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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  
17 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,

23 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 BRENDAN EISAN**

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

Complaint Filed: April 1, 2015

1 I, Brendan Eisan, declare as follows:

2 1. I am one of the plaintiffs in the above-entitled matter and was provisionally  
3 designated by the Court as a class representative. I have personal knowledge of the facts stated  
4 below and if called upon, I could and would testify competently thereto. I submit this  
5 declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and  
6 Motion for Attorneys' Fees and Reimbursement of Expenses and Payment of Service Awards.

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

14 4. I retained Ahdoot & Wolfson, P.C. and their co-counsel to represent me in this  
15 matter. At the outset I was informed of and understood my duties as a class representative, and  
16 believe that I have fulfilled these duties. I stayed informed about major developments in this  
17 action and communicated with attorney Robert R. Ahdoot throughout the pendency of this  
18 action. I reviewed the complaints filed in this action, the proposed settlement agreements, and  
19 memoranda prepared by Mr. Ahdoot regarding developments in this case. I also reviewed the  
20 settlement website in this action [www.lacitytransfersettlement.com](http://www.lacitytransfersettlement.com).

21 5. I met with one of my attorneys in person to discuss the case, and spoke with my  
22 attorneys in follow-up phone calls.

23 6. I gathered relevant documents and communications in my possession, and gave  
24 them to my attorneys.

25 7. I reviewed the complaint in the lawsuit before it was filed. I also reviewed the  
26 Consolidated Complaint and the Amended Consolidated Complaint before they were filed.

27 8. I was informed when the mediation session was scheduled and conducted, and  
28 generally made myself available to discuss settlement proposals and negotiations with my

1 attorneys, in advance of, during, and after the mediation.

2 9. My attorneys informed me that the City of Los Angeles had agreed to settle this  
3 case. They explained the core terms of settlement and that the parties would be drafting a  
4 settlement agreement in the coming months.

5 10. After reviewing the settlement agreement and amended settlement agreement, my  
6 attorneys and I went over the core terms of the settlement and they answered all of my questions.  
7 I conducted a final review of both agreements before I signed them.

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

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

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

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

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

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

2 Executed on December 6, 2017 in Los Angeles, California.

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Brendan Eisan (Dec 6, 2017)

7 **Brendan Eisan**  
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