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11 *Attorneys for Plaintiffs*

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF LOS ANGELES**

14 PATRICK ECK, TYLER CHAPMAN,  
15 BRENDAN EISAN, JUSTIN KRISTOPHER  
16 LE-ROY, individually and on behalf of all others  
similarly situated,

17 Plaintiffs,

18 v.

19 CITY OF LOS ANGELES, THE LOS  
20 ANGELES DEPARTMENT OF WATER AND  
21 POWER, LOS ANGELES DEPARTMENT OF  
22 WATER AND POWER BOARD OF  
23 COMMISSIONERS, and DOES 1 through 10,

24 Defendants.

Case No.: BC577028 (Lead)  
Consolidated with Case No.: BS153395 &  
Case No.: BC583788

*Assigned for all purposes to the  
Honorable Ann I. Jones*

**DECLARATION OF CLASS  
REPRESENTATIVE TYLER CHAPMAN**

Date: February 14, 2018  
Time: 9:00 a.m.  
Dept. 308

Complaint Filed: April 1, 2015

25 I, TYLER CHAPMAN, declare as follows:

26 1. I am one of the plaintiffs in the above-entitled matter and was provisionally  
27 designated by the Court as a class representative. I have personal knowledge of the facts stated  
28

1 below and if called upon, I could and would testify competently thereto. I submit this  
2 declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and  
3 Motion for Attorney's Fees, Costs, and Service Awards.

4 3. I filed one of the three lawsuits that was later consolidated into this single action.  
5 I understood that this lawsuit would likely receive a significant amount of media attention and  
6 public interest in light of the significant amount of money at issue. In fact, I am informed and  
7 believe that this lawsuit has been covered on a number of occasions in the *Los Angeles Times*  
8 and in other media outlets. I also understood that my name might be referenced in media  
9 accounts and in notices disseminated to class members. Nevertheless, I decided to prosecute this  
10 action because I believe it was important to do so.

11 4. I retained Zimmerman Reed LLP and their co-counsel to represent me in this  
12 matter. At the outset I was informed of and understood my duties as a class representative, and  
13 believe that I have fulfilled these duties. At all times during this action, I remained informed  
14 about major all developments and communicated with attorneys Christopher P. Ridout and Caleb  
15 LH Marker on a regular basis. I reviewed the complaints filed in this action, the proposed  
16 settlement agreements, and memoranda prepared by Mr. Ridout regarding developments in this  
17 case. I also reviewed the settlement website in this action [www.lacitytransfersettlement.com](http://www.lacitytransfersettlement.com).

18 5. I gathered relevant documents and communications in my possession, and gave  
19 them to my attorneys.

20 6. I reviewed the complaint in the lawsuit before it was filed. I also reviewed the  
21 Consolidated Complaint and the Amended Consolidated Complaint before they were filed.

22 7. I was informed when the mediation session was scheduled and conducted, and  
23 generally made myself available to discuss settlement proposals and negotiations with my  
24 attorneys, in advance of, during, and after the mediation.

25 8. My attorneys informed me that the City of Los Angeles had agreed to settle this  
26 case. They explained the core terms of settlement and that the parties would be drafting a  
27 settlement agreement in the ensuing months.

28 9. After reviewing the settlement agreement, my attorneys and I went over the core

1 terms of the settlement and they answered all of my questions. I conducted a final review of the  
2 settlement agreement and signed it.

3 10. I was advised that the Court made certain recommendations to the proposed  
4 settlement and my attorneys discussed with me those proposed revisions. Once the revisions  
5 were incorporated into the settlement agreement, I conducted a final review of the amended  
6 settlement agreement and signed it. I was later advised that the Court preliminarily approved the  
7 settlement and that notice of the settlement was disseminated, and the reduction in power rates  
8 was implemented in accordance with the terms of the settlement.

9 11. During the course of litigation, I regularly communicated with my attorneys  
10 regarding the status of the case.

11 12. I understood that, by stepping forward as a named plaintiff in this case, I was  
12 taking certain risks, and that this case was likely to generate some publicity and that I may be  
13 associated with that publicity. I was also advised and aware of the potentially negative notoriety  
14 associated with being a named plaintiff and class representative, and that stepping forward as a  
15 plaintiff in this lawsuit may have a negative impact on certain aspects of my life. Despite these  
16 risks, I decided to pursue this case against the City of Los Angeles because I felt it was more  
17 important to vindicate the rights of my fellow Los Angeles residents with respect to those issues  
18 and claims raised in this case.

19 13. I believe that a \$5,000 incentive award as permitted by the Settlement Agreement  
20 and requested in Plaintiffs' Motion for Attorney's Fees and Expenses and Service Awards is fair  
21 compensation for my services as class representative in this case.

22 14. Plaintiffs' Counsel assisted me and DWP electric ratepayers by prosecuting this  
23 action. I am satisfied with their representation of the Class. I believe that the Settlement in this  
24 case provides fair, reasonable, and adequate relief to the members of the Class. I fully support  
25 the Settlement of this action and request that it be finally approved by the Court.

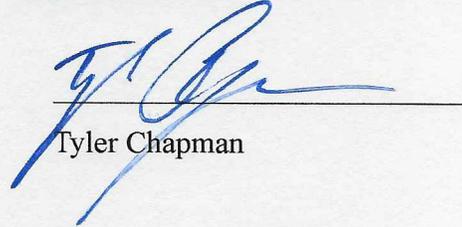
26 15. I have no interest or involvement in the governance or work of the proposed *cy*  
27 *pres* recipients Alliance for Children's Rights or Westwood Recreation Complex d.b.a. Friends  
28 of Los Angeles.

this action. I am satisfied with their representation of the Class. I believe that the Settlement in this case provides fair, reasonable, and adequate relief to the members of the Class. I fully support the Settlement of this action and request that it be finally approved by the Court.

15. I have no interest or involvement in the governance or work of the proposed *cy pres* recipients Alliance for Children's Rights or Westwood Recreation Complex d.b.a. Friends of Los Angeles.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on DECEMBER 4, 2017 in LOS ANGELES, CA

  
Tyler Chapman

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DECLARATION OF TYLER CHAPMAN