

1 Eric J. Benink, Esq., SBN 187434
2 eric@beninkslavens.com
3 BENINK & SLAVENS, LLP
4 8880 Rio San Diego Drive, 8th Floor
5 San Diego, CA 92108
6 (619) 369-5252 (ph)
7 (619) 369-5253 (fax)

6 Prescott Littlefield, Esq., SBN 259049
7 pwl@kearneylittlefield.com
8 KEARNEY LITTLEFIELD, LLP
9 655 N. Central Ave, 17th Floor
10 Glendale, CA 91203
11 (213) 473-1900 (ph)
12 (213) 473-1919 (fax)

10
11 Attorneys for Plaintiff and Settlement Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MONTEREY**

15 RICHARDS J. HEUER III, an individual,
16 on behalf of himself and all others similarly
situated,

17 Plaintiff,

18

19 MONTEREY PENINSULA WATER
20 MANAGEMENT DISTRICT, a California
21 public agency; and DOES through 10.

22 | Defendants

CASE NO. 24 CV002642
Unlimited Jurisdiction

CLASS ACTION

(Case assigned to Hon. Carrie M. Panetta)
Dept 14)

**DECLARATION OF ERIC J. BENINK IN
SUPPORT OF PLAINTIFF'S MOTIONS
FOR ATTORNEY'S FEES,
REIMBURSEMENT OF EXPENSES AND
SERVICE AWARD AND FINAL
APPROVAL**

Date: December 19, 2025
Time: 8:30 a.m.
Dept. 14

Complaint Filed: June 25, 2024

1 I, Eric J. Benink, declare as follows:

2 1. I am one of the attorneys for Plaintiff Richards J. Heuer III (“Plaintiff”) in the
3 above-entitled action. I am a partner at Benink & Slavens, LLP. I submit this declaration in
4 support of Plaintiff’s Motion for Attorney’s Fees, Reimbursement of Expenses, and Service
5 Award and Motion for Final Approval of Class Action Settlement. I have personal knowledge of
6 the facts stated below and if called upon, I could and would testify competently thereto.

7 2. I have been intimately involved in all aspects of the present action; the action
8 captioned *Monterey Peninsula Taxpayers’ Association, Inc. et al. v. the Monterey Peninsula*
9 *Water Management District, et al.*, Monterey County Superior Court Case No. 21CV003066 (the
10 “2021 Action”); and the three validation actions captioned, *Monterey Peninsula Taxpayers’*
11 *Association, Inc. et al. v. the Monterey Peninsula Water Management District, et al.* filed in the
12 Monterey County Superior Court, case numbers: 22CV002113, 23CV002453, and 24CV002642.

13 3. I track the time I expend on cases in 1/10 increments using a program called
14 “MyCase.” I enter my time contemporaneously or as close as to the date it was incurred as practical.
15 Attached hereto as **Exhibit 1** is a true and correct itemization (exported from MyCase) of my time
16 expended in the above-entitled action which reflects 97.3 hours. I did not enter a time record for
17 time expended on preparing the classwide Government Claims Act claim in late November / early
18 December 2023 because my office had not created a file for this case at that time. I estimate I
19 spent 2 hours on that activity. I also estimate that I will spend 10 hours through the completion of
20 this case; this may include the preparation of a reply brief; preparing for and attending the final
21 approval hearing; attention to the final judgment; communicating with class members;
22 coordinating with the District on making distributions from the Settlement Fund and verifying
23 refunds; filing a report to the Court regarding refunds (120 days after effective date); and
24 facilitating payment of undistributed amounts to cy pres recipient. Thus, the number of hours
25 sought to be compensated in this case is 109.3.

26 4. The work sought to be compensated includes, but is not limited to: preparing a
27 Government Claims Act claim on behalf of a class; preparing and filing the class action complaint;
28 researching various issues related to procedural defenses; negotiating and corresponding with the

1 District's counsel on various settlement issues over an extended period of time; preparing
2 numerous drafts of the settlement agreement and extensive exhibits; preparing a motion for
3 preliminary approval of settlement; and preparing the motion for final approval. All of these hours
4 were necessary to the prosecution of this lawsuit. This work was undertaken and pursued without
5 payment since December 2023.

6 5. A hourly rate of \$650 for the work performed in this case is fair and reasonable. I
7 have been practicing for 28 years. I began my career in the California Department of Corporations
8 (now the Department of Business Oversight) in the enforcement division where I enforced the
9 state securities laws. After entering private practice in 2002, I focused on complex litigation,
10 including consumer protection, securities, Proposition 218 / 26 litigation and class actions. I have
11 prosecuted at least 35 cases against public entities for illegal fees, assessments, and taxes,
12 including for violations of Proposition 218 and Proposition 26. My firm prosecuted / defended five
13 appeals in this practice area in 2025, resulting in four victories and one split decision (this does not
14 even include the successful defense of the related 2021 case). Four of these cases were published.
15 I have been awarded or negotiated fees ranging from \$550 to \$700 in recent years. I have been
16 named to the *Super Lawyers* list from 2014 through 2025. Attached hereto as **Exhibit 2** is my
17 Firm Résumé.

18 6. Attached hereto as **Exhibit 3** is a list of expenses for which my firm seeks
19 reimbursement. All of these expenses were reasonably incurred in furtherance of this lawsuit.
20 These expenses include those incurred in the three reverse validation cases related to this case and
21 the 2021 Action. We seek reimbursement of those expenses because they played some role here.
22 As the Court may recall, the District asserted that claims related to the Water Supply Charge must
23 be adjudicated through the validation procedures. In order to preserve those rights in the event the
24 Court of Appeal agreed, we filed a validation case in three successive years (2022, 2023, and
25 2024). We dismissed those cases as part of the consideration in the Settlement Agreement. (See
26 Settlement Agreement, ¶ 66.) Although the Court of Appeal rejected the District's claim, we
27 believed it was prudent to file these cases and the Class stood to benefit from the proactive
28 approach.

1 7. Many local government fee and tax cases involve novel theories and arguments
2 where trial courts are deciding issues as a matter of first impression. It often takes years for cases to
3 work their way through the appellate process, and Supreme Court review is always a potential in
4 cases involving government fees where issues are of great public important across the state.

5 8. Pursuing a refund action against a public entity is fraught with procedural hurdles
6 and traps, some of which are unclear. I have observed local agencies raise a defense that each
7 individual payor must first submit a protest with their payment before seeking refund or must
8 exhaust administrative remedies (some of which are not clearly defined). Recently, a local water
9 district argued that no tax refund was due as a result of a constitutional violation (the Court of Appeal
10 did not agree, but this reflects on how this area is susceptible to new defenses). Here, the District
11 claimed during our negotiations that the statute of limitations runs from the date it adopts a budget,
12 not from the date of payment. Should such a claim have been litigated, I was fully prepared to defend
13 or pursue an appeal if necessary; appellate practice is common in government fee cases.

14 9. In evaluating the potential settlement here, I considered these factors. In addition,
15 critical to my consideration were the benefits of an immediate recovery without the necessity of
16 protracted litigation and a potential appeal. I have litigated against the attorneys for the District in
17 at least 20 other cases, both at the trial court level and in the Court of Appeal. They are tenacious,
18 thorough, and highly-experienced and have a long and successful track record of representing
19 government entities at all levels of litigation, including at the California Supreme Court.

20 10. In sum, I believe the settlement benefits here far outweigh not obtaining the two full
21 years of refunds, particularly given that the District agreed to forbear from imposing a new
22 Proposition 218 fee for a year. I believe the settlement is fair, reasonable, and in the best interests
23 of the class.

24 11. Benink & Slavens, LLP and Kearney Littlefield, LLP agreed to split attorney's fees
25 recovered in this action 50-50. This fee split was disclosed to Plaintiff in writing and he provided
26 his written consent to it.

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1 I declare under penalty of perjury under the laws of California that the foregoing is true
2 and correct.

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4 Executed on November 21, 2025 in San Diego, CA.

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6 Eric J. Benink

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EXHIBIT 1

DATE	USER	RATE	TIME	TOTAL	DESCRIPTION
6/24/2024	Eric J Benin	\$650.00	2.5	\$1,625.00	Review and revise draft Class Action Complaint and prepare for filing.
10/8/2024	Eric J Benin	\$650.00	0.8	\$520.00	T/C with client and PL re: settlement discussions.
10/16/2024	Eric J Benin	\$650.00	0.8	\$520.00	Research issues re: HS 5472 based on conversations with Dist. counsel.
10/18/2024	Eric J Benin	\$650.00	0.1	\$65.00	Review insert in mailer re: termination of fee.
10/22/2024	Eric J Benin	\$650.00	0.2	\$130.00	Emails to/from Sletz re: meeting; T/C with PL re: same.
10/28/2024	Eric J Benin	\$650.00	0.2	\$130.00	Zoom with PL, MS, and MC re: settlement discussions.
10/28/2024	Eric J Benin	\$650.00	0.3	\$195.00	T/C with PL re: Zoom meeting (.2); email to/from client re: same (.1)
11/25/2024	Eric J Benin	\$650.00	0.6	\$390.00	T/C with PL re: settlement proposal (.5); emails to/from MS re: same. (.1)(
11/27/2024	Eric J Benin	\$650.00	0.4	\$260.00	Zoom with ML, MC, and PL re: settlement discussions (.3); T/C with PL follow up (.1)
12/2/2024	Eric J Benin	\$650.00	0.1	\$65.00	Review, comment, and execute stip re: extension of time to file responsive pleading.
12/17/2024	Eric J Benin	\$650.00	0.9	\$585.00	Review MS settlement email and client's response (.1) T/C with PL re: District's settlement offer. (.8)
1/6/2025	Eric J Benin	\$650.00	0.3	\$195.00	T/C with PL re: settlement proposal.
1/8/2025	Eric J Benin	\$650.00	0.5	\$325.00	Zoom call with MS and PL re: settlement discussions (.3); T/C with PL re same (.2)
1/13/2025	Eric J Benin	\$650.00	0.4	\$260.00	T/C with PL (.2); Zoom with client (.2)
1/13/2025	Eric J Benin	\$650.00	0.1	\$65.00	Draft email to Matt Sletz re: settlement proposal.
1/17/2025	Eric J Benin	\$650.00	0.5	\$325.00	Review District's answer to complaint and research SOL code sections cited therein.
1/17/2025	Eric J Benin	\$650.00	0.6	\$390.00	Final review and edit of all docs for filing.
1/23/2025	Eric J Benin	\$650.00	0.7	\$455.00	T/C with PL re: settlement issues (.2); Zoom with client (.3); T/C with PL (.2) re settlement issues.
1/24/2025	Eric J Benin	\$650.00	0.5	\$325.00	T/C with PL re: settlement issues (.2); Zoom with Silent (.3)
1/24/2025	Eric J Benin	\$650.00	0.1	\$65.00	Email to/from client.

1/24/2025	Eric J Benin	\$650.00	0.2	\$130.00	Review materials provided by Slentz re: future Prop. 218 hearings.
1/26/2025	Eric J Benin	\$650.00	1.5	\$975.00	Review, revise, and T/C with PL re: draft term sheet.
2/7/2025	Eric J Benin	\$650.00	0.7	\$455.00	Review local rules for CMC in complex case, draft joint statement and coordinate with OPC re same.
2/17/2025	Eric J Benin	\$650.00	6.5	\$4,225.00	Review and revise settlement agreement with call to P.L. for discussion.
2/18/2025	Eric J Benin	\$650.00	4.8	\$3,120.00	Review and revise draft Class Action Settlement (T/C with PL incld)
2/20/2025	Eric J Benin	\$650.00	5.5	\$3,575.00	Edit class action settlement agreement and research issues (liquidated damages)
2/21/2025	Eric J Benin	\$650.00	4.2	\$2,730.00	Review and edit settlement agreement
2/24/2025	Eric J Benin	\$650.00	3.5	\$2,275.00	Edit settlement agreement.
2/27/2025	Eric J Benin	\$650.00	1.4	\$910.00	Review and edit new version of Settlement Agreement and T/C with PL re: same.
2/28/2025	Eric J Benin	\$650.00	4	\$2,600.00	Edit and revise settlement agreement.
3/26/2025	Eric J Benin	\$650.00	3.3	\$2,145.00	Review edits to SA, edits long form and summary notice
3/27/2025	Eric J Benin	\$650.00	4	\$2,600.00	Draft and revise exhibits
3/28/2025	Eric J Benin	\$650.00	3.5	\$2,275.00	Review/revise all exhibits to SA, multiple calls to/from PL re: same.
4/15/2025	Eric J Benin	\$650.00	1.3	\$845.00	Final review and edit docs (paragraph renumber checks)
4/16/2025	Eric J Benin	\$650.00	0.5	\$325.00	Attention to cy pres issues (reviewing website, tracking down personnel, T/C with PL re: same)
4/16/2025	Eric J Benin	\$650.00	0.2	\$130.00	Email to MS re: Final Docs / last review.
4/21/2025	Eric J Benin	\$650.00	0.6	\$390.00	Further edits / revisions to exhibits (.4); Email to client re: settlement terms (.2)
4/21/2025	Eric J Benin	\$650.00	0.5	\$325.00	Attention to changing cy pres (emails to/from Slentz, client, edits to docs.)
4/25/2025	Eric J Benin	\$650.00	0.5	\$325.00	T/C with PL re: preliminary approval motion.
5/1/2025	Eric J Benin	\$650.00	0.7	\$455.00	T/C with PL re: motion for preliminary approval
5/1/2025	Eric J Benin	\$650.00	4.4	\$2,860.00	Edit / revise motion for preliminary approval.

5/2/2025	Eric J Benin	\$650.00	5	\$3,250.00	Edit motion for preliminary approval
5/5/2025	Eric J Benin	\$650.00	0.5	\$325.00	T/C w PL re: preliminary approval motion
5/7/2025	Eric J Benin	\$650.00	2.2	\$1,430.00	Review and revise prelim motion.
5/8/2025	Eric J Benin	\$650.00	2.8	\$1,820.00	Draft and revise pleadings in class cert motion.
5/8/2025	Eric J Benin	\$650.00	1.4	\$910.00	T/C with PL re: meeting with client (.2); Zoom with client (.5); T/C with PL re: class action issues (.7)
5/9/2025	Eric J Benin	\$650.00	0.5	\$325.00	T/C with PL re: fees issues for motion for prelim.
5/9/2025	Eric J Benin	\$650.00	0.2	\$130.00	Draft email to client re: REDACTED
5/9/2025	Eric J Benin	\$650.00	1	\$650.00	Revise PAAs
5/9/2025	Eric J Benin	\$650.00	0.9	\$585.00	Draft EJB declaration and review PL declaration
5/12/2025	Eric J Benin	\$650.00	2.1	\$1,365.00	Review and revise declarations, PAAs to motion for class cert.
5/13/2025	Eric J Benin	\$650.00	0.8	\$520.00	Attention to various issues re: prelim motion (update on CMC, edit to PAAs, update declarations.)
5/15/2025	Eric J Benin	\$650.00	1.6	\$1,040.00	Attention to getting docs ready for filing (final review of all papers, edits; correspondence with MS re: district declaration/ cross check data)
5/16/2025	Eric J Benin	\$650.00	0.2	\$130.00	Update Prelim Approval order for filing
5/16/2025	Eric J Benin	\$650.00	0.6	\$390.00	T/C with PL re prelim order (.2); revised class notice, review tables, fix typos (.4)
6/30/2025	Eric J Benin	\$650.00	0.4	\$260.00	T/C with PL re: tentative ruling and whether to request oral argument (.3); email update to client (.1)
7/1/2025	Eric J Benin	\$650.00	0.3	\$195.00	Attend preliminary approval hearing.
7/2/2025	Eric J Benin	\$650.00	0.4	\$260.00	Attention to revisions to long form notice, emails to PL and MS re: same.
7/24/2025	Eric J Benin	\$650.00	0.2	\$130.00	Review website and review deadlines for mailing etc.
7/31/2025	Eric J Benin	\$650.00	0.3	\$195.00	Address opt-out issues (emails with MS, call to class member, email with PL)
11/14/2025	Eric J Benin	\$650.00	0.2	\$130.00	T/C with PL re: motions
11/14/2025	Eric J Benin	\$650.00	4.7	\$3,055.00	Draft fee and incentive award motion
11/17/2025	Eric J Benin	\$650.00	3.2	\$2,080.00	Revise and edit fee motion and declaration.
11/17/2025	Eric J Benin	\$650.00	0.5	\$325.00	2 T/C with PL re: motions

11/17/2025	Eric J Benin	\$650.00	1.6	\$1,040.00	Edits, comments on final approval motion
11/18/2025	Eric J Benin	\$650.00	0.3	\$195.00	Draft/revise Benink declaration
11/19/2025	Eric J Benin	\$650.00	0.5	\$325.00	Draft and revise fee motion.
11/20/2025	Eric J Benin	\$650.00	2.5	\$1,625.00	Attention to reviewing, editing, and finalizing motions for fees and final approval, pulling time records, expenses etc.
			97.3	\$63,245.00	

EXHIBIT 2

BENINK & SLAVENS, LLP **FIRM RÉSUMÉ**

Benink & Slavens, LLP is a boutique law firm located in San Diego, CA, that focuses on the representation of ratepayers and taxpayers in actions against cities, counties, and special districts throughout California.

Eric J. Benink, Partner

Mr. Benink was admitted to the California Bar in 1997. He received a Bachelor of Business Administration degree from the University of Massachusetts - Amherst in 1992 and a joint Juris Doctor and Master of Business Administration degree from the University of San Diego in 1996.

In 1997, Mr. Benink began working in the Enforcement Division of the Department of Corporations (now the Department of Business Oversight), California's securities, commodities, franchise, and finance and mortgage lender regulator. He investigated dozens of illegal stock offerings, private placement frauds, illicit brokerage practices, and Ponzi schemes; and brought civil and administrative actions against the perpetrators. He also worked closely with criminal agencies in their prosecution of violators of laws under the jurisdiction of the Department.

In 2002, Mr. Benink joined Krause & Kalfayan as an associate and in 2005, became a partner in the firm, which was renamed Krause Kalfayan Benink & Slavens, LLP (KKBS) and then renamed to Benink & Slavens, LLP in 2019. He has extensive experience representing consumers, businesses and shareholders in securities, consumer fraud, and business litigation, in actions in state and federal court. His focus today is on the representation of ratepayers and taxpayers in cases alleging illegal utility fees and taxes imposed by local governments in violation of Proposition 218 and Proposition 26 and related matters.

Mr. Benink is the author of The Model State Commodities Code, A Regulator's Perspective, published in the Law Enforcement Reporter, Winter 1999. He has testified as a securities expert witness for the San Diego District Attorney's Office and has been appointed by the California Superior Court as a receiver in numerous securities and real estate fraud cases. As a receiver, he has seized and liquidated assets, including bank accounts, securities accounts, vehicles, and real estate; initiated adversary proceedings against third parties on behalf of the receivership estate; developed and implemented victim distribution plans; and prepared reports to the appointing courts.

Mr. Benink volunteers as a fee arbitrator for the San Diego County Bar Association, is a graduate of LEAD San Diego (leadership training program), and is a former President of the Old Mission Rotary Club (2009 - 2010) and current member. He is a former member and Vice-Chair of the Board of Directors for the George G. Glenner Alzheimer's Centers, Inc. and former president of the Art Pratt Foundation, a charitable organization that funds deserving non-profits throughout San Diego County. He has been a contributor to the Trial Bar News, a publication of the Consumer Attorneys of San Diego. He has presented on tenancy-in-common investments, criminal receiverships, and Proposition 218. He was designated a *Super Lawyer* by Super Lawyers magazine in each year, 2014 - 2024.

Representative Cases

Eck v. City of Los Angeles, Los Angeles Superior Court Case No. BC557082 (co-lead counsel in class action securing \$52 million in electric ratepayer refunds and \$243 million in injunctive relief based on violation of Prop. 26)

Shames v. City of San Diego, San Diego Superior Court, Case No. GIC 831539 (class action recovering \$40 million for residential sewer customers for violations of Proposition 218)

Starr v. City of Oxnard, Ventura County Superior Court, Case No. 56-2017-00494475 (recovering \$36.5 million for utility funds illegally diverted in violation of Proposition 218)

Lopez-Burton v. Town of Apple Valley, San Bernardino Superior Court Case No. DIVDS1725027 (class action that secured \$3.15 million in refunds to trash customers based on violations of Prop. 218)

Milo v. Coachella Valley Water District, Riverside Superior Court, Case No. PSC1600403 (class action obtaining \$2 million in water fee credits based on violations of Prop. 218)

Glendale Coalition for Better Government v. City of Glendale, Los Angeles Superior Court, Case No. BS153253 (obtained writ of mandate re: City's water rate structure for violation of Prop. 218)

Lejins v. City of Long Beach, Los Angeles Superior Court Case No. BS165724 (settlement providing \$12 million in return of transfers of water and sewer fees from City's general fund based on violation of Prop. 218)

Horizon Capital Investments, et al. v. City of Sacramento, Sacramento Superior Court, Case No. 2017-80002661 (obtained ruling invalidating Mello-Roos special tax to fund streetcar operations)

Rooney v. City of Pasadena, Los Angeles Superior Court Case No. BS145352 (challenging transfers to City's general fund (settlement restoring \$7.2 million to utility funds)

Representative Appellate Cases

Rogers v. City of Redlands, Fourth District Court of Appeal, Div. 3 (G063580) (client's judgment affirmed in action alleging pavement impact charge violated Vehicle Code § 9400.8); published decision

Thacker v. City of Fairfield, First District Court of Appeal, Div. 5 (A171354) (client obtained reversal of judgment that ruled city assessment did not violate Prop. 218); published decision

Scott v. County of Riverside, Fourth District Court of Appeal, Div. 1 (D083412) (client obtained reversal of judgment that held county's timeshare assessment fee was not a tax); published decision

Monterey Peninsula Taxpayers' Association v. Monterey Peninsula Water Management District, Sixth District Court of Appeal (H051128) (clients' judgment affirmed in action alleging failure of water district to sunset water supply charge); unpublished decision

Bates v. Poway Unified School District, Fourth District Court of Appeal, 1st Div. (D079224) (clients obtained reversal on appeal in action alleging failure of school district to allocate \$26.5 million in state grants properly); published decision

Lejins v. City of Long Beach, Second District Court of Appeal (B305134) (clients' judgment affirmed on appeal alleging charged embedded in water rates violated Proposition 218); published decision

Vincent D. Slavens, Partner

Mr. Slavens was admitted to the California Bar in 2001. He received a Bachelor of Business Administration degree from San Diego State University in 1994 and a joint Juris Doctor from California Western School of Law in 2001.

After passing the California Bar in 2001, he joined Krause & Kalfayan as an associate attorney practicing primarily in securities litigation, including arbitration matters with the National Association of Securities Dealers (NASD), now FINRA. In 2005, he became a partner in the firm, which was renamed Krause Kalfayan Benink & Slavens, LLP. In 2019, the firm name was renamed to Benink & Slavens, LLP.

Mr. Slavens successfully represented investors, businesses, and consumers in a variety of matters ranging from individual actions to complex class actions. He successfully defended individuals and corporations against multi-million dollar claims involving complex issues. He gained extensive experience litigating individual and class actions in federal and state court, and arbitrating claims before AAA, FINRA, and other arbitration forums. Some of Mr. Slavens' successes include obtaining a jury verdict exonerating his clients of all liability in a complex multimillion-dollar case alleging fraud and negligence. After a 25-day jury trial and four days of deliberations, the jury returned a unanimous verdict in favor of Mr. Slavens' clients. He further represented his clients in their successful defense of the verdict on appeal.

Since 2015, Mr. Slavens has primarily represented ratepayers in tax and fee cases against local governments alleging violations of Proposition 218 and Proposition 26, among other grounds. Such cases involved both individual claims, as well as representative actions.

Mr. Slavens has also written an article on whistle blower standing under the RICO statutes, and an article titled "They Heard It Through the Grapevine" accepted for publication in Trial Bar News.

Representative Cases

Rooney v. City of Pasadena, Los Angeles Superior Court Case No. BS145352 (alleging transfer of utility revenue to City's general fund in violation of Proposition 218 (settled restoring \$7.2 million)

Spencer v. City of Burbank, Los Angeles Superior Court Case No. BS145021 (alleging transfer of utility revenue to City's general fund in violation of Proposition 218 (settled restoring \$1.5 million)

Wilson v. City of Anaheim, Orange County Superior Court Case No. 30-2012-00614517 (alleging transfer of utility revenue to City's general fund in violation of Proposition 218 (settled restoring \$3 million)

Palmer v. City of Anaheim, Orange County Superior Court Case No. 30-2017-00938646 (alleging City's electric utility rates impose a tax in violation of Proposition 26)

Green v. City of Palo Alto, Santa Clara County Superior Court Case No. 16CV300760 (post judgment class-wide settlement of \$17.3 million)

Hobbs, et al. v. Modesto, Stanislaus Superior Court Case No. 2019186 (completed in 2023)

Mahon, et al. v. City of San Diego, San Diego Superior Court Case No. 37-2015-00014540 (appointed co-lead counsel in class action alleging illegal taxes disguised as electric franchise fees)

Eck v. City of Los Angeles, Los Angeles Superior Court, Case No. BC557082 (class action securing \$52 million in electric ratepayer refunds and \$243 million in injunctive relief)

Wyatt v. City of Sacramento, Sacramento County Superior Court Case No. 16CV300760 (obtained judgment that City's utility rates are invalid and its transfer of funds from its utility funds to its general fund violates Proposition 218; reversed on appeal);

Komesar v. City of Pasadena, Los Angeles Superior Court Case No. BC677632 (compelled City to obtain voter approval of electric fee general fund transfer ordinance); and

Pearson v. Rodeo Hercules Fire Protection Dist., Contra Costa Superior Court Case No. MSN14-1137 (challenged legality of fire assessments - settled).

Beck v. Canyon Lake, Riverside County Superior Court, Case No. CVRI2202608 (affirming judgment that water and sewer utility users tax is unconstitutional)

EXHIBIT 3

DATE	AMOUNT	DESCRIPTION
2022 Validation Case		
7/21/2022	\$16.10	O/L 18596647 eFiling of Notice of Related Case
7/21/2022	\$16.25	O/L #18584291 eFiling of S & Complaint in Reverse Validation proceeding
7/21/2022	\$435.00	O/L #18584291 Filing of S & Complaint in Reverse Validation proceeding
7/26/2022	\$32.52	O/L #18604275 & 18612527 eFiling of Ex Parte App & Order for Publication & Notice of Continued Hearing & POS
7/26/2022	\$80.00	O/L #18604275 & 18612527 Filing Fees for Ex Parte App & Order for Publication & Notice of Continued Hearing & POS
8/1/2022	\$16.57	O/L #18650379 eFiling of Notice of Remote Appearance & POS
8/2/2022	\$450.00	Monterey County Herald - Publication of Summons August 5, 12, & 19, 2022
8/16/2022	\$16.57	O/L #18668507 eFiling Notice of Entry of Order & POS
8/22/2022	\$3.60	eFileCA - efiling of Opening Brief docs
8/31/2022	\$16.57	O/L #18779922 efiling Proof of Publication & POS
11/21/2022	\$16.57	OL #14149012 eFiling of Notice of Remote Appearance & POS
3/28/2023	\$17.04	O/L #20075868 eFiling CMC, Notice of Remote Hearing & POS
7/17/2023	\$3.60	eFileCA efiling of Stip & Order Re: Briefing Schedule and Page Limits & POS
7/17/2023	\$3.60	eFileCA - filing of Notice of Remote Appearance & POS
7/17/2023	\$20.00	efiling of Stip & Order Re: Briefing Schedule and Page Limits & POS
7/24/2023	\$3.60	eFileCA - eFiling of Notice of Entry of Order & POS
7/25/2023	\$3.60	eFileCA - eFiling of Opposition to Motion to Stay
8/8/2023	\$3.60	eFileCA - eFiling of Notice of Related Case & POS
2/16/2024	\$3.60	eFileCA #14425773 efiling of Change of Address & POS
7/3/2024	\$3.60	eFileCA - efiling Notice of Related Case & POS
8/28/2024	\$3.60	eFileCA #16429060 efiling of Notice of Related Case & POS
1/8/2025	\$4.50	eFileCA #17848210 eFiling of Case Mgmt Stmt & POS
4/22/2025	\$4.50	eFileCA #19069027 eFiling of Request for Dismissal & POS
5/2/2025	\$4.50	eFileCA #19204562 eFiling of Notice of Entry of Dismissal & POS
		\$1,179.09
2023 Validation Case		
7/31/2023	\$15.56	eFileCA - eFiling Summons, Complaint & Civil Case Cover Sheet
7/31/2023	\$435.00	eFileCA - Filing fees for filing of Summons, Complaint, Civil Case Cover Sheet & Memo to Clerk re Validation Action
8/2/2023	\$3.60	eFileCA - eFiling of Notice of Related Case
8/11/2023	\$5.25	efileca - efiling of Ex Parte App, Order & POS
8/11/2023	\$3.60	efileca - efiling of Notice of Remote Appearance & POS
8/11/2023	\$60.00	Ex Parte App fee

8/17/2023	\$3.60	eFileCA - efiling of Notice of Entry of Order Designating Monterey County Herald as Newspaper for Publication and POS
8/17/2023	\$450.00	Chase - Monterey County Herald fee for publication of Summons (August 21, 28 & September 4)
9/8/2023	\$3.60	eFileCA - eFiling of Proof of Publication of Summons & POS
9/12/2023	\$3.60	eFileCA - eFiling of Proof of Service of Summons, NAR & POS
9/28/2023	\$4.15	eFileCA - eFiling of Stip to Stay Case Pending Disposition of Appeal in Related Action & POS
9/28/2023	\$20.00	Filing of Stip to Stay Case Pending Disposition of Appeal in Related Action & POS
10/5/2023	\$3.60	eFileCA - efiling of Notice of Entry of Order Staying Case & POS
2/16/2024	\$3.60	eFileCA #14425938 efiling of Change of Address & POS
7/3/2024	\$3.60	eFileCA - efiling Notice of Related Case & POS
8/28/2024	\$3.60	eFileCA #16429229 efiling of Notice of Related Case & POS
1/8/2025	\$4.50	eFileCA #17848332 eFiling of Case Mgmt Stmt & POS
4/22/2025	\$4.50	eFileCA #19068849 eFiling of Request for Dismissal & POS
5/2/2025	\$4.50	eFileCA #19204643 eFiling of Notice of Entry of Dismissal & POS
		\$1,035.86
2024 Validation Case		
8/13/2024	\$15.56	eFileCA - eFiling fees for filing of Summons, Complaint & Civil Case Cover Sheet
8/13/2024	\$435.00	eFileCA - Filing fee for filing of Summons, Complaint & Civil Case Cover Sheet
8/20/2024	\$4.15	eFileCA #16336238 eFiling of Ex Parte App & Order & POS for Publication of Summons
8/20/2024	\$20.00	eFileCA #16336238 Filing fees for Ex Parte App & Order & POS for Publication of Summons
8/21/2024	\$3.60	eFileCA #16346909 eFiling of Proof of Service of Summons & Proof of Service
8/28/2024	\$3.60	eFileCA #16429537 efiling of Notice of Related Case & POS
9/5/2024	\$4.50	eFileCA #16517665 eFiling of Notice of Entry of Order & POS
9/10/2024	\$450.00	California Newspaper Advertising - Publication of Summons in Monterey County Herald 9-11, 9-18 & 9-25-2024
9/26/2024	\$4.50	eFileCA #16739216 eFiling of Proof of Publication of Summons & POS
4/8/2025	\$4.50	eFileCA #18858438 eFiling of Request to Vacate/Continue CMC & POS
4/22/2025	\$4.50	eFileCA #19068694 eFiling of Request for Dismissal & POS
5/2/2025	\$4.50	eFileCA #19204742 eFiling of Notice of Entry of Dismissal & POS
		\$954.41

2024 Class Action		
6/25/2024	\$43.06	efileCA - efiling fees for filing of class action complaint, summons & civil Case cover sheet
6/25/2024	\$1,435.00	Filing fees for filing of Class Action Complaint
6/26/2024	\$3.60	eFileCA - eFiling Civil Case Cover Sheet
7/3/2024	\$3.60	eFileCA - efiling Notice of Related Case & POS
7/23/2024	\$3.60	eFileCA - efiling of Proof of Service of Summons & Proof of Service
8/28/2024	\$4.50	eFileCA #16429382 efiling of Notice of Related Case & POS
2/11/2025	\$4.50	eFileCA #18197847 eFiling of CMS & POS
5/16/2025	\$60.00	eFileCA #19380124 Filing fees for Motion for Preliminary Approval of Class Action Settlement
5/19/2025	\$5.25	eFileCA #19380124 efiling fees for Motion for Preliminary Approval of Class Action Settlement
7/8/2025	\$4.50	eFileca #20005917 efiling Notice of Entry of Order & POS
11/25/2025	\$120.00	ESTIMATED FILING FEES FOR MOTIONS
		\$1,567.61
	\$4,856.97	