD 1.5; attend settling party call and then continued LO call re SoD issues 1.3; phone call from L Quass re SoD issues .3; review Quass changes .1; analysis of Does/Roes spreadsheet re failure of service, email to Wang re same .9; drafting of request for judgment facts .6; analysis re Ex A and email to counsel re same .1; email to counsel re appearing party analysis for request for judgment .2; emails with counsel re non appearing party information, analysis re same .5;	5.9	
12/3: Emails with LO counsel re SoD changes .3; review of LM and SK changes to same, many emails with counsel re further changes to SoD .8; review and analysis of party data, paralegal Workproduct, file material, and BBK comments and email to all counsel re appearing party issues 1.1; email to counsel re appearing party spreadsheet .1; emails with Quass and LO counsel re Goodyork, review his property summary .2; review JG and other counsel further changes to SoD .3; review DO draft judgment .1; phone call from CM Rogers re settlement issues .3; many emails with MF, review judgment list .3; review new LM draft SoD corrections .2; review SK insert for new stipulators .1; review US comments and email to counsel .1; review WW email and comments .1; emails with Brady and counsel re Gaskell .1; review new SoD insert .1; conf call with setting parties re SoD .2; brief review of revised SoD redline, emails with counsel re same .4; conf call with counsel re SoD .2; conf call with LO counsel re status of new changes to SoD .4; review LM new draft of SoD .1; review of Robar materials and emails with counsel re same .2; many (25+) emails with counsel re appearing party issues and request for judgment .5; emails with SC and analysis of Robar claim .2; many emails with counsel re SoD and judgment issues .2; review and markup proposed judgment .1;	6.7	

12/4: Review Quass changes to SoD .2; compare new Dunn version against LO, MM comments .2; review and analysis of numerous other requested SoD changes .2; review and analysis of CCP and CRC re judgment issues .1; review of Boron filings re prescription claim, emails with counsel re same .3; review of FPPC opinion letter and GC re conflict .1; emails with DO re judgment .1; review and analysis of master judgment and email to counsel re same .2; emails with settlement comm re Robar, review expert analysis and prior offer .2; emails and phone call with Wilson re SoD .2; review US edits to SoD .1; conf call with setting parties re SoD and judgment 1.5; drafting and analysis of SP judgment 1.5; review and analysis of non-appearing party list, and related work product, emails with counsel re same .6; review and analysis of class list and conf with DK re same, email to counsel re same .8; phone call from A Brady n/c; call from L Houdiqui .1; emails phone call from T Bunn and DE re fees issues .2; emails to and from WW re non-appearing list, analysis re same and CM status .6; review and revision of SP class judgment, exhibit, master judgment and comments to same 1.2; review of revised judgment, further comments to same .2; review of proposed judgment filed and exhibits, email to counsel re error .2; many (30+) emails with counsel re SoD and judgment .5;	9.3	
12/5: Emails with client re SoD and J .2; emails with counsel re Robar settlement .2; review master judgment, and email to counsel re defects .2;	.6	
12/7: Emails to and from SK re judgment issues .2; review and analysis of paralegal work-product, underlying filings, and master party spreadsheet for non-appearing parties, prepare instructions for final edits to same .9; legal research on general appearance issues and law for attorney binding clients, as well as form of notice required to non-appearing parties prior to trial 1.0; complete drafting of MM declaration and request for judgment, edit same 2.7; email to counsel re draft motion .1; emails with Wang re answers .1;	5.0	
12/8: Phone call to SK re judgment issues, memo to file .3; emails with KD re billing .1; emails with GSI and counsel re open billing .2; emails with DO re fee motion .1; status email to Pearl .1; phone call to JD n/c;	.8	
12/9: Emails with R Pearl re fee issues .4; review of court transcripts re judgment issues .4; emails to and from counsel re request for judgment, review timing and related orders, research on 1013, and modify request 2.1; prepare objection to master judgment, review trial transcripts for same 1.6; phone call with R Pearl, memo to file .7; analysis of docket, CCP 594 and email to counsel re notice of trial .6; emails with counsel re same .2; emails with RK re decl of DZ .2; modify exhibits and motion, mm decl ISO request for judgment 1.1; emails with Mackey re billing issues .1;	7.4	
12/10: Review Tapia filing .1; review Ritter filing, prior Ritter filing, and email to counsel re further handling of claim .3; emails with DZ re decl., revise same .1; emails with RK re fee motion .1; emails with DO re Ritter .1; review outline of Pearl decl., emails with DO re fee motion .3; emails with counsel re Robar settlement .1;	1.1	
12/11: Emails with DO re fee motion issues .3; email to RK re same .1; emails to Pearl re motion facts .5; review DZ decl, emails with same and DO .1; many emails with counsel re Robar settlement, review draft docs re same .2;	1.2	

12/13: Review default list, underlying records and class list, and email to KD re further work on same 1.1; emails with Davis re Abbey .1; review of cost summary and email to KD re same .2;	1.4	
12/14: Review and summarize Phelan objections and SoD .3; review and summary of Willis objections to same, emails with LO counsel re same .5;	.8	
12/14: Recheck default analysis spreadsheet 1.1 KD	0	1.1
12/15: Review and analysis of Willis objections .9; phone call with RGK re objections to SoD and handling same, email to counsel re call to discuss handling .7; conf with DK and review of class default lists, supporting file materials re class member erroneously defaulted 1.6; modify default exhibit, email to WW re same .2; emails with RGK and Quass re objections .1; review and analysis of Boron filings and discovery, long email to settling counsel and issues with prescriptive claims 1.5; emails with settling counsel re conf call on SoD objections .1; review expert billings and invoice approval filings, prepare ex parte application re #6 .2; emails with TB re Boron .1;	5.4	
12/15: Recheck default analysis spreadsheet 2.5; review cost summary and backup .5 KD	0	3.0
12/16: Emails with Mackey and counsel re payment issues .1; emails with counsel re SoD and Robar .2; prepare reply to Ritter objection to request for judgment, modify MM decl ISO same .9;	1.2	
12/17: Prepare notice re defaults .3; phone call from B Joyce re Ritter and SoD issues .2; emails with GSI re payment issues .1; review Willis memo from LM and email to same .2;	.8	
12/18: Email to KD re order analysis .1; emails with MD re Robar .1; analysis re class list for judgment and prepare notice of amended class list .8; prepare notice of service of trial orders .1; phone call from RK re judgment issues .2; review objections to SoD .3; participate in stip parties conf call re SoD and Judgment issues, hearing strategy 1.3; emails with SC re Robar deal, review docs .1; review GCG bill, emails with Penny re same .1; review revised SoD .1;	3.2	
12/21: Review LM and AG revisions to SoD, emails with counsel re same .2; participate in settling parties conf call re judgment and SoD changes, modify judgment .7; many emails with BBK re judgment, review and redline same .4; emails with counsel re judgment and SoD .2; emails with DO re same .1; review Willis supp objections and new judgment filing .2;	1.8	
12/22: Review Willis objections and Adiar filings .1; prepare for hearings .6;	.7	
12/23: Travel to and attend hearing on SoD, judgment, and other issues 3.8; review new judgment and exhibits, emails with Wang re same .3;	4.1	
12/24: Emails to and from Wang, modify exhibit .2; prepare proposed order re request for judgment .2; emails with counsel re Robar .1;	.5	
12/28: Review filings of this date .1; emails with MD re stip handling .1; emails with counsel re physical sol .1; email to Pearl re status .1; emails with GSI and counsel re payment issues .1;	.5	

12/29: Emails to and from LO and Davis re Robar ; phone call to Davis re proof on Robar claim, memo to file .4; review Willis objections .1; emails with counsel re Robar hearing .1; email to Biloti re prove up .1; review Lane filing and emails with counsel re same .1;	.8	
12/30: Phone call with RK re Robar and hearing issues, memo to file .3; phone call from Olaf, email to same .1; emails to RK re fee motion .1; long email to Biloti re prove up .4;	.9	
12/31: Email to JD re GCG, review prior corr .1; legal research on fee motion timing issues, and [REDACTED] of 1021.5 fee claim .9	1.0	
TOTAL ATTORNEY HOURS	64.9	
TOTAL PARALEGAL HOURS		4.1

Law Office of Michael D. McLachlan, APC

INVOICE

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

DATE: January 2016

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

For:
Legal services, Antelope Valley Groundwater Cases

DESCRIPTION	HOURS	AMOUNT
1/1: Email to Pearl re status of fee motion .2; emails with client re same and watermaster meeting .2; emails with LO counsel re watermaster meeting .2; review AV Press article and email with client re same .1; analysis re fee motion allocation and long email with DO re handling same .4; review prior hearing transcripts and email with counsel re same .2; emails with DO re fee motion issues .2; emails with LO counsel re watermaster timing .1; emails with GSI re billing issues .1;	1.7	
1/2: Return calls to six CMs re settlement issues 1.3; emails with RGK re watermaster .1;	1.4	
1/3: Emails with BB and Mackey .1;	.1	
1/4: Call from VM Godde and review database re property history .2; emails with DO re fee motion .2; phone call from CM Godde re settlement and class issues, update master client memo re same .6; emails and call with client re fee motion, review client records .5; emails with DO re fee motion .2;	1.7	
1/5: Analysis and review of case costs, email to KD re same .3; review and analysis re Clifton decl. and exhibits, emails with counsel re same .2; review client cost info, emails with same .2;	.7	
1/6: Phone call from CM Siebert re settlement .1; email to Wang re transcript issue .1; emails with DE re appeal .1; review client records .1; emails with TB .1; review fee motion rules and emails with DO re timing and multiplier issues .4;	.9	
1/7: Phone call with RK re settlement issues, appeal, memo to file 1.1; prepare for hearing .2; emails with DO re fee motion .1; review Robar documents .1; emails and call with client re incentive award .3; review emails from Biloti and Robar decl. .1; emails with PWS and Mackey re expert billing issue, analysis re same .2;	2.1	

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JA 158978

1/8: Review order on request for J, emails with counsel re same .1; attend status conference .6; phone call with TB and RGK re Robar and appeal, memo to file .9; emails with settlement committee re Robar .3; analysis re 664.6 issue with Robar .2; phone calls from two CMs re settlement, watermaster and appeal .6; research on 664.6 issues with Robar .6; emails with RK re fee motion .1; emails with counsel re watermaster .2; many (10+) emails with DO re fee motion issues .3; email to Pearl re same .1; emails with client re fee motion and incentive award .3; emails with LO counsel re watermaster .1;	3.8	
1/9: Emails to LO counsel fee motion .3; legal research on fee motion procedural and substantive issues 1.2; email with RK re same .1;	1.6	
1/11: Research on recent fee surveys, opinions on same and multiplier 2.6; email to KD re timesheet review .2;	2.8	
1/11: Review timesheets for 2013 and 2014, email to MM 2.9	0	2.9
1/12: Email to LO counsel re appeal issues .1; email to DO re appeal issues .1; participate in liaison comm conf call .8; legal research on Robar and judgment status, vacating same, timing and impact on settling parties .7; phone calls to RZ and RGK re appellate issues .2; legal research on trial court jurisdiction during appeal for 473 motion and motion to vacate judgment 1.2; email to LO counsel re same and handling Robar claim .3; review of DO fee bills and emails with same .1; analysis and review of potential evidence for fee motion, emails with DO re same 1.0;	4.5	
1/13: Phone call from RZ n/c; emails with DO and client .1	.1	
1/14: Review and analysis of WW letter and email to LO counsel re watermaster board issues .4; email and phone call to client re same .3; phone call to RGK re watermaster issues .8; phone calls with RZ and WS re same .1; phone call to BB re city meeting and watermaster .4; phone call with MF re watermaster voting, analysis of judgment re same .4; prepare memo to LO counsel re watermaster seat options .3; phone call from CM Quigley re settlement .2; phone call from RZ and email to MF re watermaster .1; emails to RGK re Bolthouse .1; call to JD re fee motion timing .1; email to PWS re judgment challenge .2; emails with client re watermaster .1; email to Wang re judgment posting .1; phone call with JD re hearing dates .1; emails with LO counsel re watermaster election issues .2; review AVEK memo and email to LO counsel re same n/c	3.9	
1/15: Review of Ritter motion .1; phone call to RGK re Ritter depo .2; phone call and emails with JD and DO re hearing schedule .2; phone call with Pearl re fee motion issues, memo to file .6; legal research on post judgment discovery .4; emails with BB re Ritter depo .3; emails with DO and LO counsel re handling same .2; phone call with WS re watermaster .4; emails with client re watermaster selection .7; prepare notice of depo for Ritter and document requests, emails with LO counsel and revise same .4; emails with GSI and counsel re payment issues .1; emails with RW re ex parte .1; further emails with BB and DO re Ritter depo .1;	3.8	

1/18: Phone call with RK re fee motion issues, memo to file .3; analysis re lodestar issue and emails with RK .4; prepare stipulation re fee filing, email to JD re same .3; emails with counsel re same .1; participate in settling party conf call re watermaster 1.2; emails to LO counsel re same, analysis of judgment and party list for voting .2; emails with counsel re fee motion timing .1; emails with DO re fee motion .1; emails with LO counsel re watermaster board election .3; review Workproduct spreadsheets, and emails with counsel re Ex. 4 contacts, review file records re same .2; emails with MD and client re meeting .1; call to client re same .3; legal research re public benefit issue on 1021.5 1.9	5.4	
1/19: Phone call with client re AV United meeting and watermaster issues .8; review Ritter objection, email to RW re hearing .1; legal research on post judgment discovery .8; emails with MD re meeting .1; emails with LO counsel re Ritter .1; analysis re client decl and email to client re same .2; prepare initial client decl outline, email to client .3; emails with counsel re voting contacts .1; meeting with KD re AV work analysis for fee mtn .1; emails with BB re Ritter hearing .2; prepare Ritter ex parte 2.5;	5.3	
1/20: Review Ritter opp to ex parte, relevant file materials, and draft reply brief 1.0; many emails with DO re same .2; phone call from RK re fee motion, memo to file .3; phone call from client re declaration data .3; emails with GSI and counsel re billing issues, analysis re same .1; email to JD and review BB letter, Fife filing .1; many emails with DO re fee motion and Ritter .2; email to TT re VM and status .1; preparation of draft of MM declaration for fee motion 5.4; email to Pearl re same and DO decl. .1	7.8	
1/21: Emails with BB re depo .1; review MF filing, review Stip and draft letter to Fife re Ritter claim, emails with DO and LO counsel re same, revise letter 1.0; emails with MD and review draft Robar letter, revise same .1; phone call from R Pearl re fee motion issues .2; emails with US re watermaster voting .1; travel to (with calls to Brumfield, Fife and Davis) meeting with AV United and attend watermaster meeting, including hearing on Ritter depo 6.7; emails with MD re Robar .1; phone call to JD re stip and Ritter .1; many emails with Brumfield re depo .2; finalize stip for filing .1; email to KD re transcript review .1; phone call from RK re fee motion .2; review of RK lodestar analysis and many emails with same .2; emails with DO re Ritter .1;	9.3	
1/21: Review and analysis re hearing transcripts for fee motion 2.0 KD	0	2.0
1/22: Phone call from RGK re Ritter motion .1; emails with TT re conflict .2; many (35+) emails with Brumfield, DO and LO counsel re Ritter depo .8; prepare outline for Ritter depo, review docs, emails with DO .4; emails with Pearl re fee motion issues .3; brief review of Willis fee motion .1; email to JD and finalize stip .1; legal research on fee motion multiplier issues, 1021.5 impacts on same 2.3;	4.3	
1/22: Review and analysis re hearing transcripts for fee motion 1.5 KD	0	1.5
1/23: Emails with DO re Willis motion .1; brief review of Pearl comments to MM decl. .1; emails with client re decl changes .2; review fee bills, summary and changes memo, email to Pearl re same .9; drafting of fee motion 3.1;	4.4	
1/24: Emails with DO and Pearl re fee motion decls .2; email to GCG re billing .1;	.3	

1/25: Review and revise Pearl decl. and emails with same 2.9; call from Pearl .1; review and revise MM declaration 2.4; emails to Pearl re fee issues and case history .4; revise RAW declaration, review exhibits, email to same 2.8; conf with KD re review of 2015 timesheets .1; review PWS allocations and analysis re fee allocation .5; review edits to same .4; review transcripts and orders for fee motion .7; emails to DO and Pearl re same .2; review Pearl further markup of MM declaration, and revise same 1.5; analysis re Ritter depo and emails to DO re same .3; review DO decl. .3; review of 2015 fee bills and corrections to same .5; review 2014 timesheets and summary .6;	13.7	
1/25: Review and analysis re hearing transcripts for fee motion, prepare summary memo for same 5.5 KD	0	5.5
1/26: Phone call with client re declaration .1; review and analysis of exhibits .1 emails with client re same .1; phone call from TT re conflict and other work .2; phone call to Quass re same .1; many emails with Brumfield and DO re Ritter depo .4; review of client comments to decl, phone call with same .6; review and revise RAW decl and exhibits, email with client 1.0; phone call from RGK re settlement and Ritter .3; phone call with Pearl .2; review and editing of Pearl declaration .9; emails with same .2; review trial court orders in six cases, legal research on Judge' fee options .8; further revise Pearl Decl., emails with same .5; review and analysis of KD memo and transcripts, revise MM declaration re same .7; many emails with DO re fee motion issues, DO decl .3; emails with RK re depo and fee motion .1; review and finalize DO declaration and exhibits .4; review and finalize RAW declaration and exhibits .4; revise MM declaration .6; review and analysis re MM exhibits .3	8.3	
1/26: Review and analysis re hearing transcripts for fee motion, supplement summary memo for same 4.5 KD	0	4.5
1/27: Continue drafting of fee motion, edit declarations ISO same 4.0 [ONLY CURRNT THROUUGH 11 a.m.]	2.7	
TOTAL ATTORNEY HOURS	90.6	
TOTAL PARALEGAL HOURS		13.5

Exhibit 4

0370

JA 158982

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ANTELOPE VALLEY GROUNDWATER CASES

This Judgment Relates to Included Action:
RICHARD WOOD, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40, et al.

Defendants.

JUDICIAL COUNCIL

COORDINATION
PROCEEDING NO. 4408

Case No. BC391869

~~proposed~~ ORDER
GRANTING MOTION FOR
APPROVAL OF AWARD OF
ATTORNEY FEES AND
COSTS

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

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

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

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

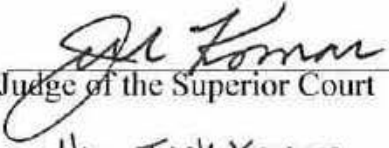
1 a period of six years. The Court reserves to the Non-Settling Defendants the right to
2 challenge this allocation should it arise with respect to their payment of attorneys' fees or
3 costs at some future date.

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

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

13 IT IS SO ORDERED.

14
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16 Dated: JANUARY 15, 2014



Judge of the Superior Court
Hon. JACK KOMAR

Exhibit 5

0374

JA 158986

Wood v. LA County - Law Offices of Michael D. McLachlan Costs

<u>DATE</u>	<u>VENDOR</u>	<u>NOTES</u>	<u>AMOUNT</u>
5/5/2008	parking	LASC	\$ 20.00
5/21/2008	Ginger Welker	transcript	\$85.00
6/3/2008	glotrans	5/14-6/3 6x	\$94.20
5/22/2008	parking		\$20.00
5/26/2008	Ginger Welker	transcript	\$125.00
6/1/2008	Westlaw	May	\$236.42
6/3/2008	parking		\$6.00
6/4/2008	DDS atty svc		\$19.15
6/4/2008	courtcall		\$60.00
6/3/2008	LASC	filing fee	\$870.00
6/23/2008	courtcall		\$60.00
6/25/2008	parking	LASC	\$8.00
6/30/2008	mileage	San Diego	\$66.44
6/30/2008	parking	San Diego	\$20.00
6/30/2008	glotrans	13 filing fees	\$204.10
7/1/2008	Westlaw	June	\$97.18
8/1/2008	Westlaw	July	\$18.62
8/1/2008	glotrans	filing fee	\$15.70
8/4/2008	courtcall	???	\$60.00
8/3/2008	Ginger Welker	transcript	\$142.00
8/6/2008	filing fee		\$15.70
8/20/2008	Ginger Welker	Hearing transcript	\$160.00
8/21/2008	filing fee		\$15.70
9/1/2008	Westlaw	August	\$72.14
9/17/2008	glotrans		\$15.70
9/23/2008	Esquire	Utlely depo transcript	\$1,343.40
9/24/2008	Esquire	Scalamini transcript	\$1,503.54
9/29/2008	Esquire	Durbin depo transcript	\$1,567.65
9/30/2008	Esquire	Oberdorfer transcript	\$1,256.40
10/7/2008	LA Best		\$129.25
10/12/2008	parking	court	\$20.00
10/24/2008	courtcall		\$60.00
11/25/2008	cab	San Jose	\$20.00
11/14/2008	courtcall		\$55.00
11/14/2008	glotrans	filing fee	\$15.70
11/14/2008	courtcall		\$60.00
11/21/2008	glotrans	filing fee	\$15.70
11/24/2008	southwest air	airfare	\$279.00
11/25/2008	airport bus		\$1.75
11/25/2008	parking	burbank airport	\$30.00
11/26/2008	glotrans	filing fee x 2	\$31.40
12/1/2008	Westlaw	November	\$100.70
12/15/2008	glotrans	filing fee	\$15.70
1/1/2009	Westlaw	December	\$84.96
1/2/2009	glotrans	filing fee	\$15.70
1/15/2009	Clifford Brown	meeting room	\$61.18
1/22/2009	Ginger Welker	transcript	\$87.00
1/26/2009	glotrans		\$15.70
2/1/2009	Westlaw	January	\$479.35

2/3/2009	southwest air	San Jose		\$119.20
3/1/2009	glotrans	2/9 - 2/28 x9 @ 15.70		\$141.30
2/17/2009	courtcall	3/5 hearing		\$60.00
3/1/2009	Westlaw	February		\$280.46
3/5/2009	parking	aiport		\$30.00
3/5/2009	taxi	San Jose - Court		\$20.00
3/5/2009	taxi	Court - San Jose		\$20.00
3/30/2009	courtcall	tro		\$65.00
3/30/2009	glotrans	3 x 15.70		\$47.10
3/31/2009	glotrans	2 x. 15.70		\$31.40
4/1/2009	Westlaw	March		\$288.19
4/8/2009	Vargas			\$45.00
3/31/2009	courtcall	TRO		\$65.00
4/1/2009	glotrans	3x15.70		\$47.10
4/2/2009	parking	Bunn's office		\$5.25
4/2/2009	glotrans	2x15.70		\$31.40
4/16/2009	glotrans	2x15.70		\$31.40
4/29/2009	Ginger Welker			\$115.00
5/1/2009	Westlaw	April		\$21.02
5/1/2009	courtcall	ex parte		\$65.00
5/1/2009	glotrans	2x15.70		\$31.40
5/6/2009	LASC	jury fees		\$150.00
5/18/2009	courtcall			\$65.00
5/27/2009	courtcall			\$65.00
6/1/2009	Westlaw	May		\$83.76
6/3/2009	courtcall			\$65.00
6/5/2009	glotrans	5/5-6/3 17x 15.70		\$266.90
6/15/2009	courtcall			\$65.00
6/15/2009	DDS atty svc		198251	\$228.80
6/16/2009	courtcall			\$65.00
6/23/2009	LASC	document download		\$7.50
6/30/2009	DDS atty svc		199247	\$123.90
7/1/2009	glotrans	6/5-7/1 13 x 15.70		\$204.10
7/1/2009	Vargas	Class list revision		\$1,035.00
7/1/2009	Westlaw	June		\$54.23
7/13/2009	Entrix			\$0.00
7/20/2009	Heather Gorley	hearing transcripts 2		\$321.40
7/30/2009	Vargas	class list revision		\$255.00
7/21/2009	Fedex		86001	\$19.97
7/27/2009	Fedex		17260	\$17.02
8/3/2009	glotrans	7/9-8/3 7 x 15.70		\$109.90
8/7/2009	southwest air			\$233.20
8/7/2009	glotrans			\$15.70
8/10/2009	Ginger Welker	7/24/09 transcript		\$205.00
8/11/2009	glotrans			\$15.70
8/12/2009	southwest air			\$139.20
8/17/2009	lunch SJ	Shark's Cage		\$17.05
8/17/2009	Park One	LAX Parking		\$17.55
8/13/2009	Fedex	00148 BBK		\$19.21
8/14/2009	Fedex		91748	\$23.62
8/17/2009	taxi	San Jose		\$22.00
8/25/2009	Fedex	Robie 94215		\$19.12

9/1/2009	Westlaw	August	\$61.96
9/2/2009	Parking	burbank airport	\$20.00
9/2/2009	taxi	Robie to Airport	\$36.00
9/2/2009	breakfast	burbank airport	\$13.95
9/2/2009	dinner	Sacto	\$35.19
10/1/2009	Westlaw	Sept	\$113.49
10/2/2009	Fedex	67935 BBK	\$15.33
10/9/2009	Fedex	68794 BBK	\$15.33
10/13/2009	Parking	burbank airport	\$20.00
10/13/2009	taxi	San Jose	\$10.00
10/21/2009	glotrans		\$18.00
10/21/2009	courtcall		\$65.00
10/29/2009	southwest air	Robie part 2	\$341.20
11/4/2009	taxi	robie	\$36.00
11/1/2009	Westlaw	Oct	\$6.58
11/1/2009	Fedex	49207 BBK	\$15.62
11/4/2009	taxi	Sacto to Robie	\$39.00
11/4/2009	lunch Sacto	cash	\$22.00
11/6/2009	Fedex	33637 Robie	\$19.30
11/13/2010	Fedex	BBK	\$15.62
11/27/2010	Fedex	BBK	\$15.40
12/1/2009	Westlaw	Nov	\$13.01
1/8/2010	Courtcall		\$45.00
1/18/2010	Courtcall		\$45.00
2/1/2010	Westlaw	jan	\$102.20
2/3/2010	Glotrans	4 x 18	\$72.00
2/18/2010	Ginger Welker	transcript 2/5	\$85.00
3/1/2010	Westlaw	Feb	\$17.17
3/3/2010	Glotrans	5 x 18	\$90.00
3/3/2010	Courtcall		\$45.00
3/8/2010	Parking	court	\$9.35
3/10/2010	Ginger Welker	transcript	\$125.00
3/15/2010	Courtcall		\$45.00
3/23/2010	Court of App	writ	\$655.00
3/23/2010	DDS	LASC filing	\$17.90
3/23/2010	DDS	court of app filing	\$98.06
3/26/2010	DDS	court of app filing	\$131.15
3/26/2010	Fedex	rowena walker	\$16.93
3/30/2010	Glotrans	7 x 18	\$126.00
3/30/2010	Charle Kuhn	hearing transcript	\$50.00
4/1/2010	Westlaw	March	\$31.60
4/20/2010	Courtcall		\$45.00
4/29/2010	Glotrans		\$36.00
4/30/2010	Myriad	writ copies	\$214.23
5/5/2010	Glotrans		\$18.00
6/2/2010	Courtcall		\$50.00
6/4/2010	Glotrans		\$36.00
6/8/2010	Glotrans	18 x 2	\$36.00
7/1/2010	Westlaw	June	\$91.37
7/13/2010	Courtcall		\$65.00
7/20/2010	Courtcall		\$65.00
7/27/2010	Glotrans	9x 18 July	\$162.00

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8/24/2010	Southwest	air -- Sacto mediation	\$101.92
8/24/2010	Burbank	parking	\$20.00
8/31/2010	Glotrans		\$18.00
9/1/2010	Westlaw	August	\$49.91
10/1/2010	Westlaw	Sept	\$12.60
10/19/2010	Parking dep		\$6.75
11/1/2010	Westlaw	Oct	\$8.15
11/15/2010	Parking dep		\$6.75
11/15/2010	Glotrans		\$18.00
11/16/2010	Parking dep		\$6.75
11/30/2010	Glotrans		\$18.00
12/1/2010	Westlaw	November	\$149.51
12/15/2010	Parking	cash LASC	\$20.00
12/20/2010	Glotrans		\$18.00
12/30/2010	Glotrans	3x	\$54.00
1/1/2011	Westlaw	December	\$139.93
1/4/2011	Parking	trial	\$20.00
1/6/2011	Parking	trial	\$20.00
1/6/2011	lunch	joyce	\$45.09
1/6/2011	Myriad	334231 AV expert report	\$373.05
1/12/2011	Veritext	Joe S transcript	\$497.15
1/13/2011	Veritext	Joe S transcript	\$515.45
1/20/2011	Rental Car	Joe S	\$44.21
1/20/2011	Meals	Oakland / Joe S	\$30.70
1/20/2011	Southwest	Joe S	\$347.40
1/20/2011		76 gas	\$7.28
1/20/2011	Parking	Joe S. depo building	\$10.00
1/20/2011	Parking	burbank airport	\$20.00
1/25/2011	Southwest	Joe S #2	\$331.40
1/25/2011	Parking	burbank airport	\$20.00
1/25/2011	Parking	Ygnacio center	\$7.00
1/25/2011	Fox Rental Car	Joe S	\$100.59
1/27/2011	Veritext	Joe S	\$427.00
1/31/2011	parking		\$20.00
2/1/2011	Parking		\$20.00
2/2/2011	Parking		\$20.00
2/3/2011	Parking		\$20.00
2/10/2011	Parking		\$20.00
2/14/2011	Parking		\$16.00
2/15/2011	parking		\$16.00
2/16/2011	Parking		\$16.00
2/14/2011	Glotrans		\$18.00
2/17/2011	Parking		\$16.00
2/19/2011	Lebeau Thelen	AV trial report bill 1	\$216.86
2/23/2011	Parking		\$9.00
2/24/2011	Parking		\$12.00
3/14/2011	Parking		\$16.00
3/15/2011	Glotrans		\$18.00
3/15/2011	Parking		\$16.00
3/16/2011	Parking		\$16.00
3/22/2011	Parking		\$16.00
3/23/2011	Parking		\$16.00

3/24/2011	Parking		\$5.00
3/28/2011	parking		\$16.00
3/30/2011	Lebeau Thelen	AV trial reporter bill 2 + 3	\$486.85
4/13/2011	Parking	trial	\$16.00
4/25/2011	Glotrans		\$18.00
5/1/2011	Westlaw	April	\$2.49
5/9/2011	Elite Atty Svc	398	\$30.00
6/2/2011	Courtcall		\$110.00
6/15/2011	Glotrans		\$18.00
6/21/2011	Glotrans		\$18.00
6/1/2011	Westlaw	June	\$15.48
7/6/2011	Courtcall		\$78.00
7/11/2011	Parking		\$8.00
7/12/2011	Glotrans		\$18.00
8/10/2011	Ginger Welker CSR	hearnig transcript x2	\$73.00
8/24/2011	Glotrans		\$19.00
8/30/2011	Parking		\$8.00
8/31/2011	taxi	Robie	\$35.00
8/31/2011	Southwest Air	Robie mediation 8/31	\$352.40
8/31/2011	Parking	Burbank Airport Robie	\$21.00
9/1/2011	Westlaw	August	\$55.96
10/5/2011	Glotrans		\$19.00
10/3/2011	Courtcall		\$78.00
11/1/2011	Westlaw	Oct-11	\$7.55
11/12/2011	Paula Renteria CSR	hearing transcript	\$10.00
11/11/2011	Glotrans		\$19.00
11/15/2011	Parking		\$8.00
12/1/2011	Westlaw		\$1.39
12/9/2011	glotrans		\$19.00
1/17/2012	Ginger Welker	hearing transcript	\$99.00
1/19/2012	Glotrans		\$19.00
2/9/2012	Glotrans		\$19.00
2/14/2012	parking	hearing	\$8.00
3/30/2012	lunch		\$26.02
4/1/2012	Westlaw		\$39.22
4/12/2012	Glotrans		\$19.00
4/17/2012	parking	court	\$8.00
4/27/2012	Glotrans		\$19.00
5/1/2012	Westlaw	April	\$78.44
5/20/2012	Lynne Franko	reporter	\$45.00
6/6/2012	Courtcall	6/19 status call	\$78.00
6/6/2012	Glotrans		\$19.00
6/12/2012	Glotrans		\$19.00
6/14/2012	Glotrans		\$38.00
6/24/2012	Sandy Geco	transcript March 2012	\$112.50
7/1/2012	Glotrans		\$19.00
7/1/2012	Westlaw	June	\$80.63
7/6/2012	Glotrans		\$19.00
7/6/2012	parking	trial setting / expert	\$15.00
7/11/2012	Glotrans		\$19.00
8/1/2012	Westlaw	July	\$47.06
10/12/2012	parking	trial setting / expert	\$20.00

10/15/2012	CCROLA	reporter 10/15	\$250.00
10/8/2012	Glotrans		\$21.00
11/8/2012	Glotrans		\$42.00
11/16/2012	Glotrans		\$21.00
11/5/2012	Parking	court	\$8.00
11/9/2012	parking	court	\$15.00
11/19/2012	Glotrans		\$21.00
11/20/2012	Glotrans		\$42.00
11/26/2012	Glotrans		\$21.00
11/29/2012		Sacto to Robie	\$40.00
11/29/2012	taxi	robie to Sacto	\$40.00
11/29/2012	dinner	Sacto stranded	\$41.55
11/30/2012	parking	Burbank air -- Robie	\$42.00
11/28/2012	Glotrans		\$21.00
12/7/2012	Glotrans		\$21.00
12/14/2012	Glotrans		\$21.00
12/18/2012	Glotrans		\$42.00
12/18/2012	Courtcall		\$78.00
1/1/2013	Westlaw	Dec	\$57.14
1/4/2013	courtcall		\$78.00
1/4/2013	Glotrans		\$42.00
1/10/2013	courtcall		\$78.00
1/10/2013	Veritext	depo transcript	\$441.21
1/10/2013	Veritext	depo transcript	\$230.00
1/10/2013	Glotrans		\$42.00
1/17/2013	Glotrans		\$105.00
1/24/2013	Glotrans		\$21.00
2/13/2013	Glotrans		\$21.00
2/25/2013	Courtcall		\$78.00
2/25/2013	Courtcall		\$78.00
2/25/2013	Glotrans		\$42.00
2/28/2013	Excelsior	copying	\$826.08
3/11/2013	Glotrans		\$21.00
3/26/2013	Glotrans		\$21.00
3/25/2013	parking	AV OSC CCW	\$12.00
3/26/2013	Courtcall		\$78.00
4/1/2013	Glotrans		\$21.00
4/1/2013	Westlaw	March	\$237.74
4/5/2013	Glotrans		\$42.00
4/8/2013	parking	Lamoreux depo	\$16.00
4/12/2013	Parking	Ariki depo	\$16.00
4/20/2013	Glotrans		\$21.00
4/22/2013	Courtcall		\$78.00
4/22/2013	Glotrans		\$21.00
4/29/2013	USPS	postage	\$92.00
4/29/2013	Glotrans		\$21.00
5/1/2013	Westlaw	April	\$147.00
5/6/2013	Glotrans		\$42.00
5/6/2013	Courtcall		\$78.00
5/16/2013	Glotrans		\$21.00
5/16/2013	USPS	postage	\$106.20
5/16/2013	Courtcall		\$78.00

5/22/2013	Veritext		1758250	\$1,566.25
5/23/2013	Veritext		1758292	\$3,250.00
5/24/2013	parking	airport		\$14.92
5/24/2013	cab	San Jose		\$20.00
5/24/2013	air fare	San Jose		
5/23/2013	Glotrans			\$63.00
5/24/2013	Veritext		1751599	421.71
5/24/2013	Veritext		1751668	\$230.18
5/24/2013	Veritext		1751714	\$279.16
5/24/2013	Veritext		1751688	\$753.33
5/24/2013	Veritext		1759497	\$181.41
5/24/2013	Veritext		1759526	\$228.93
5/24/2013	Veritext		1759516	\$292.60
5/24/2013	Veritext		1759414	\$325.81
5/24/2013	Veritext		1759461	\$42.34
5/24/2013	Veritext		1759503	\$214.60
5/24/2013	Veritext		1759543	\$185.15
5/24/2013	Veritext		1759590	\$367.05
5/24/2013	Veritext		1759607	\$226.04
5/24/2013	Veritext		1759640	\$258.13
5/24/2013	Veritext		1759677	\$155.31
5/25/2013	Veritext		1760831	\$108.73
5/28/2013	parking			\$5.00
5/28/2013	parking	trial		\$8.00
5/29/2013	parking	trial		\$8.00
5/29/2013	Veritext		1765258	\$214.84
5/29/2013	Veritext		1763555	\$248.33
5/29/2013	Veritext		1763717	\$246.76
5/30/2013	parking	trial		\$8.00
5/31/2013	Veritext		1761954	\$210.98
5/31/2013	Veritext		1762287	\$225.00
5/31/2013	Veritext		1762286	\$225.00
6/1/2013	Westlaw	May		\$187.15
6/5/2013	glotrans			\$21.00
6/7/2013	Glotrans			\$21.00
6/10/2013	glotrans			\$42.00
6/12/2013	Scandigital	copying		\$139.96
6/13/2013	USPS	postage		\$92.00
6/18/2013	postage			\$75.00
6/19/2013	glotrans			\$21.00
6/24/2013	Fedex	copying		\$98.23
6/24/2013	USPS	postage		\$92.00
6/24/2013	Fedex	copying		\$26.16
6/24/2013	Fedex	copying		\$104.12
6/25/2013	courtcall	Thompson		\$108.00
6/26/2013	courtcall	mdm		\$78.00
6/27/2013	glotrans			\$63.00
6/27/2013	parking			\$20.00
6/28/2013	glotrans			\$21.00
6/28/2013	US	postage		\$75.00
7/1/2013	Westlaw	june		\$279.24
7/2/2013	Elite Atty Svc		736	\$20.00

7/4/2013	glotrans		\$21.00
7/8/2013	courtcall		\$78.00
7/12/2013	parking		\$20.00
7/11/2013	glotrans		\$21.00
7/15/2013	glotrans		\$21.00
7/23/2013	Elite Atty Svc	779	\$70.00
7/24/2013	USPS	postage	\$18.40
8/1/2013	Westlaw	july	\$247.10
8/12/2013	USPS	postage	\$46.00
8/13/2013	USPS	postage	\$75.00
8/15/2013	Mileage	157 miles @ .565 (Fairmont)	\$88.70
8/22/2013	Mileage	157 miles @ .565 (Fairmont)	\$88.70
8/26/2013	USPS	postage	\$77.36
8/29/2013	glotrans		\$21.00
9/1/2013	Westlaw	august	\$192.58
9/3/2013	Elite Atty Svc	806	\$20.00
9/6/2013	parking	court	\$20.00
9/9/2013	Courtcall	9/13/13 hearing	\$86.00
9/6/2013	Glotrans		\$42.00
9/9/2013	Glotrans		\$42.00
9/11/2013	Glotrans		\$21.00
9/16/2013	Glotrans		\$21.00
9/23/2013	Dropbox	cloud file for AV	\$199.00
9/25/2013	Glotrans		\$21.00
9/30/2012	Glotrans		\$21.00
10/1/2013	Westlaw	September	\$41.93
10/6/2013	Glotrans		\$42.00
10/7/2013	courtcall	October	\$86.00
10/7/2013	Glotrans	6 x 21	\$126.00
10/8/2013	glotrans		\$21.00
10/9/2013	Southwest Air	San Jose hearing 10/25/13	\$187.80
10/10/2013	glotrans		\$21.00
10/15/2013	Parking	court	\$10.00
10/17/2013	glotrans		\$84.00
10/18/2014	glotrans		\$21.00
10/22/2013	Janet Epstein CSR	10/16/13 transcript	\$123.00
10/24/2013	glotrans		\$105.00
10/25/2013	Southwest Air		\$162.00
10/25/2013	Parking	LAX Parking	\$21.27
10/25/2013	Yellow Cab	San Jose	\$22.13
10/25/2013	lunch	San Jose	\$24.41
10/28/2013	Stephanie Estes CSR	10/21/13 transcript	\$167.40
10/30/2013	glotrans		\$21.00
11/1/2013	Westlaw	October	\$126.16
11/5/2013	AV Press	class notice	\$435.60
11/15/2013	Glotrans		\$42.00
11/18/2013	glotrans		\$63.00
11/22/2013	Southwest	12/10/13 hearing	\$140.80
11/22/2013	Parking	Bunn	\$10.00
11/25/2013	glotrans		\$42.00
11/25/2013	courtcall	11/26/13 hearing	\$86.00
11/27/2013	Southwest	12/4/2014	\$326.80

11/27/2013	glotrans		\$21.00
12/1/2013	Westlaw	November	\$123.50
12/2/2013	glotrans		\$21.00
12/3/2013	glotrans		\$42.00
12/4/2013	glotrans		\$21.00
12/4/2013	Hotel	12/10/13 hearing	\$165.72
12/9/2013	Chani Ludwig CSR	9/6/13 transcript	\$10.00
12/11/2013	Parking	LAX	\$21.27
12/11/2013	cab	San Jose	\$35.00
1/1/2013	glotrans		\$42.00
1/1/2014	Westlaw	december	\$102.36
1/2/2014	glotrans		\$21.00
1/3/2014	glotrans		\$42.00
1/6/2014	Parking		\$12.00
1/6/2014	glotrans		\$84.00
1/6/2014	CalWest Atty Svc	6680	\$50.00
1/9/2014	glotrans		\$21.00
1/14/2014	courtcall	1/15/14 hearing	\$86.00
1/14/2014	glotrans		\$21.00
1/16/2014	Parking	williams depo	\$37.50
1/16/2014	Dennis Williams	expert fee	\$1,625.00
1/21/2014	glotrans		\$21.00
1/24/2014	glotrans		\$21.00
1/24/2014	Janet Epstein CSR	1/7/14 hearing	\$112.50
1/27/2014	courtcall		\$116.00
1/27/2014	Glotrans		\$21.00
1/28/2014	courtcall	1/30/14 hearing	\$86.00
1/29/2014	Glotrans		\$21.00
2/1/2014	Westlaw	january	\$130.66
2/1/2014	Veritext	1955790	\$410.80
2/1/2014	Veritext	1955798	\$287.20
2/1/2014	Veritext	1955814	\$936.15
2/1/2014	Veritext	1955828	\$561.05
2/1/2014	Veritext	1955848	\$738.25
2/1/2014	Veritext	1955860	\$853.30
2/1/2014	Veritext	1955871	\$583.75
2/1/2014	Veritext	1955960	\$428.25
2/1/2014	Veritext	1955968	\$338.65
2/1/2014	Veritext	1955977	\$400.00
2/1/2014	Veritext	1955984	\$424.60
2/1/2014	Veritext	1956002	\$614.95
2/1/2014	Veritext	1956004	\$1,613.60
2/1/2014	glotrans		\$21.00
2/6/2014	Veritext	1958630	\$291.65
2/10/2014	Parking		\$12.00
2/11/2014	Parking		\$12.00
2/14/2014	Glotrans		\$21.00
2/18/2014	Parking		\$12.00
2/19/2014	Parking		\$12.00
2/20/2014	Parking		\$12.00
2/21/2014	Parking		\$12.00
2/24/2014	Parking		\$12.00

3/1/2014	Westlaw	February		\$65.33
3/5/2014	courtcall	3/6/14 hearing		\$86.00
3/5/2014	Glotrans			\$42.00
3/7/2014	Southwest	San Jose 4/7		\$126.50
3/12/2014	Parking	settlement conf		\$40.00
3/13/2014	Parking			\$9.00
3/18/2014	courtcall	3/21/14 hearing		\$86.00
3/18/2014	Parking			\$9.00
3/19/2014	Glotrans	ex parte		\$42.00
3/20/2014	glotrans			\$21.00
3/21/2014	courtcall	4/1/14 hearing		\$86.00
3/28/2014	Glotrans			\$63.00
3/29/2014	Veritext		1999132	\$385.00
3/31/2014	Parking			\$6.00
4/1/2014	Westlaw	March		\$88.22
4/1/2014	courtcall	4/7/14 hearing		\$86.00
4/5/2014	CalWest Atty Svc		7234	\$77.50
4/3/2014	Parking	settlement		\$8.00
4/10/2014	Parking	settlement conf		\$39.15
5/1/2014	Westlaw	April		\$32.67
5/13/2014	Courtcall	5/23/14 hearing		\$86.00
6/1/2014	Westlaw	May		\$34.37
6/11/2014	Courtcall	7/11/14 hearaing		\$86.00
7/30/2014	Parking	settlement mtg		\$9.00
8/1/2014	westlaw	July		\$242.66
8/8/2014	Glotrans			\$63.00
8/11/2014	Parking	Mosk		\$20.00
8/11/2014	Lunch Meeting			\$17.45
8/11/2014	Glotrans			\$63.00
8/12/2014	Courtcall	8/15/14 hearing		\$86.00
8/12/2014	Parking	settlement mtg		\$20.00
8/14/2014	Glotrans			\$21.00
8/15/2014	Courtcall	8/29/2014 hearing		\$86.00
8/21/2014	Glotrans			\$21.00
8/25/2014	Glotrans			\$21.00
9/1/2014	Westlaw	august		\$66.16
9/2/2014	courtcall	9/5/14 hearing		\$86.00
9/3/2014	Glotrans			\$21.00
9/4/2014	glotrans			\$42.00
9/19/2014	glotrans			\$21.00
9/25/2014	glotrans			\$42.00
10/2/2014	courtcall			\$86.00
10/1/2014	Westlaw	September		\$56.53
10/8/2014	courtcall			\$86.00
11/1/2014	Westlaw	October		\$56.53
11/4/2014	Parking	Court		\$20.00
11/12/2014	Jeanette Coyle	11/4/14 transcript		\$66.00
11/21/2014	LASC	online record fee		\$7.50
12/19/2014	courtcall		7-Jan-15	\$86.00
1/1/2015	Westlaw	December		\$3.93
1/6/2015	Glotrans			\$42.00
1/8/2015	Glotrans			\$21.00

1/9/2015	Southwest Airlines	San Jose Jan. 22	\$152.20
1/15/2015	Glotrans		\$42.00
1/16/2015	Glotrans		\$21.00
1/19/2015	Glotrans		\$21.00
1/20/2015	Glotrans		\$21.00
1/21/2015	Glotrans		\$21.00
1/22/2015	Parking	LAX -- San Jose	\$22.81
1/22/2015	Taxi	SJC to Court (one way)	\$20.16
1/27/2015	Deanne Helgesen CSR	1/22/15 transcript	\$60.00
2/1/2015	Sharefile	FTP expert / clients - Jan	\$125.00
2/1/2015	Westlaw	1-Jan-15	\$364.30
2/2/2015	Courtcall		\$86.00
2/5/2015	LASC	filing fees ex partes	\$120.00
2/26/2015	Glotrans		\$21.00
3/1/2015	Sharefile	FTP expert / clients - Feb	\$125.00
3/1/2015	Westlaw	February	\$17.05
3/4/2015	Glotrans		\$42.00
3/13/2015	Glotrans		\$42.00
3/14/2015	LASC	filling fee prelim approval	\$60.00
3/19/2015	Glotrans		\$21.00
3/23/2015	parking	BBK meeting	\$9.00
3/26/2015	parking court		\$20.00
4/1/2015	Westlaw	March	\$420.68
4/1/2015	Sharefile	FTP expert / clients -March	\$125.00
4/1/2015	Glotrans		\$21.00
4/6/2015	Calwest	#9482	\$114.00
4/9/2015	Courtcall	10-Apr-15	\$86.00
4/9/2015	AV Press	class notice	\$405.90
4/13/2015	Courtcall	4-May-15	\$86.00
4/24/2015	Glotrans		\$21.00
4/25/2015	Glotrans		\$21.00
5/1/2015	Sharefile	FTP expert / clients - April	\$125.00
5/1/2015	Westlaw	April	\$784.35
5/6/2015	Courtcall	15-May-15	\$86.00
5/13/2015	LASC	internet download fees 4408	\$12.75
5/19/2015	courtcall	15-Jun-15	\$86.00
6/1/2015	Sharefile	FTP expert / clients - May	\$125.00
6/1/2015	Westlaw	May	\$180.42
6/4/2015	Glotrans		\$42.00
6/8/2015	Glotrans		\$21.00
6/11/2015	Glotrans		\$21.00
6/12/2015	Glotrans		\$21.00
6/17/2015	courtcall	10-Jul-15	\$86.00
6/19/2015	Clifford & Brown	phase 4 transcripts	\$ 144.50
7/1/2015	Sharefile	FTP expert / clients - June	\$125.00
7/1/2015	Westlaw	June	\$389.20
7/9/2015	Glotrans		\$105.00
7/11/2015	Glotrans		\$21.00
7/15/2015	Courtcall	ex parte July 16	\$86.00
7/16/2015	filing fee	Check 3079	\$60.00
7/19/2015	Southwest Air	San Jose 8/25/15	\$220.00
7/21/2015	Parking BBK	Williams meeting	\$39.15

7/27/2015	Glotrans		\$63.00
7/27/2015	Parking	Thompson depo	\$4.50
7/27/2015	Mileage	Thompson - 236 x .575	\$135.70
7/28/2015	Glotrans		\$21.00
7/29/2015	Personal Ct Reporters	Thompson depo transcript	\$453.65
7/28/2015	Excelsior Digital	Thompson report binders - Trial	\$2,685.00
8/1/2015	CalWest	#2703	\$270.00
8/1/2015	Westlaw	July	\$189.90
8/1/2015	Sharefile	FTP expert / clients - July	\$125.00
8/3/2015	Parking	Prove up trial day 1	\$20.00
8/3/2015	Lunch	Oleary/McLachlan	\$36.52
8/4/2015	Parking	Prove up trial day 2	\$20.00
8/5/2015	Excelsior Digital	Thompson report trial binders	\$2,685.90
8/20/2015	Courtcall	26-Aug-15	\$86.00
8/20/2015	Courtcall	27-Aug-15	\$86.00
8/25/2015	taxi	SJO to court	\$22.32
8/25/2015	Uber	court to airport, San Jose	\$13.73
8/25/2015	parking LAX		\$18.04
8/26/2015	Courtcall	refund - August 26	-\$86.00
8/26/2015	Courtcall	refund - August 27	-\$86.00
8/27/2015	Courtcall	Sept. 4	\$86.00
9/1/2015	Glotrans		\$42.00
9/1/2015	Sharefile	FTP expert / clients - Aug	\$125.00
9/4/2015	Glotrans		\$63.00
9/9/2015	Courtcall	Sept. 21	\$86.00
9/18/2015	Glotrans		\$21.00
9/28/2015	Parking	trial	\$20.00
9/29/2015	Parking	trial	\$20.00
9/30/2015	Parking	trial	\$20.00
10/1/2015	Parking	trial	\$20.00
10/1/2015	Lexis	September	\$197.16
10/1/2015	Parking	trial	\$20.00
10/1/2015	Sharefile	FTP expert / clients - Sept.	\$125.00
10/6/2015	Courtcall	Oct. 7	\$86.00
10/14/2015	Parking	trial	\$20.00
10/23/2015	Courtcall	Oct. 30	\$86.00
10/28/2015	Veritext	CA2461108	\$90.00
10/30/2015	Southwest	closing San Jose	\$402.97
11/1/2015	Sharefile	FTP expert / clients - Oct.	\$125.00
11/1/2015	Veritext	Tapia transcript	\$961.15
11/2/2015	Parking	meeting	\$8.00
11/3/2015	Embassy Suites	hotel 11/3 - San Jose	\$457.84
11/2/2015	Glotrans		\$63.00
11/3/2015	San Pedro	lunch, San Jose	\$14.00
11/3/2015	Joe's	dinner	\$37.79
11/4/2015	Lou's	lunch, San Jose	\$16.57
11/4/2015	Taxi LAX		\$29.56
11/6/2015	Courtcall	Nov. 10 hearing	\$86.00
11/9/2015	LASC	download fees -- Mosk	\$2.00
11/11/2015	LASC	minute order download	\$13.60
11/18/2015	Glotrans		\$42.00
11/23/2015	Filing fee	LASC - Check 3109	\$60.00

11/23/2015	Heather Gorley CSR	closing transcripts		\$387.00
12/1/2015	Veritext	August 3 trial		\$233.30
12/1/2015	Veritext	August 4 trial		\$108.84
12/1/2015	Veritext	Sept. 28 trial		\$239.76
12/1/2015	Veritext	Sept. 29 trial		\$270.21
12/1/2015	Veritext	Sept. 30 trial		\$162.23
12/1/2015	Veritext	Oct 1 trial		\$113.03
12/1/2015	Veritext	Oct 2 trial		\$200.78
12/1/2015	Sharefile	FTP expert / clients - Nov.		\$125.00
12/1/2015	LASC	download fees -- Mos		\$9.80
12/1/2015	Lexis	November		\$275.67
12/6/2015	Glotrans			\$21.00
12/4/2015	Glotrans			\$21.00
12/9/2015	LASC	file download fees		\$67.60
12/10/2015	Glotrans			\$42.00
12/17/2015	Glotrans			\$21.00
12/18/2015	Glotrans			\$21.00
12/21/2015	Glotrans			\$63.00
12/23/2015	parking	LASC		\$20.00
12/28/2015	Glotrans			\$21.00
12/30/2015	Glotrans			\$63.00
12/31/2015	courtcall		8-Jan-16	\$86.00
1/1/2016	Veritext	Oct. 14 Trial		\$518.00
1/1/2016	Lexis	December		\$100.30
1/1/2016	Veritext	Oct. 15 Trial		\$227.15
1/1/2016	Sharefile	FTP expert/ clients - Dec		\$125.00
1/15/2016	Glotrans			\$21.00
1/19/2016	Glotrans	ex parte		\$24.00
1/19/2016	LASC	filing fees ex parte		\$60.00
1/20/2016	Courtcall	ex parte Jan 21		\$86.00
1/20/2016	Courtcall		1-Feb-16	\$86.00
1/20/2016	Glotrans	reply ex parte		\$24.00
1/21/2016	Glotrans	fife letter		\$24.00
1/21/2016	Mileage	Lancaster 172 x .54		\$92.88
1/22/2016	Glotrans	depo notice 2		\$24.00
1/22/2016	Glotrans	stip		\$24.00
1/27/2016	LASC	filing fee on fee motion		\$60.00
1/27/2016	Glotrans			\$144.00
1/27/2016	Veritext	Ritter depo transcript (estimated)		\$600.00
	in house postage	[off postage meter only]		\$631.79
	in house copy	28,166 at .15		\$4,224.90
		total MM Costs		\$85,858.86
		Payment - PWD		\$ (12,170.00)
		Payment - Rosamond CSD		\$ (2,276.60)
		Payment - Phelan		\$ (742.56)
		AV Press Reimbursement (2013)		\$ (435.60)
				\$70,234.10

Exhibit 6

0388

JA 159000

LAW OFFICES OF MICHAEL D. McLACHLAN

A PROFESSIONAL CORPORATION
523 WEST SIXTH STREET, SUITE 215
LOS ANGELES, CA 90014
PHONE 213-630-2884 FAX 213-630-2886
E-MAIL mike@mclachlanlaw.com

May 14, 2008

VIA U.S. MAIL & E-FILING

Hon. Jack Komar
Santa Clara County Superior Court
Department D-17
161 N. First Street
San Jose, CA 95113

Re: *Antelope Valley Groundwater Litigation*
Case No.: 1-05-CV-049053

Dear Judge Komar:

This letter pertains to the further status conference in this matter set on May 22, at 9:00 a.m. in LASC, Department 1, and more specifically, my potential representation of a class we have loosely referred to as the "small pumper" class.

I write to address what I believe is a potential hurdle to the representation of this class, with the hope that it might be resolved at hearing next week. Last week I discussed this issue with Jeffrey Dunn, who I asked to discuss the matter with his colleagues in anticipation of this letter. If the water purveyors, or other interested parties wish to comment, it is my hope that they will do so now so that this matter can be fully addressed next week.

The proposed pumping class would consist of at least 7,500 members, according to Mr. Dunn. I have heard higher estimates, but even using 7,500, this is a rather sizeable group of people (and entities) with collectively and individually large stakes in this litigation. As the Court has recognized, these people as a group have interests that are at odds with the interests of other groups of stakeholders in this litigation.

I am informed that the primary vehicle for the conduct of this adjudication will be a rather sizeable report soon to be issued by a group of engineers and water experts, many or all of whom will ultimately testify in this case on behalf of their clients. I also understand that much or all of the information in this report has been assembled by a Technical

Committee comprised of a number of these experts. While there are apparently some landowner interests on this Committee, this group appears to be largely dominated by the water companies, and a few large landowners (including the Federal Government). These larger stakeholders obviously have the financial means to undertake such costly and complex analysis, and by virtue of that, are in control of this process.

I have serious reservations about representing this group of pumpers relying solely on the expert analysis of this group experts retained by large stakeholders with differing interests. My concern is born in large part from my years of experience in complex groundwater litigation. While the underlying data in such cases is generally fixed, the actual expert analysis is general subject to substantial subjective components that can vary significantly based on assumptions. It is no secret that experts have, from time to time, been known to angle their subjective decisions in a direction favoring the parties they represent.

I believe the interests of the small pumpers would be best served with an independent expert, and that the appearance of fairness in this adjudication would be enhanced through the appointment of such an expert under Evidence Code section 730, which provides in relevant part:

When it appears to the court, at any time before or during the trial of an action, that expert evidence is or may be required by the court or by any party to the action, the court on its own motion or on motion of any party may appoint one or more experts to investigate, to render a report as may be ordered by the court, and to testify as an expert at the trial of the action relative to the fact or matter as to which the expert evidence is or may be required. The court may fix the compensation for these services, if any, rendered by any person appointed under this section, in addition to any service as a witness, at the amount as seems reasonable to the court.

(See also Witkin, Cal. Evidence 4th, Opinion Evidence § 81.)

I propose that the Court appoint an expert to represent the interests of this group. Such an expert would not be commissioned to re-invent the wheel, but would instead undertake a satisfactory analysis of the work done to date. I have contacted Stetson Engineers, a reputable and qualified firm in this field, and they are willing to serve in this role. While the numbers are very rough, they estimate generally a cost of \$100,000-150,000 for the initial workup (year 1), and then considerably smaller costs if the case were to continue for successive years. If necessary, Stetson could assemble a more detailed proposal, but for the time being, I would suggest an order that simply caps the total costs on an annual basis.

Under section 731, the Court may apportion the costs for such an expert to those parties it deems proper. In this case, I suggest that the costs of such an expert should be born by the public water supplier entities, as this is a matter of general public benefit.

While my office is will to venture legal time and standard costs on a contingency basis, I will not assume the burden of paying for this expert. In the event the water companies are inclined to object to this proposal, I offer a back of envelope estimate of the costs of proceeding in the alternative, i.e. having to individually name and serve these parties. Using 7,500 as the number of small pumpers, and conservative cost of \$100 to identify and serve each pumper, a court order requiring the service off all these parties would cost at least \$750,000, and quite likely much more. So I suggest that it is more economical to proceed with a class action and an expert than in the alternative.

Finally, I have interviewed Mr. Richard Wood, the proposed class representative for this class (see letter to the Court, April 22, 2008, Docket #1286). I believe Mr. Wood will serve as a more than capable representative for the vast majority if not all of members of this class (reserving of course the possibility that some small number of members of this yet-to-be-defined class may have interests not fully in line with his). He understands the obligations of that role, and is willing to serve as representative. So, if we can resolve the concerns raised above, I believe the proposed class makes sense and can proceed.

If any of the attorneys for the interested parties would like to discuss this matter with me, please feel free to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'MDM', followed by a long horizontal flourish.

Michael D. McLachlan

Exhibit 7

1 LOS ANGELES, CA; TUESDAY, DECEMBER 18, 2007; 9:00 A.M.

2 DEPARTMENT NO. 1 HON. JACK KOMAR, JUDGE

3 CASE NO.: SANTA CLARA CASE NO. 1-05-CV-049053

4 CASE NAME: ANTELOPE VALLEY GROUNDWATER CASES

5 APPEARANCES: (AS NOTED ON TITLE PAGE)

6

7 (CHARLOTTE NICHOLAS MOHAMED, CSR #2384)

8 ---0---

9 THE COURT: GOOD MORNING.

10 IN THE ANTELOPE VALLEY MATTERS, THIS IS THE TIME
11 SET FOR HEARING ON THE MOTION TO AMEND AND TO CERTIFY A CLASS.
12 IT IS ALSO HERE FOR A STATUS CONFERENCE AND A CASE MANAGEMENT
13 CONFERENCE.

14 I THINK WE HAVE A LARGE NUMBER OF PEOPLE ON THE
15 TELEPHONE, AND SEVERAL COUNSEL ARE HERE. I THINK WHAT WE WILL
16 DO FIRST IS GET APPEARANCES FROM THOSE WHO ARE HERE. AND I'D
17 REMIND EACH OF YOU WHO ARE HERE AND ON THE TELEPHONE, WHEN YOU
18 SPEAK, PLEASE IDENTIFY YOURSELF EACH TIME FOR THE BENEFIT OF
19 THE COURT REPORTER.

20 ALL RIGHT. SO LET'S HAVE COUNSEL WHO ARE
21 PRESENT.

22 MR. DOUGHERTY: GOOD MORNING, YOUR HONOR.

23 ROBERT DOUGHERTY FOR ANTELOPE VALLEY UNITED
24 MUTUAL GROUP.

25 MR. WEINSTOCK: GOOD MORNING, YOUR HONOR.

26 HENRY WEINSTOCK FOR TEJON RANCH.

27 MR. LEMIEUX: GOOD MORNING, YOUR HONOR.

28 WAYNE LEMIEUX, SPECIAL APPEARANCE FOR THE

1 ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATES.

2 MY SON KEITH WILL BE HERE IN A MOMENT. HE IS IN
3 ANOTHER DEPARTMENT APPEARING ON BEHALF OF LITTLE ROCK CREEK
4 IRRIGATION DISTRICT AND SEVERAL OTHERS FOR WHICH HE HAS
5 APPEARED IN THE PAST.

6 MR. EVERTZ: GOOD MORNING, YOUR HONOR.

7 DOUG EVERTZ FOR THE CITY OF LANCASTER.

8 MS. GOLDSMITH: GOOD MORNING, YOUR HONOR.

9 JANET GOLDSMITH FOR THE CITY OF LOS ANGELES.

10 MR. MARKMAN: GOOD MORNING, YOUR HONOR.

11 JAMES MARKMAN FOR THE CITY OF PALMDALE.

12 MR. BUNN: GOOD MORNING, YOUR HONOR.

13 THOMAS BUNN FOR PALMDALE WATER DISTRICT AND
14 QUARTZ HILL WATER DISTRICT.

15 MR. DAVIS: GOOD MORNING, YOUR HONOR.

16 MICHAEL DAVIS, MARLENE ALLEN-HAMMARLUND, AND TINA
17 BRISTER OF GRESHAM SAVAGE NOLAN AND TILDEN FOR SERVICE ROCK
18 PRODUCTS, FOR HEALY ENTERPRISES, AND FOR SHEEP CREEK WATER
19 COMPANY.

20 MR. TOOTLE: GOOD MORNING, YOUR HONOR.

21 JOHN TOOTLE FOR CALIFORNIA WATER SERVICE COMPANY.

22 MR. ZLOTNICK: GOOD MORNING, YOUR HONOR.

23 DAVID ZLOTNICK FOR PLAINTIFF WILLIS.

24 MR. BRUNICK: BILL BRUNICK FOR ANTELOPE VALLEY EAST KERN
25 WATER AGENCY.

26 MR. PFAEFFLE: GOOD MORNING.

27 FRED PFAEFFLE, L.A. COUNTY WATER WORKS DISTRICT
28 40.

1 MR. DUNN: GOOD MORNING, YOUR HONOR.

2 JEFFREY DUNN FOR L.A. COUNTY WATER WORKS DISTRICT
3 NUMBER 40 AND ROSAMOND COMMUNITY SERVICES DISTRICT.

4 MR. FIFE: GOOD MORNING, YOUR HONOR.

5 MICHAEL FIFE, ANTELOPE VALLEY GROUNDWATER
6 AGREEMENT ASSOCIATION.

7 THE COURT: ALL RIGHT. LET'S HAVE TELEPHONIC
8 APPEARANCES, PLEASE.

9 MR. CROW: GOOD MORNING, YOUR HONOR.

10 MICHAEL CROW FOR THE STATE OF CALIFORNIA.

11 MR. BLUM: GOOD MORNING, YOUR HONOR.

12 SHELDON BLUM ON BEHALF OF THE SHELDON R. BLUM
13 TRUST.

14 MR. KIEL: GOOD MORNING, YOUR HONOR.

15 PETER KIEL FOR [INTELLIGIBLE]

16 [SUBSEQUENT STATED TELEPHONE APPEARANCES UNINTELLIGIBLE]

17 THE COURT: OKAY. NOW I WANT EVERYBODY TO STOP FOR A
18 MOMENT. WE MISSED A COUPLE. ACCORDING TO THE REPORTER WE
19 MISSED ALOT OF YOU.

20 SO I'M GOING TO ASK TELEPHONIC TO START OVER
21 AGAIN, SPEAK SLOWLY, AND SPELL YOUR LAST NAME.

22 MR. CROW: MICHAEL CROW, C-R-O-W, FOR THE STATE OF
23 CALIFORNIA.

24 MR. BLUM: SHELDON BLUM FOR SHELDON R. BLUM TRUST,
25 B-L-U-M.

26 MR. KIEL: PETER KIEL, K-I-E-L, FOR COUNTY SANITATION
27 DISTRICTS.

28 MR. HERREMA: BRAD HERREMA, H-E-R-R-E-M-A, FOR ANTELOPE

1 VALLEY GROUNDWATER AGREEMENT ASSOCIATION.

2 MR. FATES: TED FATES, F-A-T-E-S, FOR DEL SUR RANCH LLC.

3 MR. LEININGER: THIS IS LEE LEININGER FOR THE UNITED
4 STATES, SPELLED L-E-I-N-I-N-G-E-R.

5 THE COURT: ALL RIGHT. ANY OTHERS?

6 MR. SANDERS: CHRIS SANDERS, S-A-N-D-E-R-S.

7 THE COURT: ALL RIGHT. ANY OTHERS ON THE TELEPHONE?

8 MR. ZIMMER: YES, YOUR HONOR.

9 RICHARD ZIMMER, Z-I-M-M-E-R, FOR BOLTHOUSE
10 PROPERTIES AND WILLIAM BOLTHOUSE FARMS.

11 MR. MELIN: AND, YOUR HONOR, THIS A FELIPE MELIN
12 REPRESENTING COPA DE ORO.

13 THE COURT: SPELL YOUR LAST NAME, COUNSEL.

14 MR. MELIN: M-E-L-I-N.

15 THE COURT: ANY OTHERS?

16 [NO AUDIBLE RESPONSE]

17 THE COURT: ALL RIGHT. WE HAVE SEVERAL MATTERS NOW TO
18 TALK ABOUT AND WE ARE GOING TO START WITH MR. ZLOTNICK,
19 REPRESENTING MISS WILLIS.

20 MR. ZLOTNICK: GOOD MORNING, YOUR HONOR..

21 THE COURT: GOOD MORNING.

22 I RECEIVED ESSENTIALLY A STATUS STATEMENT FROM
23 YOU BUT IT WAS NOT CLEAR TO ME WHAT YOU INTENDED TO DO.

24 MR. ZLOTNICK: YOUR HONOR, AS THE COURT IS AWARE, I
25 MEAN, AT THIS POINT, YOUR HONOR DID CERTIFY A CLASS AND MISS
26 WILLIS AS A REPRESENTATIVE FOR THE NON-PUMPING GROUP.

27 AT THIS POINT, DESPITE GOOD FAITH EFFORTS AND

28 OBVIOUSLY I HAD HOPED AND EXPECTED WE WOULD BE BEYOND THIS

1 STAGE BUT WE STILL DON'T HAVE EITHER A PROPOSED REPRESENTATIVE
2 OR DEFINITIVE AGREEMENT FROM COUNSEL TO REPRESENT THE GROUP OF
3 PUMPERS, SMALL PUMPERS.

4 SO I HAVE BEEN TALKING TO PEOPLE, WITHOUT TRYING
5 TO TWIST ARMS, TRYING TO USE MY PERSUASIVE EFFORTS, AND YET WE
6 HAVEN'T MADE ANY PROGRESS IN REALITY OR AT LEAST, YOU KNOW,
7 NONE THAT HAS REACHED THAT STAGE WHERE I CAN SAY THAT THERE
8 IS -- THAT WE HAVE A REPRESENTATIVE AND/OR COUNSEL.

9 SO ONE OF THE ISSUES -- AND THIS HAS BEEN A
10 STUMBLING BLOCK AND A CONCERN OF MR. MC LACHLAN WHO HAD
11 EARLIER INDICATED THAT HE WAS INTERESTED IN PROCEEDING AS
12 COUNSEL -- ONE OF THE ISSUES THAT HE HAS IS THAT HE HAS A
13 SMALL OFFICE AND IT IS HIS CONCERN THAT HE WOULD BE INUNDATED
14 WITH TELEPHONE CALLS FROM CLASS MEMBERS, AND THAT WOULD BE A
15 PROBLEM FOR HIM TO HANDLE THAT, GIVEN THE PRIOR EXPERIENCES
16 THAT HE HAS DEALING WITH SIMILAR TYPES OF CLASSES.

17 I'VE TRIED TO DISCUSS THAT WITH THEM AND COME UP
18 WITH WAYS THAT MIGHT AMELIORATE THAT PROBLEM. ONE
19 POSSIBILITY IS OBVIOUSLY IF WE WERE ABLE TO DEFER SENDING
20 NOTICE, FOR SOME PERIOD OF TIME AT LEAST, THAT WOULD OBVIOUSLY
21 ELIMINATE THAT CONCERN. HE WOULDN'T BE GETTING HUNDREDS OF,
22 WHATEVER, CALLS FROM PEOPLE. HE MAY GET A FEW BECAUSE OF
23 REPORTS FROM THE PRESS, BUT NOTHING VERY SIGNIFICANT.

24 I DID BROACH THAT IDEA WITH MR. DUNN WHO, WITHOUT
25 COMMITTING HIS CLIENT, CERTAINLY FELT THAT HIS CLIENT WOULD
26 RATHER SEND ONE NOTICE AT THE END, YOU KNOW, LATER ON IN THE
27 CASE, IF POSSIBLE, YOU KNOW, IN THE CONTEXT OF THE SETTLEMENT
28 RATHER THAN HAVE TO GO THROUGH THE EXPENSE TWICE. SO THAT IS

1 ONE POSSIBILITY.

2 I HAVE CALLS OUT THERE. SOMEBODY COULD CALL ME
3 TOMORROW AND SAY THEY ARE HAPPY TO STEP FORWARD. I'VE BEEN
4 SPEAKING TO PEOPLE AND ENCOUNTERED PEOPLE WHO INDICATED
5 INTEREST BEFORE, YOU KNOW, TURNS OUT HAVE ONE PROBLEM OR
6 ANOTHER WHEN PUSH COMES TO SHOVE.

7 SO I'M IN AN AWKWARD POSITION BECAUSE I'M NOT --
8 I CAN'T REPRESENT THEM. I AM REPRESENTING THE OTHER SUB
9 CLASS. AND I CAN'T EVEN PROMISE THEM AT THIS POINT WHO WOULD
10 BE REPRESENTING THEM.

11 SO IT HAS BEEN A FRUSTRATING PROCESS, AND I'M
12 SORRY BUT WE HAVE MADE NO REAL PROGRESS.

13 THE COURT: IN TERMS OF THE NON-PUMPING CLASS, AT THIS
14 POINT, AT THIS EARLY STAGE OF THESE PROCEEDINGS, IS THEIR
15 INTEREST DIFFERENT THAN THE SMALL PUMPER WHO MAY HAVE A WELL
16 IN THE BACKYARD OR ON THE ACRE OR TWO THAT IS OWNED BY THE
17 PARTY, SUCH THAT THERE IS A CONFLICT THAT WOULD PRECLUDE THIS
18 CASE PROCEEDING WITH THE CLASS CERTIFIED?

19 I'M LOOKING FOR A WAY TO MOVE THIS CASE ALONG TO
20 AVOID FURTHER DELAYS AND TO GET INTO SOME OF THE SUBSTANTIVE
21 ISSUES WHICH WE CANNOT DO --

22 MR. ZLOTNICK: RIGHT.

23 THE COURT: -- UNLESS THE COURT HAS JURISDICTION OVER
24 ALL THE PARTIES.

25 MR. ZLOTNICK: I UNDERSTAND, YOUR HONOR.

26 WELL, I WILL -- I MEAN, I THINK TO ANSWER YOUR
27 HONOR'S QUESTION, AT THIS STAGE I DON'T THINK THERE IS A
28 CONFLICT. I THINK WHEN YOU GET TO THE SELF-HELP ISSUE THEN

1 THERE IS A POTENTIAL CONFLICT YOU HAVE OF TRYING TO NEGOTIATE
2 A SETTLEMENT. IN THAT CONTEXT THERE IS A CONFLICT.

3 I THINK IF THERE WERE -- IF IT WERE STRUCTURED SO
4 THAT THERE WERE ONE CLASS AND MY OFFICE WAS APPOINTED AS LEAD
5 CLASS COUNSEL, AND THE CALLS WERE DIRECTED TO US, THAT
6 MR. MC LACHLAN WAS SORT OF SUB-CLASS COUNSEL FOR THE OTHER
7 PUMPING GROUP, THAT MIGHT BE ANOTHER WAY TO SOLVE THAT
8 PROBLEM. AND WE WOULD BE GETTING THE CALLS BUT DIRECT THE
9 CALLS FROM THE PUMPERS ONTO HIM TO THE EXTENT NECESSARY. I
10 MEAN, WE WOULD RESOLVE WHATEVER QUESTIONS WE COULD. SO THAT
11 MIGHT BE ANOTHER WAY TO SOLVE THE PROBLEM.

12 BECAUSE I DON'T THINK AT PRESENT, OTHER THAN THE
13 FACT OF IN THE SETTLEMENT CONTEXT -- AND QUITE FRANKLY, GIVEN
14 THE PRESENCE OF A NUMBER OF OTHER COUNSEL, VERY EXPERIENCED
15 AND CAPABLE COUNSEL -- MR. FIFE, MR. ZIMMER, MR. JOYCE --
16 REPRESENTING THE PUMPING GROUP, I'M NOT CONCERNED THAT THEIR
17 INTERESTS AS A GROUP ARE GOING TO GO UNREPRESENTED.

18 THE COURT: WELL, THE IMPORTANT OBLIGATION WE ALL HAVE
19 IS TO ENSURE THAT EVERY PARTY'S RIGHTS ARE PROTECTED AND THAT
20 DUE PROCESS IS PROVIDED TO THEM.

21 I WOULD BE INTERESTED IN HEARING FROM OTHER
22 COUNSEL CONCERNING THE SUGGESTION, THE QUESTION THAT I JUST
23 ASKED.

24 MR. DOUGHERTY: YOUR HONOR, ROBERT DOUGHERTY.

25 THE COURT: MR. DOUGHERTY, WHY DON'T YOU SPEAK BY
26 STEPPING UP TO THE PODIUM, PLEASE.

27 MR. DOUGHERTY: ROBERT DOUGHERTY.

28 YOUR HONOR, ON THE ISSUE OF THE POTENTIAL

Exhibit 8

0400

JA 159012

1	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
2	FOR THE COUNTY OF LOS ANGELES	
3	DEPARTMENT NO. 1	HON. JACK KOMAR, JUDGE
4	COORDINATION PROCEEDING)
5	SPECIAL TITLE (RULE 1550B))
6	ANTELOPE VALLEY GROUNDWATER CASES) JUDICIAL COUNCIL
) COORDINATION
) NO. JCCP4408
7)
	PALMDALE WATER DISTRICT AND) SANTA CLARA CASE NO.
8	QUARTZ HILL WATER DISTRICT,) 1-05-CV-049053
)
9	CROSS-COMPLAINANTS,)
)
10	VS.)
)
11	LOS ANGELES COUNTY WATERWORKS,)
	DISTRICT NO. 40, ET AL,)
12)
	CROSS-DEFENDANTS.)
13)

14

15 REPORTER'S TRANSCRIPT OF PROCEEDINGS

16 FRIDAY, APRIL 24, 2009

17

18

APPEARANCES:

19

(SEE APPEARANCE PAGES)

20

21

22

23

24

25

26

27 GINGER WELKER, CSR #5585
OFFICIAL REPORTER

28

1 CASE NUMBER: JCCP4408

2 CASE NAME: ANTELOPE VALLEY GROUNDWATER

3 LOS ANGELES, CALIFORNIA, FRIDAY, APRIL 24, 2009

4 DEPARTMENT NO. 1 HON. JACK KOMAR

5 REPORTER GINGER WELKER, CSR #5585

6 TIME: 9:00 A.M.

7 APPEARANCES: (SEE TITLE PAGE)

8

9 THE COURT: ALL RIGHT. GOOD MORNING. THIS IS THE
10 ANTELOPE VALLEY CASES. FIRST THING WE WILL DO IS SEEK
11 APPEARANCES FOR ALL COUNSEL WHO INTEND TO APPEAR. AND
12 IF THERE IS ANY INDIVIDUAL WHO IS A PARTY TO THE LAWSUIT
13 AND REPRESENTING THEMSELVES, I WANT YOU TO STATE YOUR
14 APPEARANCES AS WELL.

15 MR. LEMIEUX: GOOD MORNING, YOUR HONOR, KEITH
16 LEMIEUX, L-E-M-I-E-U-X, FOR LITTLEROCK CREEK IRRIGATION
17 DISTRICT, ET AL.

18 MR. EVERTZ: DOUG EVERTZ FOR THE CITY OF
19 LANCASTER.

20 MR. MARKMAN: JAMES MARKMAN FOR THE CITY OF
21 PALMDALE.

22 MR. WEEKS: BRADLEY WEEKS FOR QUARTZ HILL WATER
23 DISTRICT.

24 MR. BUNN: THOMAS BUNN FOR PALMDALE WATER DISTRICT
25 AND QUARTZ HILL WATER DISTRICT.

26 MR. KUNEY: SCOTT KUNEY ON BEHALF OF VAN DAMN
27 PARTIES.

28 THE COURT: JUST A MINUTE. WE'LL TAKE ONE SIDE,

1 AND THEN WE'LL TAKE THE MIDDLE.

2 MR. MCLACHLAN: MICHAEL MCLACHLAN FOR THE WOOD
3 CLASS.

4 MR FIFE: MICHAEL FIFE FOR THE ANTELOPE
5 GROUNDWATER AGREEMENT ASSOCIATION.

6 MS. JONES: TAMMY JONES FOR NORTHROP GRUNMAN AND
7 ENEXCO CORP.

8 MR. JOYCE: BOB JOYCE ON BEHALF OF THE CRYSTAL
9 ORGANIC AND DIAMOND FARMING COMPANY.

10 THE COURT: STARTING ON THE --

11 MR. KALFAYAN: RALPH KALFAYAN ON BEHALF OF THE
12 WILLIS CASE.

13 MR. ZLOTNICK: DAVID ZLOTNICK ON BEHALF OF THE
14 WILLIS CLASS.

15 MR. LEININGER: LEE LEINENGER FOR THE UNITED
16 STATES.

17 MR. DUNN: JEFFREY DUNN ON BEHALF OF THE ROSAMOND
18 COMMUNITY SERVICES DISTRICT AND LOS ANGELES COUNTY
19 WATERWORKS DISTRICT NO. 40.

20 THE CLERK: YOUR HONOR, THERE ARE SEVERAL ON THE
21 PHONE.

22 THE COURT: ANYONE ELSE IN THE COURTROOM?

23 OKAY. WILL YOU CALL THE ROLL.

24 THE CLERK WILL CALL ROLL OF THOSE ON THE
25 TELEPHONE. IF YOU ARE PRESENT WHEN YOUR NAME IS CALLED,
26 PLEASE SO INDICATE.

27 THE CLERK: COUNSEL, I'LL TRY THIS AGAIN.

28 FIRST, REBECCA DAVIS-STEIN?

1 MS. DAVIS-STEIN: PRESENT FOR RANDALL BLAYNEY.
2 THE CLERK: MICHAEL CROW?
3 MR. CROW: MICHAEL CROW PRESENT FOR THE STATE OF
4 CALIFORNIA.
5 THE CLERK: STEPHEN SIPTROTH?
6 MR. SIPTROTH: PRESENT.
7 THE CLERK: BRADLEY HERREMA?
8 MR. HERREMA: BRADLEY HERREMA ON BEHALF OF THE
9 ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION.
10 THE CLERK: JOHN TOOTLE? CALIFORNIA WATER SERVICE
11 COMPANY, IS SOMEONE HERE PRESENT FOR THEM?
12 NO RESPONSE.
13 RICHARD ZIMMER?
14 MR. ZIMMER: RICHARD ZIMMER PRESENT FOR BOLTHOUSE.
15 THE CLERK: ROBERT DOUGHERTY?
16 MR. DOUGHERTY: PRESENT FOR AV UNITED GROUP.
17 THE CLERK: CHRISTOPHER SANDERS?
18 MR. SANDERS: PRESENT.
19 THE CLERK: MARLENE HAMMARLUND?
20 MS. HAMMARLUND: PRESENT.
21 THE CLERK: JAMES DUBOIS?
22 MR. DUBOIS: PRESENT.
23 THE CLERK: JEFF GREEN? NO RESPONSE.
24 JOHN UKKESTAD?
25 MR. UKKESTAD: PRESENT.
26 THE CLERK: JANET GOLDSMITH?
27 MS. GOLDSMITH: PRESENT.
28 THE CLERK: ROBERT KUHS?

1 MR. KUHS: PRESENT.

2 THE CLERK: SHELDON BLUM?

3 MR. BLUM: SHELDON BLUM PRESENT ON BEHALF OF BLUM
4 TRUST.

5 THE CLERK: MICHELLE MOORE?

6 MS. MOORE: PRESENT ON BEHALF OF US BORAX.

7 THE CLERK: TED CHESTER?

8 MR. CHESTER: PRESENT.

9 THE CLERK: BRIAN MARTIN?

10 MR. MARTIN: PRESENT.

11 THE CLERK: SUSAN TRAGER?

12 MS. TRAGER: SUSAN TRAGER ON BEHALF OF PHELAN
13 PINON HILLS COMMUNITY SERVICES DISTRICT.

14 THE CLERK: IS THERE ANYONE THAT I HAVE NOT CALLED
15 THE NAME OF THAT I DON'T HAVE LISTED? NO RESPONSE.

16 OKAY. THANK YOU.

17 THE COURT: THANK YOU. EACH COUNSEL IF YOU ARE TO
18 BE HEARD PLEASE BEGIN -- IDENTIFY YOURSELF AS YOU SPEAK.
19 LET'S TAKE UP THE MATTERS NOW. WE HAVE SEVERAL ISSUES
20 TO CONSIDER THIS MORNING.

21 THE FIRST ISSUE THAT I THINK WE SHOULD TALK
22 ABOUT IF THERE IS ANY ISSUE CONCERNING IT IS THERE WAS A
23 REQUEST BY THE WILLIS CLASS TO EXTEND THE OPT-OUT PERIOD
24 FROM MARCH 1 TO APRIL 1 WHICH HAS NOW EXPIRED.

25 IS THERE ANY OPPOSITION TO THAT REQUEST?

26 (NO RESPONSE) ALL RIGHT. THAT MOTION IS GRANTED.

27 THE SECOND ISSUE THAT I THINK I WOULD LIKE
28 TO TAKE UP IS THE APPLICATION FOR APPOINTMENT OF EXPERTS

1 BY BOTH WILLIS AND THE WOOD CLASS COUNSEL.

2 IS THERE FURTHER ARGUMENT TO BE HEARD?

3 MR. MCLACHLAN: WHERE WOULD YOU LIKE TO START?

4 THE COURT: YES, YOU ARE THE MOVING PARTY. IS

5 THERE ANYTHING ELSE THAT YOU WANT TO TELL ME THAT IS NOT
6 IN YOUR PAPERS?

7 MR. MCLACHLAN: NO, YOUR HONOR. I THINK I'LL JUST
8 ADDRESS ANY QUESTIONS THAT YOU MIGHT HAVE. I HAVE
9 ARGUED IT IN FRONT OF YOU BEFORE, AND IT HASN'T CHANGED
10 A LOT, AND THE SCOPE HAS NARROWED.

11 THE COURT: YES.

12 MR. KALFAYAN.

13 MR. KALFAYAN: YOUR HONOR, WE HAVE HAD DIFFERENT
14 EXPERTS AS YOU KNOW FROM OUR MOTION. THE ONLY THING I
15 WANT TO HIGHLIGHT TO THE COURT IN ADDITION TO WHAT WE
16 SUBMITTED IN THE PAPERS IS THAT WE WOULD BE OBVIOUSLY
17 MUCH MORE EFFECTIVE WITH OUR OWN EXPERT, BUT WE DEFER TO
18 THE COURT. I THINK THE COURT SHOULD APPOINT THE EXPERT
19 THAT WE PROPOSED.

20 THE COURT: OKAY. ANYTHING TO BE HEARD IN
21 OPPOSITION BEYOND WHAT IS IN THE PAPERS?

22 MR. DUNN: NO, YOUR HONOR.

23 THE COURT: MR. BUNN.

24 MR. BUNN: YES, YOUR HONOR, I WOULD JUST LIKE TO
25 SPEAK TO THE WILLIS MOTION SOMEWHAT BECAUSE THAT HAS
26 BEEN CHANGED IN THE REPLY BRIEF. THE WILLIS CLASS NOW
27 PROPOSES THAT ITS EXPERT BE DESIGNATED AS A NEUTRAL
28 EXPERT TO ASSIST THE COURT IN THE AREA OF SAFE YIELD.

1 UNDERSTAND THE COURT'S POSITION ABOUT, LOOK, WE MAY NOT
2 EVEN NEED THIS IF WE GET DOWN TO THE ISSUE OF SAFE YIELD
3 AND OVERDRAFT, AND THOSE ARE MOOTED.

4 IF THE COURT WERE TO SAY THE SMALL PUMPERS
5 CLASS MOTION FOR THIS EXPERT IS GRANTED TODAY, BUT
6 DOLLAR ONE CANNOT BE SPENT IF AND UNTIL THE -- THAT NEXT
7 STAGE OF THE TRIAL OCCURS AND THOSE PREDICATE ISSUES TO
8 THE SAFE YIELD AND OVERDRAFT ARE DEALT WITH AND ARE
9 RESOLVED ADVERSELY TO THE CLASS, THEN I THINK IT
10 RESOLVES THE PROBLEM. THEN WE DON'T HAVE TO FILE OUR
11 MOTION TO WITHDRAW MONDAY OR TUESDAY WHICH I DON'T THINK
12 WE HAVE A CHOICE.

13 THE COURT: WELL, I INDICATED TO YOU THAT I THINK
14 IT IS APPROPRIATE FOR THE COURT TO APPOINT AN EXPERT TO
15 DEAL WITH THOSE ISSUES AT THE APPROPRIATE TIME. NOW YOU
16 KNOW IF YOU WANT THE COURT TO MAKE AN ORDER AND STAY IT
17 UNTIL IT BECOMES NECESSARY, I DON'T HAVE ANY DIFFICULTY
18 IN DOING THAT BECAUSE I AGREE WITH YOU. I WOULD NOT
19 WANT TO SEE YOU COMMIT MALPRACTICE BY NOT BEING ABLE TO
20 BE ADEQUATELY PREPARED TO REPRESENT YOUR CLIENTS'
21 INTEREST.

22 I THINK WHAT YOU HAVE DONE HERE IS
23 ADMIRABLE. AND IN THE -- AS FAR AS I'M CONCERNED IN THE
24 HIGHEST STANDARDS OF THE PROFESSION STEPPING FORWARD AS
25 THE SAME WITH MR. KALFAYAN AND MR. ZLOTNICK REPRESENTING
26 THESE PEOPLE WHO WOULD OTHERWISE HAVE TO BE SERVED
27 INDIVIDUALLY AND SUBJECT TO EMPLOYING THEIR OWN LAWYERS,
28 AND TO WHAT END.

1 SO, YOU KNOW, I COMMEND YOU FOR THAT. I
2 THINK THAT IS THE RIGHT THING TO DO. AND I AM INCLINED
3 TO APPOINT -- AND I WILL APPORTION THE COST OF THAT
4 AMONG ALL THE PARTIES BECAUSE THAT IS THE APPROPRIATE
5 DIRECTION FROM THE STATUTE.

6 BUT I WOULD STAY THAT UNTIL IT BECOMES
7 NECESSARY FOR YOU TO DO IT AND TO HAVE IT. IT MAY NOT
8 NEVER BE NECESSARY. I DON'T KNOW. I SUSPECT, HOWEVER,
9 ABSENT A SETTLEMENT AT SOME POINT THERE IS GOING TO HAVE
10 TO BE A DETERMINATION MADE OF WHAT THE REASONABLE AND
11 BENEFICIAL USE IS OF EACH PARTY WHO IS INVOLVED IN THIS
12 LAWSUIT.

13 AND THAT, OF COURSE, IS THE ULTIMATE
14 DETERMINATION THAT IS GOING TO DETERMINE WHAT THE RIGHTS
15 OF THE PARTIES MIGHT BE.

16 MR. MCLACHLAN: THAT IS FINE. IF THERE IS GOING
17 TO BE THE COURT'S ORDER, THEN THAT RELIEVES THE PRIMARY
18 CONCERN OF MR. O'LEARY'S FIRM AND MY FIRM. AND THEN,
19 YOU KNOW, WE ARE OPEN TO PARTICIPATE IN WHATEVER PROCESS
20 THE COURT FEELS IS DISCUSSED.

21 THE COURT: WELL, MY INTEREST IS IN SEEING HOW
22 MANY ISSUES CAN GET RESOLVED BY AGREEMENT; AND,
23 HOPEFULLY, I WOULD LIKE TO SEE ALL THE ISSUES RESOLVED
24 BY AGREEMENT. THAT MAY NOT HAPPEN. BUT, CERTAINLY, THE
25 ISSUES RELATING TO THE PUMPER CLASS AND THE NONPUMPER --
26 OR DORMANT CLASS ARE THINGS THAT I THINK CAN BE
27 RESOLVED. ALL RIGHT. MR. FIFE.

28 MR FIFE: YOUR HONOR, I THINK THAT WE NEED TO

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT NO. 1 HON. JACK KOMAR, JUDGE
4
5 COORDINATION PROCEEDING)
6 SPECIAL TITLE (RULE 1550B))
7) JUDICIAL COUNCIL
8 ANTELOPE VALLEY GROUNDWATER CASES) COORDINATION
9) NO. JCCP4408
10)
11 PALMDALE WATER DISTRICT AND) SANTA CLARA CASE NO.
12 QUARTZ HILL WATER DISTRICT,) 1-05-CV-049053
13)
14 CROSS-COMPLAINANTS,)
15)
16 VS.)
17)
18 LOS ANGELES COUNTY WATERWORKS,)
19 DISTRICT NO. 40, ET AL,)
20)
21 CROSS-DEFENDANTS.)
22)
23
24
25
26
27
28 I, GINGER WELKER, OFFICIAL REPORTER OF THE
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE
COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE
TRANSCRIPT DATED APRIL 24, 2009 COMPRISES A FULL, TRUE,
AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE
ABOVE ENTITLED CAUSE.
DATED THIS 30TH DAY OF APRIL OF 2009.

OFFICIAL REPORTER, CSR #5585

Exhibit 9

0410

JA 159022

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

Judicial Council Coordination
Proceeding No. 4408

Included Consolidated Actions:

Lead Case No. BC 325 201

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
County of Los Angeles, Case No. BC 325 201

**ORDER AFTER HEARING ON
MOTION BY PLAINTIFF
REBECCA LEE WILLIS AND THE
CLASS FOR ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES
AND CLASS REPRESENTATIVE
INCENTIVE AWARD**

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

Wm. Bothhouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Hearing Date(s): March 22, 2011
Time: 10:00 a.m.
Location: Central Civil West

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 364 553

Judge: Honorable Jack Komar

Richard A. Wood v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los

Antelope Valley Groundwater Litigation (Consolidated Cases)

Los Angeles County Superior Court, Lead Case No. BC 325 201

*Order After Hearing on Motion by Plaintiff Rebecca Lee Willis and The Class for Attorneys' Fees, Reimbursement of Expenses
and Class Representative Incentive Award*

2
3 Plaintiff Rebecca Lee Willis and the Class have entered into a stipulation of settlement
4 with defendants Los Angeles County Waterworks District No. 40, City of Palmdale, Palmdale
5 Water District, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Quartz Hill
6 Water District, California Water Service Company, Rosamond Community Service District,
7 Phelan Piñon Hills Community Services District, Desert Lake Community Services District,
8 and North Edwards Water District (collectively, the "Settling Defendants").

9 On November 18, 2010, the Court granted Plaintiff's motion for preliminary approval of
10 class action settlement and on March 1, 2011, the Court granted final approval of the settlement.
11 Plaintiff and the Willis Class now move for an award of attorneys' fees, reimbursement of
12 expenses, and an incentive award for lead plaintiff Rebecca Lee Willis.

13 On March 22, 2011, at 10:00 a.m., the Court heard oral argument on the motion seeking
14 attorneys' fees pursuant to Code of Civil Procedure § 1021.5 as a prevailing party in its action
15 against the Public Water Suppliers based on the settlement between the parties. The Willis
16 Class asserts that its attorneys have collectively spent approximately 5,293.9 hours of time on
17 the case from late 2006 through December 31, 2010 on a contingency basis and have incurred
18 unreimbursed expenses of over \$86,000, of which over \$64,000 were out of pocket costs.

19 The Willis Class's counsel state that the attorneys' collective lodestar, including work
20 spent by counsel and by clerks and paralegals and a consultant, is \$2,300,618. The Willis Class
21 requests a multiplier of 1.5, for a total fee request of \$3,450,927. The Willis Class
22 acknowledges that certain of its \$86,000 in expenses are not recoverable and seeks an award of
23 \$65,057.68 in costs. The Willis Class also requests the Court's approval to give plaintiff
24 Rebecca Willis an incentive payment of \$10,000, which would come out of the attorneys' fee
25 award.

26 The various opposing parties assert a myriad of reasons why the motion should be
27 denied in its entirety or the amount awarded significantly reduced, including that the fees are
28 unreasonable, that the settlement does not achieve a significant benefit for the class, that the

1 class should not be considered a prevailing party since it did not prevail on all causes of action,
2 that the class did not enforce an important public right, and that the public interest was not
3 represented by the Willis Class but rather was represented by the public and other water
4 producers.

5 The City of Lancaster additionally contends that the motion should be denied in its
6 entirety as it relates to Lancaster because (1) Lancaster does not claim prescriptive rights and
7 dismissed its claim for prescription long ago, and (2) Lancaster has not signed the settlement
8 agreement and therefore the Willis Class cannot be considered a “prevailing party” on any
9 claim involving Lancaster.

10 Palmdale did not file a written opposition but contended at oral argument that any
11 determination of benefit was premature and the request for fees should be continued to a later
12 date when the final resolution and the benefits to the class became clear.

13 At the conclusion of the oral argument on the motion, the Court ordered counsel for the
14 Willis Class to file a declaration from Ms. Willis setting forth her participation in the case in
15 justification of an incentive award within thirty days and ordered the matter submitted upon
16 receipt of such declaration.

17 Therefore, the Willis incentive award declaration having been filed, and good cause
18 appearing, the Court makes the following order.

19
20 **ORDER**

21 **Entitlement to Attorneys’ Fees**

22
23 The Willis Class seeks attorneys’ fees pursuant to Code of Civil Procedure § 1021.5.
24 Section 1021.5 is a codification of the private attorney general doctrine adopted by the
25 California Supreme Court in *Serrano v. Priest* (1977) 20 Cal.3d 25 [141 Cal.Rptr. 315, 569
26 P.2d 1303] (Serrano III). This section allows an award of attorneys’ fees to “a successful party”
27 in an action which has resulted in the enforcement of an important right affecting the public
28 interest if: a significant benefit, whether pecuniary or nonpecuniary, has been conferred on the

1 general public or a large class of persons, the necessity and financial burden of private
2 enforcement make the award appropriate, and such fees should not in the interest of justice be
3 paid out of any recovery. (Code Civ. Proc. § 1021.5; *Press v. Lucky Stores, Inc.* (1983) 34
4 Cal.3d 311, 317-318 [193 Cal.Rptr. 900, 667 P.2d 704].)

5
6 The fundamental objective of the private attorney general theory is to encourage
7 suits effecting a strong public policy by awarding substantial attorney fees to
8 those whose successful efforts obtain benefits for a broad class of citizens.
9 (*Woodland Hills Residents Assn., Inc. v. City Council* (1979) 23 Cal.3d 917, 933
10 [154 Cal.Rptr. 503, 593 P.2d 200].) Without a vehicle for award of attorney
11 fees, private actions to enforce important public policies will frequently be
12 infeasible. (*Baggett v. Gates* (1982) 32 Cal.3d 128, 142 [185 Cal.Rptr. 232, 649
13 P.2d 874].)

14 The decision to award attorney fees rests initially with the trial court: utilizing
15 its traditional equitable discretion, the trial court must “realistically assess the
16 litigation and determine, from a practical perspective,” whether the statutory
17 criteria have been met. (*Baggett v. Gates, supra*, 32 Cal.3d 128, 142; *Mandicino*
18 *v. Maggard* (1989) 210 Cal.App.3d 1413, 1416 [258 Cal.Rptr. 917].)

19 (*Hull v. Rossi* (1993) 13 Cal. App. 4th 1763, 1766-1767.)

20 Section 1021.5 states, in relevant part:

21 Upon motion, a court may award attorneys’ fees to a successful party against
22 one or more opposing parties in any action which has resulted in the
23 enforcement of an important right affecting the public interest if: (a) a
24 significant benefit, whether pecuniary or nonpecuniary, has been conferred on
25 the general public or a large class of persons, (b) the necessity and financial
26 burden of private enforcement, or of enforcement by one public entity against
27 another public entity, are such as to make the award appropriate, and (c) such
28 fees should not in the interest of justice be paid out of the recovery, if any.

29 The first step in establishing whether the Willis Class is entitled to fees pursuant to
30 Section 1021.5 is a determination of whether the Willis Class is a “successful party.”

31 Although it is true that the Willis Class did not obtain all of the relief they requested in
32 their pleadings, a trial court need not rule in favor of petitioners on every single issue litigated
33 for petitions to be “successful” within the meaning of section 1021.5. (*Hull v. Rossi, supra*, 13

Antelope Valley Groundwater Litigation (Consolidated Cases)

Los Angeles County Superior Court, Lead Case No. BC 325 201

Order After Hearing on Motion by Plaintiff Rebecca Lee Willis and The Class for Attorneys’ Fees, Reimbursement of Expenses
and Class Representative Incentive Award

1 Cal. App. 4th at p. 1768.) By eliminating the Public Water Suppliers' prescription claims and
2 maintaining correlative rights to portions of the Basin's native yield, the Willis Class members
3 achieved a large part of their ultimate goal – to protect their right to use groundwater in the
4 future and to maintain the value of their properties. Under these circumstances, they must be
5 considered “successful parties” for purposes of Code of Civil Procedure § 1021.5.

6 However, the Willis Class is not a successful party with regard to Lancaster. Lancaster
7 ultimately made no claim on dormant owners' water rights so that it was not acting adversely to
8 the class. Moreover, Lancaster is not a signatory to the settlement. Consequently, the Willis
9 Class has not prevailed in any way against Lancaster at this point in the litigation. Therefore,
10 Lancaster is not responsible for any part of the fees to be paid to the Willis Class.

11 The next step in the Section 1021.5 analysis is a determination of whether a significant
12 benefit, pecuniary or nonpecuniary, has been conferred on the general public or a large class of
13 persons. There can be no dispute that the Willis Class is a large class of persons as it is made
14 up of approximately 70,000 class members. As for the benefit conferred, although the Willis
15 Class did not recover any monetary payment, it was successful in achieving a significant benefit
16 by preventing the Public Water Suppliers from proceeding on their prescription claims and by
17 maintaining certain correlative rights to the reasonable and beneficial use of water underlying
18 their land. By virtue of the Willis Class Action (and the Woods Class Action), the Court is able
19 to adjudicate the claims of virtually all groundwater users in the entire Antelope Valley which
20 adheres to the benefit of every resident and property owner in the adjudication area. Without
21 virtually all such users as part of the adjudication, the Court could not have complied with the
22 McCarran Amendment which was necessary to maintain jurisdiction over the federal
23 government (purportedly the largest land owner and a very large water user) which was
24 necessary to adjudicate all correlative rights in the basin.

25 Even without the federal government involvement, without the filing of the class action,
26 it would have been impossible to adjudicate the rights of all persons owning property and water
27 rights within the valley. The impossibility of 70,000 individual claims by land owners to water
28 rights being adjudicated in any other fashion needs little further discussion. The inability of the

1 judicial system to conduct such adjudication in any other way is beyond argument. The benefit
2 to all class members is clear and the benefit to all others living or owning property in the
3 Antelope Valley is enormous - all water rights will ultimately be established and if necessary
4 (as alleged) the reasonable and beneficial use of the water will be preserved for all under the
5 California Constitution.

6 The Willis Class has not received any direct pecuniary benefit. The burden on any
7 individual class member to maintain this action would have been significantly higher than any
8 potential benefit to that class member. Only by banding together in a class action were the
9 members of the Willis Class able to litigate this case.

10 In sum, the Willis Class has met the requirements of Code of Civil Procedure § 1021.5
11 and is entitled to attorneys' fees.

12 13 Amount of Attorneys' Fees

14
15 “The starting point of every fee award, once it is recognized that the court’s role
16 in equity is to provide just compensation for the attorney, must be a calculation
17 of the attorney’s services in terms of the time he has expended on the case.
18 Anchoring the analysis to this concept is the only way of approaching the
19 problem that can claim objectivity, a claim which is obviously vital to the
20 prestige of the bar and the courts.”

21 (*Serrano v. Priest (Serrano III)* (1977) 20 Cal.3d 25, 48, fn. 23, quoting *City of Detroit v.*
22 *Grinnell Corp.* (2d Cir. 1974) 495 F.2d 448, 470.)

23 [T]he fee setting inquiry in California ordinarily begins with the “lodestar,” i.e.,
24 the number of hours reasonably expended multiplied by the reasonable hourly
25 rate. “California courts have consistently held that a computation of time spent
26 on a case and the reasonable value of that time is fundamental to a
27 determination of an appropriate attorneys’ fee award.” [Citation.] The
28 reasonable hourly rate is that prevailing in the community for similar work.
[Citations.] The lodestar figure may then be adjusted, based on consideration of
factors specific to the case, in order to fix the fee at the fair market value for the
legal services provided.

1 (*Plcm Group v. Drexler* (2000) 22 Cal. 4th 1084, 1095.)

2 Factors to be considered in adjusting the lodestar figure include:

- 3 (1) The novelty and difficulty of the questions involved, and
4 the skill displayed in presenting them;
- 5 (2) The extent to which the nature of the litigation precluded
6 other employment by the attorneys;
- 7 (3) The contingent nature of the fee award, both from the point
8 of view of eventual victory on the merits and the point of view
9 of establishing eligibility for an award;
- 10 (4) The fact that an award against the state would ultimately
11 fall upon the taxpayers;
- 12 (5) The fact that the attorneys in question received public and
13 charitable funding for the purpose of bringing law suits of the
14 character here involved;
- 15 (6) The fact that the monies awarded would inure not to the
16 individual benefit of the attorneys involved but the
17 organizations by which they are employed; and
- 18 (7) The fact that in the court's view the two law firms involved
19 had approximately an equal share in the success of the
20 litigation.

21 (See *Serrano III, supra*, 20 Cal.3d at p. 49.)

22 Other factors that may be considered include the benefits obtained or results achieved,
23 the promptness of the settlement, and the amount of attorneys' fees typically negotiated in
24 comparable litigation. (See *Lealao v. Benefit Cal.* (2000) 82 Cal.App.4th 19, 40, 47, 52.)

25 "If . . . a plaintiff has achieved only partial or limited success, the product of
26 hours reasonably expended on the litigation as a whole times a reasonable
27 hourly rate may be an excessive amount. This will be true even where the
28 plaintiff's claims were interrelated, nonfrivolous, and raised in good faith.
Congress has not authorized an award of fees whenever it was reasonable for a
plaintiff to bring a lawsuit or whenever conscientious counsel tried the case with
devotion and skill. Again, the most critical factor is the degree of success
obtained.

1
2 "There is no precise rule or formula for making these determinations. The [trial]
3 court may attempt to identify specific hours that should be eliminated, or it may
4 simply reduce the award to account for the limited success. The court
necessarily has discretion in making this equitable judgment...."

5 (*Sokolow v. County of San Mateo* (1989) 213 Cal.App.3d 231, 247-248, quoting *Hensley v.*
6 *Eckerhart* (1983) 461 U.S. 424, 436-437, 439-440.)
7

8
9 The Willis Class argues that its counsel's lodestar of \$2,300,618 is reasonable given the
10 complexity of the case. The Opposing Parties contend that the amount of time expended by
11 Class Counsel was excessive and, in many instances, unnecessary. While it is possible to use
12 hindsight to look back and determine that effort expended by Class Counsel on a particular
13 issue or motion might have been unnecessary, that does not mean that Class Counsel is not
14 entitled to fees for that work. Absent circumstances rendering the award unjust, an attorneys'
15 fee award should ordinarily include compensation for all the hours *reasonably* spent, including
16 those relating solely to the fee. (*Ketchum v. Moses* (2001) 24 Cal. 4th 1122, 1133.) Further, the
17 trial court has broad authority to determine the amount of a reasonable fee. (*Id.* at p. 1095.) A
18 trial court may make its own determination of the value of the services contrary to, or without
19 the necessity for, expert testimony. (*Id.* at p. 1096.) Therefore, the Court can use its knowledge
20 of the case and the efforts of Class Counsel to determine an equitable fee award.

21 Although an attorneys' fee award is generally based on the lodestar amount, in this
22 instance there are several factors that weigh in favor of reducing the lodestar amount. First,
23 even though the Willis Class obtained significant relief in this action, the Willis Class did not
24 prevail on a number of causes of action and was unsuccessful in recovering any direct monetary
25 benefit. Second, the fee award in this case will ultimately fall on taxpayers. Moreover, as
26 pointed out by the Opposing Parties, some taxpayers are also ratepayers of various public
27 agencies and would, in effect, have to pay their portion of the fee award twice. Additionally,
28 although nobody can dispute that this is a complicated case, Class Counsel did not come into
the case with much, if any, expertise in water law and properly associated other counsel with

1 such expertise. Then, additional time was spent by counsel educating themselves, thereby
2 increasing fees somewhat beyond what appears reasonable necessary. Also, in reviewing the
3 time spent on certain law and motion matters, it appears that an unnecessary amount of time
4 was spent by counsel on various matters, in particular pleading matters, involving well settled
5 legal principles. Moreover, by "block billing," counsel have made it impossible for the Court to
6 analyze the time spent on the various functions performed by each counsel.¹

7 This case included many parties who were not directly adverse to the Willis Class
8 because they were not part of the Willis Class's action, many of whom had a common interest
9 in defending against prescription. The Public Water Suppliers should not be required to pay
10 attorneys' fees that were generated as a result of actions taken by non-parties to the Willis
11 Class's action.

12 The Willis Class asserts that it is only seeking fees from the parties that have asserted
13 claims to prescriptive rights. Los Angeles County Waterworks District No. 40 ("District 40")
14 requests that the attorneys' fee award should be apportioned among each party that pumps from
15 the Basin due to the involvement of those parties in this case even though those parties are not
16 named as defendants in the Willis Class's action. If the Court were to order that other parties
17 must also pay fees, the Court would be going beyond the scope of the requested relief.
18 Moreover, in the Court's consolidation order, the Court states that "[c]osts and fees could only
19 be assessed for or against parties who were involved in particular actions." (Order Transferring
20 and Consolidating Actions for all Purposes, p. 3:13-14.) Such other parties are not parties to the
21 settlement; the adjudication as it relates to them is ongoing and the Willis Class cannot be
22 considered a prevailing party as to them. Accordingly, any fee award that is granted at this
23 point may only be awarded against the parties to the settlement.

24 Regarding Class Counsel's billing rates, Class Counsel have provided evidence that
25 their billing rates are reasonable. The lodestar was based on hourly rates of \$400 per hour for
26 Ralph B. Kalfayan, \$450 per hour for David B. Zlotnick, and lesser amounts for associates who

27
28 ¹ Block Billing involves showing various functions performed lumping together time expended without indicating
how much time is allotted to each function.

1 worked on the case. These rates are reasonable. The Court notes, however, that in at least one
2 case (Greg James) a higher billing rate was used because this was a contingent fee case. The
3 fact that this is a contingent fee case should not be counted twice as a factor for raising the
4 amount of the award – in the hourly rate charged and in the multiplier awarded.

5 This Court has presided over this case since the order of coordination and is familiar
6 with the work of counsel for all parties, the complexity of the various issues, and the time
7 necessarily involved in effectively representing the Willis Class. The Court has carefully
8 reviewed all of the time claimed in the lodestar computation. The principal cause of action
9 brought on behalf of the class was the declaratory relief cause of action which concededly was
10 defensive in substance. Importantly, the fees should reflect the necessity of bringing the action
11 to protect the class members' water rights against the claim of prescriptive rights by the Public
12 Water Producers. However, the lodestar should also be reduced to account for the fact that the
13 fees requested include fees incurred as a result of the involvement of parties that are not parties
14 to the Willis Class's case. The lodestar should also be reduced based on the following other
15 factors: the Willis Class did not prevail on a number of causes of action and was unsuccessful in
16 recovering any direct monetary benefit; the fee award in this case will ultimately fall on
17 taxpayers; and Class Counsel did not come into the case with much, if any, expertise in water
18 law and appear to have spent more time educating themselves than would otherwise be
19 necessary.

20 Accordingly, in reviewing all the time spent by counsel and others, considering the time
21 accorded to various of the issues by relative import and consequence, it is the decision of the
22 Court that reasonable attorneys' fees for the class in this matter is the sum of \$1,839,494.

23 Costs

24
25
26 The Willis Class seeks an award of \$65,057.68 in costs. District 40 argues that Code of
27 Civil Procedure § 1021.5 only authorizes recovery of attorneys' fees, not costs. District 40 is
28 correct. (See *Benson v. Kwikset Corp.* (2007) 152 Cal. App. 4th 1254, 1283.) Costs are

1 authorized, however, by Code of Civil Procedure §§ 1032 and 1033.5. (Code Civ. Proc.
2 §§ 1032 and 1033.5; see also *Benson v. Kwikset Corp.*, *supra*, 152 Cal. App. 4th at p. 1283.)
3 No party has moved to tax the costs requested by the Willis Class. Moreover, the costs
4 requested appear to have been reasonably necessary. Accordingly, the Willis Class's request
5 for costs is GRANTED.

6
7 **Incentive Award**

8 The Willis Class seeks to give lead plaintiff Rebecca Lee Willis an incentive award of
9 \$10,000 to be paid out of the attorneys' fee award. Based upon the declaration submitted by
10 Ms. Willis, the Court finds that an incentive award is justified. This class action would not
11 likely have been initiated but for her involvement in this case. Counsel are authorized to pay
12 her an incentive award in the sum of \$10,000 from the attorneys' fee award.

13
14 **CONCLUSION**

15 The Willis Class's request for costs is GRANTED.

16
17
18 Lead plaintiff Rebecca Lee Willis may be awarded an incentive payment in the sum of
19 \$10,000 to be paid by counsel out of attorneys' fees awarded.

20
21 Attorneys' fees in the sum of \$1,839,494 are awarded to counsel for the Willis Class
22 against Los Angeles County Waterworks District No. 40, City of Palmdale, Palmdale Water
23 District, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Quartz Hill Water
24 District, California Water Service Company, Rosamond Community Service District, Phelan

25 //

26 //

27 //

1 Pifion Hills Community Services District, Desert Lake Community Services District, and North
2 Edwards Water District.

3
4 SO ORDERED.

5
6 Dated: 5-4-2011

7 
8 Hon. Jack Komar
9 Judge of the Superior Court
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Exhibit 10

WILLIS CLASS' PROPOSAL FOR ALLOCATION OF FEES AND COSTS
BASED ON PWS HISTORICAL PUMPING 2000 to 2006

	<u>LA</u>	<u>PWD</u>	<u>LCID</u>	<u>QH</u>	<u>RCSD</u>	<u>AVWC</u>	<u>PRID</u>	<u>DLCSD</u>	<u>NECSD</u>	<u>PPHCSD</u>	<u>Total</u>
2000	17,419	9,625	1,810	1,419	1,461	827	1,147	353	250	1,000	35,311
2001	21,736	11,281	1,830	3,040	2,185	810	1,147	353	250	1,000	43,632
2002	21,196	8,281	1,950	2,801	2,359	787	1,536	353	250	1,000	40,513
2003	16,791	10,587	1,930	1,554	1,767	602	1,558	353	250	1,000	36,392
2004	21,281	10,990	2,230	1,347	1,989	595	814	353	250	1,000	40,849
2005	19,201	11,045	1,870	1,244	1,701	614	1,139	353	250	1,000	38,417
2006	12,277	11,320	2,150	1,386	2,212	534	591	353	250	1,000	32,073
Ave.	<u>21,650</u>	<u>12,188</u>	<u>2,295</u>	<u>2,132</u>	<u>2,279</u>	<u>795</u>	<u>1,322</u>	<u>412</u>	<u>292</u>	<u>1,167</u>	<u>44,531</u>
%	<u>48.62%</u>	<u>27.37%</u>	<u>5.15%</u>	<u>4.79%</u>	<u>5.12%</u>	<u>1.78%</u>	<u>2.97%</u>	<u>0.92%</u>	<u>0.65%</u>	<u>2.62%</u>	

Exhibit 11

COUNTY OF LOS ANGELES

IN RE:)
)
 ANTELOPE VALLEY GROUNDWATER) JUDICIAL COUNCIL
 CASES.) COORDINATION NO. 4408
)
) SANTA CLARA COUNTY CASE
) NO. 1-05-CV-049053
) (For Court Use Only)

BEFORE THE HONORABLE JACK KOMAR

OCTOBER 25, 2013

STEPHANIE ESTES, CSR #12452
OFFICIAL REPORTER

APPEARANCES:

MICHAEL MC LACHLAN

THOMAS BUNN

STEVEN ORR

WESLEY MILIBAND

DOUGLAS EVERTZ

WARREN WELLEN

WILLIAM SLOAN

JEFFREY DUNN

NOAH GOLDEN-KRASNER

WILLIAM BRUNICK

SHELDON BLUM

KEITH LEMIEUX

TELEPHONIC APPEARANCES:

HERUM CRABTREE

MARILYN LEVIN

R. LEE LEININGER

JOHN TOOTLE

WALTER RUSINEK

BRADLEY WEEKS

ROBERT KUHS

BOB JOYCE

SCOTT KUNEY

JOSEPH HUGHES

RYAN DRAKE

LELAND MC ELHANEY

JANET GOLDSMITH

ANDREW RAMOS

JOHN UKKESTAD

MICHAEL DAVIS

BRUCE NELSON

WENDY WANG

THEODORE CHESTER JR.

RICHARD ZIMMER

RICHARD WOOD

NEAL MAGUIRE

BRADLEY HERREMA

---o0o---

1 ---o0o---

2 THE COURT: Good morning.

3 MR. BUNN: Good morning, Your Honor.

4 MR. MC LACHLAN: Good morning, Your Honor.

5 MR. ORR: Good morning.

6 VOICE VOICE: Good morning, Your Honor.

7 THE COURT: In the Antelope Valley Ground Water
8 cases we've had an indication of who's present on the
9 telephone. Let's get personal appearances in the
10 courtroom, please. Let's start with Mr. McLachlan.

11 MR. MC LACHLAN: Michael McLachlan for the Wood
12 Class.

13 MR. BUNN: Good morning, Your Honor. Thomas Bunn
14 for Palmdale Water District.

15 MR. EVERTZ: Good morning, Your Honor. Doug
16 Evertz for the City of Lancaster and Rosamond Community
17 Service District.

18 MR. MILIBAND: Good morning, Your Honor. Wes
19 Miliband for Phelon Pinon Hills CSD.

20 MR. ORR: Good morning, Your Honor. Steven Orr
21 for the City of Palmdale.

22 MR. LEMIEUX: Keith Lemieux, L-E-M-I-E-U-X, for
23 Littlerock Creek Irrigation District, et al.

24 MR. DUNN: Jeffrey Dunn for Los Angeles County
25 Water Works District Number 40.

26 MR. WELLEN: Warren Wellen for District 40.

27 MR. BLUM: Good morning, Your Honor. Sheldon Blum
28 on behalf of the Blum Trust.

1 MR. MC LACHLAN: You strongly suggest.

2 THE COURT: I exhort.

3 MR. MC LACHLAN: I apologize for using the wrong
4 terms. But they have made it very clear to me that they
5 are not going to settle with the class.

6 MR. DUNN: No. No. We object to that, Your
7 Honor, that's an improper statement. It's not true and
8 it's not properly before the Court at this point.

9 THE COURT: Well, okay. Listen I don't want to
10 get into that discussion. I want you to settle if you
11 can.

12 MR. MC LACHLAN: Right.

13 THE COURT: But it seems to me that what you're
14 really saying to me, Mr. McLachlan, is we'll enter into a
15 settlement, we will dismiss on behalf of the class actions
16 against these four public water providers, okay. Which
17 means we -- we will eliminate our declaratory relief
18 action against them, they will dismiss any cross-complaint
19 that encompasses us. Although I don't think they really
20 do have that kind of a cross-complaint against the class.

21 MR. MC LACHLAN: It's unserved.

22 THE COURT: Well, okay. Okay. But the class is
23 not -- is not a cross-defendant in this case as far as the
24 Court's concerned. What may be out there pending and not
25 served is a different issue. So, it seems to me that --
26 that that kind of a dismissal and agreement for them to
27 pay a portion of your fees is a very appropriate kind of
28 settlement if that -- that's ultimately determined by the

1 Court to be fair and reasonable and so on.

2 It has absolutely no impact on what your water
3 rights are except it eliminates this -- this latent claim.

4 MR. MC LACHLAN: Right. Well, we essentially on
5 June 16, 2011, the hearing, Your Honor, may recall in the
6 original settlement, Your Honor said quote on page five of
7 the transcript, "And you can, I believe, enter into an
8 agreement that the water purveyors will not contest that."
9 You're referring to a prescription. But you can't bind
10 non settling parties to that kind of determination. So we
11 collectively, all of us, sat about to draft an agreement
12 that kept that into -- that for -- foremost in the
13 process. Mr. Evertz literally sat down with this
14 transcript in the settlement agreement that I worked out
15 with all of the water suppliers we script out the stuff,
16 made sure we didn't impact your settlement, and I think we
17 have complied with this to the letter.

18 THE COURT: Except you don't have all the public
19 water suppliers.

20 MR. MC LACHLAN: Well, I mean I can't -- well, I
21 mean I can't pull a gun on District 40 and say okay, you
22 got to settle. You know, my phone line's open. I'm ready
23 to settle with all of them. But if they want to take the
24 -- they want to take the prescriptive claims I've got to
25 prepare to do battle. And if Palmdale Water District is
26 going to say I'm going to take that 30 percent off the
27 table I've got to take that. Because these people have
28 very small water rights. So when you cut back 20 or 30

1 percent, you know, get rid of your washing machine, get
2 rid of the little trees in your front yard and -- and pay
3 a bill, it's a big deal.

4 THE COURT: Those are very interesting
5 hypothetical numbers at this point. You know, I don't
6 disagree with you that it's in your best interest to try
7 to settle and preserve you're client's rights. And I
8 think that those are domestic rights, they're important
9 rights. The law recognizes them as important rights. And
10 I think that your -- you're effectively representing the
11 class. And I -- and I appreciate both the quality and
12 representation in your efforts to preserve their rights.

13 I guess my real concern here, and I'm happy to
14 hear from the other parties, but my real concern here is
15 the appropriateness of a partial settlement where all of
16 the -- the issues are ultimately going to be the same even
17 in terms of -- of what water rights you may ultimately
18 have irrespective of what the other parties' positions may
19 be, these four settling parties. So, let me hear from Mr.
20 Bunn and company.

21 MR. MC LACHLAN: That's fine. Before I leave the
22 lectern --

23 THE COURT: Yes.

24 MR. MC LACHLAN: -- I would suggest to Your Honor
25 that that is exactly what you did with the Willis
26 settlement.

27 THE COURT: What? What?

28 MR. MC LACHLAN: The Willis settlement, that is

1 exactly what you did with the Willis settlement. They
2 settled, finished things and their water rights have not
3 been determined. I mean this is really essentially the
4 same situation minus the fact of a few defendants.

5 THE COURT: Well, of course it's impossible to
6 determine the water rights of a non producing party.

7 MR. MC LACHLAN: Well, you're going to be called
8 on to do the impossible.

9 THE COURT: It wouldn't be the first time. The
10 other thing that I would just point out to you is that the
11 Willis Class settled with all of the water producers not
12 just some of them.

13 MR. MC LACHLAN: But -- But there are plenty of
14 cases out there where there were partial class
15 settlements. I've done it once before in my career.
16 There's law that supports it, that's not a problem
17 legally.

18 THE COURT: All right. Mr. Bunn.

19 MR. BUNN: Good morning, Your Honor. Thomas Bunn.
20 I came up here prepared to talk primarily about the
21 McCarran Amendment. It was my understanding from what Mr.
22 Leininger said that based on the Court's comments he now
23 views the settlement as not being a problem under the
24 McCarran Amendment. I'm happy to talk further to the
25 Court if you have any -- because I think the McCarran
26 Amendment is a -- an important issue and these objections
27 need to be taken seriously. No one wants more than I,
28 that the final judgment in this case comply with the

1 STATE OF CALIFORNIA)
2) Ss.
3 COUNTY OF SANTA CLARA)
4
5

6 I, STEPHANIE ESTES, CSR, HEREBY CERTIFY: THAT
7 I WAS THE DULY APPOINTED, QUALIFIED SHORTHAND REPORTER OF
8 SAID COURT IN THE ABOVE-ENTITLED ACTION TAKEN ON THE
9 ABOVE-ENTITLED DATE; THAT I REPORTED THE SAME IN MACHINE
10 SHORTHAND AND THEREAFTER HAD THE SAME TRANSCRIBED THROUGH
11 COMPUTER-AIDED TRANSCRIPTION AS HEREIN APPEARS; AND THAT
12 THE FORGOING TYPEWRITTEN PAGES CONTAIN A TRUE AND CORRECT
13 TRANSCRIPT OF THE PROCEEDINGS HAD IN SAID MATTER AT SAID
14 TIME AND PLACE TO THE BEST OF MY ABILITY.

15 I FURTHER CERTIFY THAT I HAVE COMPLIED WITH
16 CCP 237(A)(2) IN THAT ALL PERSONAL JUROR IDENTIFYING
17 INFORMATION HAS BEEN REDACTED IF APPLICABLE.

18 DATED: November 18, 2013.

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STEPHANIE ESTES
CSR No. 12452

ATTENTION:

CALIFORNIA GOVERNMENT CODE
SECTION 69954(D) STATES:

"ANY COURT, PARTY, OR PERSON WHO HAS PURCHASED A
TRANSCRIPT MAY, WITHOUT PAYING A FURTHER FEE TO THE
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USE, BUT SHALL NOT OTHERWISE PROVIDE OR SELL A COPY OR
COPIES TO ANY OTHER PARTY OR PERSON."

Exhibit 12

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

MDL No. 1917

Case No. C-07-5944 JST

This Order Relates To:

**ORDER ON DPP CLASS
REPRESENTATIVE INCENTIVE
AWARDS**

ALL DIRECT PURCHASER ACTIONS

Now before the Court is a motion for approval of incentive awards to each of ten Class Representatives for the Direct Purchaser Plaintiff (“DPP”) class. See ECF No. 4056. The DPPs seek awards of \$25,000 to each named Plaintiff, for a total of \$250,000. No one has objected to the awards. See ECF No. 4114. The Court held oral argument on this motion on December 15, 2015. After careful consideration and good cause appearing, the Court now GRANTS the motion for the reasons set forth below.

I. BACKGROUND

After eight years of litigation, the facts of this case are well known to parties. The Court recites only certain background facts to help explain the basis for this award.

The case is predicated upon an alleged conspiracy to price-fix cathode ray tubes (“CRTs”), a core component of tube-style screens for common devices including televisions and computer monitors.¹ This conspiracy ran from March 1, 1995 to November 25, 2007, involved many of the major companies that produced CRTs, and allegedly resulted in overcharges of millions, if not

¹ Perhaps ironically, CRT technology has now become largely obsolete. See J.R. Raphael, Obsolete Technology: 40 Big Losers, PC WORLD (Jan. 13, 2016, 9:12 AM), http://www.pcworld.com/article/169863/obsolete_tech.html?page=2.

billions, of U.S. dollars to domestic companies that purchased and sold CRTs or finished products containing CRTs for purposes of resale.² A civil suit was originally filed in 2007, ECF No. 1, consolidated by the Joint Panel on Multidistrict Litigation shortly thereafter, see ECF No. 122, assigned to Judge Samuel Conti, see id., and ultimately transferred to the undersigned, see ECF No. 4162.

The Class Representatives named in the DPPs' Consolidated Amended Complaint ("DPCAC") for which incentive awards are sought are: (1) Crago, d/b/a Dash Computers, Inc.; (2) Arch Electronics, Inc.; (3) Hawel A. Hawel, d/b/a City Electronics; (4) Meijer, Inc. and Meijer Distribution, Inc.; (5) Nathan Muchnick, Inc.; (6) Princeton Display Technologies, Inc.; (7) Radio & TV Equipment, Inc.; (8) Royal Data Services, Inc.; (9) Studio Spectrum, Inc.; and (10) Wettstein and Sons, Inc. d/b/a Wettstein's (collectively, "Class Representatives" or "named Plaintiffs"). Settling Defendants include parent and/or subsidiary corporations of Chunghwa, Philips, Panasonic, LG, Toshiba, Hitachi, and Samsung SDI. DPPs maintain their class suit against Mitsubishi and also have a settlement that was recently approved with Thomson and TDA. See ECF No. 4260..

Given the length of the conspiracy, the resources of Defendants, and the potential value of recovery in this case, discovery has been unsurprisingly extensive.³ In connection with a separate motion, the parties noted that millions of pages of discovery have been produced and more than one hundred depositions have been taken. See ECF No. 4055 at 9-10. As relates to the instant motion, named Plaintiffs were required to spend time with their counsel reviewing drafts of the original complaint as well as the later-filed consolidated amended complaint; to review and respond to interrogatories and document requests; and to sit for deposition. See ECF No. 4056-1 ("Zirpoli Decl.") ¶¶ 4-8. Each named Plaintiff responded to a total of 75 separate document requests, and participated "in the collection of responsive hard copy documents and, in some cases,

² Products purchased for personal use fall within the scope of the Indirect Purchaser Plaintiff ("IPP") class and are not the subject of this order.

³ Judicial resources expended on this case have also been significant. During a period of eight years, the case has required consolidation by the Joint Panel on Multidistrict Litigation, assignment of two Article III judges to preside over just the Multidistrict Litigation, four Special Masters, support of uncounted staff assigned to the Special Masters, and continued work by approximately ten different judicial law clerks.

1 identification of ESI sources likely to contain responsive data, if applicable.” Id. ¶ 5. This sometimes
 2 required Class Representatives to “utilize[] software to extract extensive transactional database
 3 information These document requests required the Class Representatives to search for and
 4 produce both hard copy and, in certain circumstances, electronic documents from multiple sources.”
 5 Id. In total, the Class Representatives produced over 12,000 pages of documents. See id.

6 In addition to document requests, each Class Representative was required to review and
 7 respond to eight sets of interrogatories, totaling 78 separate interrogatories. Id. ¶ 6. Class
 8 Representatives also were required to keep abreast of major filings in the case -- the master docket for
 9 which spans over 4,000 entries -- and were required to review briefs and pleadings, consult with class
 10 counsel regarding litigation strategy or settlement negotiations, and discuss other matters with counsel.
 11 Id. ¶ 7. Finally, each of the Class Representatives “spent a significant amount of time preparing for
 12 and being deposed.” Id. ¶ 8.⁴

13 None of the Class Representatives conditioned or were asked to condition their
 14 participation upon receipt of an incentive award or any benefit greater than that of any of the other
 15 class members. Id. ¶ 3. Even so, Class Representatives were required to devote a substantial
 16 amount of time and effort in this case not required of absent class members.

17 Absent class members will receive a pro rata share of the total class Settlement Fund
 18 (valued at \$127.45 million). The formula for each pro rata share is to take an individual’s (or
 19 company’s) purchase -- weighted at 100% of value for CRTs as components, 75% of value for
 20 computer monitors, and 50% of value for TVs -- divided by the total amount of (weighed)
 21 purchases in the entire class and multiply it by the value of the Settlement Fund. See, e.g., ECF
 22 No. 2728 at 19.

23 ///

24 ///

25 ///

26
 27 ⁴ A comparable account of time invested by the Class Representatives can be found in the
 28 declarations submitted with the previously referenced motion for attorneys’ fees, ECF No. 4055-1
 ¶¶ 51-52.

II. LEGAL STANDARD

“[N]amed plaintiffs, as opposed to designated class members who are not named plaintiffs, are eligible for reasonable incentive payments.” Staton v. Boeing Co., 327 F.3d 938, 977 (9th Cir. 2003). “Incentive awards are discretionary . . . and are intended to compensate class representatives for work done on behalf of the class, to make up for financial or reputational risk undertaken in bringing the action, and, sometimes, to recognize their willingness to act as a private attorney general.” Rodriguez v. W. Pub. Corp., 563 F.3d 948, 958-59 (9th Cir.2009). Further,

The district court must evaluate [incentive] awards individually, using relevant factors including the actions the plaintiff has taken to protect the interests of the class, the degree to which the class has benefitted from those actions, the amount of time and effort the plaintiff expended in pursuing the litigation and reasonable fears of workplace retaliation.

Staton, 327 F.3d at 977 (citation and internal quotations and alterations omitted). District courts must scrutinize “all incentive awards to determine whether they destroy the adequacy of the class representatives.” Radcliffe v. Experian Info. Solutions, Inc., 715 F.3d 1157, 1165 (9th Cir. 2013); see also id. at 1663; Staton, 327 F.3d at 977; Dyer v. Wells Fargo Bank, N.A., 303 F.R.D. 326, 334-35 (N.D. Cal. Oct. 2, 2014).

III. DISCUSSION

In this Circuit, an incentive award of \$5,000 is presumptively reasonable, and an award of \$25,000 or even \$10,000 is considered “quite high.” See Dyer, 303 F.R.D. at 335 (citing Harris v. Vector Mktg. Corp., No. C-08-5198 EMC, 2012 WL 381202, at *7 (N.D. Cal. Feb. 6, 2012)). Even so, upon consideration of each of the factors set forth in Staton, the Court finds that an incentive award of \$25,000 per Class Representative is appropriate on the facts of this case.

First, the Class Representatives filed suit, thereby taking the first key step necessary to protect the interests of the class. Second, the class has benefitted from these actions by receipt of a settlement currently valued at over \$127 million dollars (and climbing). Third, and most importantly, the amount of time and effort each named Plaintiff expended in pursuing this litigation has been extensive. This litigation has continued far longer than most normal class actions and has required frequent and repeated work (document production, interrogatory responses, docket review, deposition preparation, etc.) in a volume greater than is normal for most

class action suits. Class Representatives spent eight years responding to nine sets of document requests and eight sets of interrogatories totaling 78 separate interrogatory requests. Named plaintiffs reviewed pleadings and motions, and sat for deposition. Cf. Monterrubio v. Best Buy Stores, L.P., 291 F.R.D. 443, 463 (E.D. Cal. 2013) (reducing named plaintiff's incentive award from the \$7,500 requested to \$2,500 because of disparity between the award to the named plaintiff and class members when there was "no evidence that plaintiff spent more time assisting counsel than occurs in the average case"). And fourth, the risk of retaliation was quite real. Defendants are many of the larger names in the CRT-business industry.⁵ A Class Representative could reasonably have been concerned about a backlash from Defendants, reducing that Representative's business opportunities with respect to products manufactured, sold, or otherwise controlled by Defendants.

Finally, the Court notes that the incentive rewards constitute a very small percentage of the class' total recover. Given a recovery of over \$127.45 million, a total of \$250,000 spread among ten named plaintiffs is still only 0.196%. C.f. Hopson v. Hanesbrands Inc., 2009 WL 928133, *10 (N.D. Cal. 2009) (approving \$5,000 payment to plaintiff in wage and hour case, representing an unusually high but justified in the circumstances 1.25% of the settlement amount).

When compared to other similar (or smaller) cases in this judicial district, the incentive awards here are well within the range of incentive awards granted by other courts. See Harris, 2012 WL 381202, at *7 (collecting cases); In re High-Tech Employee Antitrust Litig., No. 11-CV-02509-LHK, 2015 WL 5158730, at *18 (N.D. Cal. Sept. 2, 2015) (awarding \$120,000 and \$80,000 to class representatives in a case that settled for \$415 million, noting such awards were in line with "megafund" cases, and collecting cases); Glass v. UBS Fin. Servs., Inc., No. C-06-4068 MMC, 2007 WL 221862, at *17 (N.D. Cal. Jan. 26, 2007) aff'd, 331 F. App'x 452 (9th Cir. 2009) (approving award of \$25,000 per class representative in a six-year case settling for \$45 million where named plaintiffs provided help with informal discovery, insight into an industry, "placed something at risk by putting their names on a complaint against one of the largest brokerage

⁵ For example, Samsung Group, part of the Samsung SDI Defendants, has \$470.2 billion in assets and employs over 425,000 people. See ECF No. 4055 at 18 n.6.

houses in America”); Van Vranken v. Atl. Richfield Co., 901 F. Supp. 294, 299-300 (N.D. Cal. 1995) (\$50,000 to a class representative who assisted for four years in a case that settled for \$65.5 million); see also Chu v. Wells Fargo Investments, LLC, Nos. C 05–4526 MHP, C 06–7924, 2011 WL 672645, *5 (N.D. Cal. Feb. 16, 2011) (awarding \$10,000 to two plaintiff representatives involved in case for five years and \$4,000 to three representative plaintiffs participating in case for two years, from a \$6.9 million settlement fund); In re CV Therapeutics, Inc., Sec. Litig., No. C03-3709 SI, 2007 WL 1033478, at *2 (N.D. Cal. Apr. 4, 2007) (awarding \$26,000 for reimbursement of time and expenses pursuant to statutory authority applicable to private securities litigation).

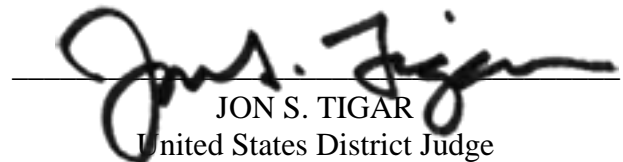
In light of the foregoing, the Court concludes that an award of \$25,000 to each Class Representative is reasonable.

IV. CONCLUSION

The Court hereby ORDERS that the Class Representatives shall each receive an incentive award in the amount of \$25,000, for a total of \$250,000. The incentive awards shall be paid from the Settlement Fund and the interest earned thereon.

IT IS SO ORDERED.

Dated: January 13, 2016


JON S. TIGAR
United States District Judge

United States District Court
Northern District of California

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
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FAX: (510) 465-7348
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THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Coordination Proceeding Special Title (Rule
1550(b)) ANTELOPE VALLEY GROUNDWATER CASES
(JCCP 4408) Included Actions: Los Angeles
County Waterworks District No. 40

Plaintiff,
vs.

Antelope Valley Groundwater Cases (JCCP 4408)

Lead Case No.1-05-CV-049053

Hon. Jack Komar

Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668

Defendant.

PROOF OF SERVICE
Electronic Proof of Service

AND RELATED ACTIONS

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Wed. January 27, 2016 at 4:52 PM PST and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Wed. January 27, 2016 at 4:52 PM PST

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Executed on January 27, 2016 at Oakland, California.

Dated: January 27, 2016

For WWW.SCEFILING.ORG

Andy Jamieson

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
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Electronic Proof of Service
Page 2

Document(s) submitted by Michael McLachlan of Law Offices of Michael D. McLachlan APC on Wed. January 27, 2016 at 4:52 PM PST

1. Decl in Support: DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR AWARD OF ATTORNEYS' FEES, COSTS AND INCENTIVE AWARD

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On February 28, 2022, I caused the foregoing document(s) described as **APPENDIX RE: SMALL PUMPER CLASS' MOTIONS FOR ATTORNEYS' FEES [Vol. 1]** to be served on the parties in this action, as follows:

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