

1 Thomas A. Kearney, State Bar No. 90045
tak@kearneylittlefield.com
2 Prescott W. Littlefield, State Bar No. 259049
pwl@kearneylittlefield.com
3 **KEARNEY LITTLEFIELD, LLP**
3436 N. Verdugo Rd., Ste. 230
4 Glendale, California 91208
Tel: 213-473-1900
5 Fax: 213-473-1919

6 Vincent D. Slavens, Esq., SBN 217132
vince@beninkslavens.com
7 Eric J. Benink, Esq., SBN 187434
eric@beninkslavens.com
8 **BENINK & SLAVENS, LLP**
550 West C Street, Suite 530
9 San Diego, CA 92101
Tel: (619) 232-0331
10 Fax: (619) 232-4019

11 Attorneys for Plaintiff

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE**
14

15 EVE KOMESAR, an individual, on behalf of
16 herself and all others similarly situated

17 Plaintiff,

18 v.

19 CITY OF PASADENA; and DOES 1 through
20 10,

21 Defendants.
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Case No. BC 677632

*[Assigned for All Purposes to the Honorable
Kenneth R. Freeman, Department 14]*

CLASS ACTION

NOTICE OF ENTRY OF ORDER

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**
2 **PLEASE TAKE NOTICE** of the Order attached hereto as Exhibit "A".
3

4 DATED: July 17, 2019

KEARNEY LITTLEFIELD, LLP

5
6 

Prescott W. Littlefield, Esq.

7 **BENINK, & SLAVENS, LLP.**

8 Vincent D. Slavens, Esq.
9 Eric J. Benink, Esq.

10 Attorneys for Plaintiff
11 **EVE KOMESAR**
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Exhibit A

ORIGINAL

1 Thomas A. Kearney, Esq., SBN 90045
2 tak@kearneylittlefield.com
3 Prescott W. Littlefield, Esq., SBN 259049
4 pwl@kearneylittlefield.com
5 Kearney Littlefield, LLP
6 3436 N. Verdugo Rd., Suite 230
7 Glendale, CA 91208
8 Tel: (213) 473-1900
9 Fax: (213) 473-1919

10 Vincent D. Slavens, Esq., SBN 217132
11 vslavens@beninkslavens.com
12 Eric J. Benink, Esq., SBN 187434
13 eric@beninkslavens.com
14 BENINK & SLAVENS, LLP
15 550 West C Street, Suite 530
16 San Diego, CA 92101
17 Tel: (619) 232-0331
18 Fax: (619) 232-4019

19 Attorneys for Plaintiff EVE KOMESAR

20 BENJAMIN P. FAY
21 State Bar No. 178856
22 Email: bfay@jarvisfay.com
23 GABRIEL MCWHIRTER
24 State Bar No. 280957
25 Email: gmcwhirter@jarvisfay.com
26 JARVIS, FAY & GIBSON, LLP
27 492 Ninth Street, Suite 310
28 Oakland, CA 94607
Telephone: (510) 238-1400

Attorneys for Defendant CITY OF PASADENA

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

EVE KOMESAR, an individual, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

CITY OF PASADENA, and DOES 1 through 10,

Defendants.

FILED
Superior Court of California
County of Los Angeles

JUL 03 2019

Sherri R. Carter, Executive Offices/Clerk
By [Signature], Deputy
Kommeno Paraisa

RECEIVED
LOS ANGELES SUPERIOR COURT

JUL 01 2019

S. DREW

MICHELE BEAL BAGNERIS, City Attorney
State Bar No. 115423
JAVAN N. RAD, Chief Assistant City Attorney
State Bar No. 209722
Email: jrad@cityofpasadena.net
100 North Garfield Avenue, Room N210
Pasadena, California 91109
Telephone: (626) 744-4141

CASE NO. BC 677632 [SSC 14]

STIPULATION AND [REDACTED]
ORDER RE MANNER AND FORM
OF CLASS NOTICE

Action Filed: September 29, 2017

Assigned for All Purposes to the Honorable
Kenneth R. Freeman, Department 14

1 This stipulation is entered into between Plaintiff Eve Komesar ("Plaintiff") and Defendant City of
2 Pasadena (the "City"), by and through their attorneys of record. Plaintiff and the City are referred to
3 collectively herein as "the parties."

4 RECITALS

5 1. On March 4, 2019, the Court, pursuant to the parties' Stipulation re Class Certification and
6 Statute of Limitations, issued an order certifying a class in this case. The class is defined as:

7 All persons and entities that, from June 1, 2017 through [the date that the
8 Court orders class notice to be completed], were billed by the City of
9 Pasadena's Department of Water and Power for retail electric utility service
10 provided under any rate schedule described in Title 13, Chapter 13.04 of the
11 Pasadena Municipal Code. Excluded from the class are: (i) all persons and
entities that make a timely election to be excluded from the class; and (ii) any
judges assigned to this case, and their immediate family members.

12 2. The Court, in that same order, instructed the parties to submit a stipulation addressing the
13 manner in which notice should be sent to the class and the form that notice should take.

14 STIPULATION

15 Having met and conferred, the parties now stipulate, subject to the Court's approval, as follows:

- 16 1. The Court may and should enter an order that:
- 17 a. approves the Long Form Notice to class members, attached hereto as **Exhibit A**;
 - 18 b. approves the Post Card Notice to class members, attached hereto as **Exhibit B**;
 - 19 c. approves the Opt Out Form, attached hereto as **Exhibit C**;
 - 20 d. allows JND Legal Administration ("JND") to serve as the class notice
21 administrator, pursuant to an agreement to be entered into between the City and JND;
 - 22 e. directs the City, no later than 30 days after the issuance of an order establishing a
23 class notice procedure, to provide JND with a list, compiled from records maintained or controlled by the
24 City, of the names and addresses of all customers of the City's Department of Water & Power that paid
25 for retail electric service provided by the Department of Water & Power on or after June 1, 2017;
 - 26 f. directs JND, no later than 60 days after the issuance of an order establishing a class
27 notice procedure, to mail the Post Card Notice to all class members whose names and addresses have been
28 provided by the City; and

1 g. directs JND, no later than the date the Post Card Notice is mailed, to post a website to the
2 internet that contains a link to copies of the Long Form Notice and the Opt Out Form.

3 2. The Court may and should also order that:

4 a. class members may opt out of the class by submitting a completed Opt Out Form
5 to Plaintiff's counsel, post-marked no later than 60 days after the date the Post Card Notice is mailed;

6 b. the City shall submit to the Court a declaration certifying that it provided the names
7 and addresses of class members to JND as ordered, as well as a declaration from JND certifying that notice
8 was completed as ordered;

9 c. Plaintiff's counsel shall submit to the Court a declaration identifying all class
10 members that submitted a timely Opt Out Form.

11 JARVIS, FAY & GIBSON, LLP

12
13 Dated: July 1, 2019

By: 

Benjamin P. Fay

Gabriel McWhirter

Attorneys for Defendant CITY OF PASADENA

17 BENINK & SLAVENS, LLP

18
19 Dated: July 1, 2019

By: 

Vincent D. Slavens

Eric J. Benink

21 KEARNEY LITTLEFIELD, LLP

Thomas A. Kearney

Prescott W. Littlefield

23 Attorneys for Plaintiff EVE KOMESAR
24
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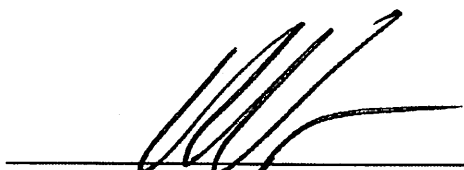
ORDER

Pursuant to the stipulation between Plaintiff Eve Komesar and Defendant City of Pasadena, above, and for good cause shown, the Court HEREBY ORDERS:

1. The Long Form Notice, attached hereto as **Exhibit A**, is approved.
2. The Post Card Notice, attached hereto as **Exhibit B**, is approved.
3. The Opt Out Form, attached hereto as **Exhibit C**, is approved.
4. JND Legal Administration ("JND") shall administer the class notice as set forth in this order, pursuant to an agreement to be entered into between the City and JND.
5. No later than 30 days after the issuance of this order, the City shall provide JND with a list, compiled from records maintained or controlled by the City, of the names and addresses of all customers of the City's Department of Water & Power that paid for retail electric service provided by the Department of Water & Power on or after June 1, 2017.
6. No later than 60 days after the issuance of this order, JND shall mail the Post Card Notice to all class members whose names and addresses have been provided by the City.
7. On or before the date that the Post Card Notice is mailed, JND shall post a website to the internet that contains a link to copies of the Long Form Notice and the Opt Out Form.
8. Any class member may opt out of the class by submitting a completed Opt Out Form to Plaintiff's counsel, post-marked no later than 60 days after the date the Post Card Notice is mailed.
9. The City shall submit to the Court a declaration certifying that it provided the names and addresses of class members to JND as ordered, as well as a declaration from JND certifying that notice was completed as ordered.
10. Plaintiff's counsel shall submit to the Court a declaration identifying all class members that submitted a timely Opt Out Form.

IT IS SO ORDERED.

Dated: JUL 03 2019



Hon. Kenneth R. Freeman
Judge of the Superior Court

07/09/2019

EXHIBIT A

***The Superior Court of California for the County of Los Angeles
Authorized this Notice***

NOTICE OF CLASS ACTION CERTIFICATION

Komesar v. City of Pasadena, Case No. BC 677632

A court authorized this notice. This is not a solicitation from a lawyer.

YOU ARE NOT BEING SUED

Please Read This Notice Carefully

Dear Pasadena Water and Power Customer:

Eve Komesar (hereafter, "Plaintiff"), a customer of Pasadena Water and Power, has sued the City of Pasadena on behalf of herself and all others similarly situated, claiming that the City has violated, and continues to violate, California Constitution article XIII C, section 2, subdivision (b) ("Proposition 218") by imposing fees and charges for its electric utility service in an amount that exceeds the reasonable cost of providing that service, without voter approval. In particular, Plaintiff alleges that Pasadena Water and Power designs its electric rates to generate funding for the City of Pasadena's annual transfers of money from its light and power fund (its electric utility enterprise fund) to its general fund pursuant to Pasadena City Charter, article XIV, sections 1407-1408, and that this practice, in the absence of voter approval, violates Proposition 218. Among other relief, Plaintiff seeks a refund of all amounts charged that exceed the City of Pasadena's reasonable cost of providing electric service.

The City of Pasadena denies any wrongdoing. It contends that Pasadena Water and Power's fees and charges for electric utility service do not exceed the reasonable cost of providing that service. It also claims that Pasadena City Charter, article XIV, sections 1407-1408 provide legal authority for its annual transfer of money from the light and power fund to the general fund, and that because these sections were approved by the voters of Pasadena they satisfy the requirements of Proposition 218. Finally, it has asserted several defenses that, if proven, could limit or prevent any refund.

This case is being overseen by the Honorable Kenneth R. Freeman in Department 14 of the Los Angeles County Superior Court (hereafter, "the Court"). It is titled: *Komesar v. City of Pasadena*, Case No. BC 677632.

07/06/2015

The Court has allowed Plaintiff's lawsuit to proceed as a class action and defined the "Class" as:

All persons and entities that, from June 1, 2017 through ~~XXXXXX~~, 2019, were billed by the City of Pasadena's Department of Water and Power for retail electric service provided under any rate schedule described in Title 13, Chapter 13.04 of the Pasadena Municipal Code. Excluded from the class are: (i) all persons and entities that make a timely election to be excluded from the class; and (ii) any judges assigned to this case, and their immediate family members.

The Court has not yet decided whether the City of Pasadena violated Proposition 218. There is no money currently available for the Class, and there is no guarantee that any money will be available in the future. However, if you meet the definition of the Class set forth above, you are a member of the Class and your legal rights will be affected by this case. You must now decide whether you wish to remain in the Class or instead be excluded from the Class.

YOUR LEGAL RIGHTS ARE AFFECTED EVEN IF YOU DO NOT ACT

Read This Notice Carefully

You have two choices regarding your participation in this lawsuit: you may do nothing and remain in the Class, or you may ask to be excluded from the Class.

YOUR LEGAL RIGHTS AND OPTIONS

Do Nothing – Remain in the Class

You may choose to stay in the lawsuit by remaining in the Class. If you remain in the Class, you will be represented by Plaintiff and her attorneys, you will be bound by any decisions of the Court that determine the Class' legal rights, and you will receive any benefits that may result from a trial or settlement. However, you will give up any right to sue the City of Pasadena separately on the legal claims in the case.

No action is required to remain in the Class.

07/09/2019

<p>Opt Out – Exclude Yourself from the Class</p>	<p>You may choose to opt out of the lawsuit by excluding yourself from the Class. If you exclude yourself from the Class, you will not be bound by any decisions of the Court that determine the Class' legal rights, and you will not share in any benefits that may result from a trial or settlement. However, you will retain your right to sue the City of Pasadena separately on the legal claims in the case.</p> <p>To exclude yourself from the Class, you must send a <u><i>Request to Be Excluded From the Class</i></u> form to the attorneys representing Plaintiff, no later than XXXXXXXX, 2019. For more information, see section 15 of this Notice.</p> <p>If you are considering excluding yourself from the Class, please note that any legal claims you separately assert against the City of Pasadena may be time barred, which would prevent you from securing relief.</p>
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BASIC INFORMATION – PLEASE READ

1. Why did I get this notice?

This notice explains that the Court has allowed, or “certified,” this lawsuit to proceed as a class action. Pasadena Water and Power’s records show that you are a member of the Class, based on the class definition set forth above. Accordingly, you have legal rights and options that you may exercise at this time, before the trial takes place or the case is settled.

2. Where is this lawsuit pending?

This lawsuit is currently pending in Department 14 of the Los Angeles County Superior Court, before the Honorable Kenneth R. Freeman. It is titled: *Komesar v. City of Pasadena*, Case No. BC 677632.

07/09/2019

3. What is a class action and who is involved?

In a class action lawsuit, one or more named parties called “Class Representatives” sue a defendant on behalf of other people who have similar claims against that defendant. Each person is a member of the Class, unless he or she makes a timely request to be excluded from the Class. All claims brought on behalf of the Class are resolved in a single case before a single court for all members of the Class, who will be bound by the judgment. Entities such as businesses and non-profits can also be members of the Class.

Plaintiff Eve Komesar is the Class Representative in this case. The City of Pasadena is the defendant.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can proceed as a class action because it meets the requirements of California Code of Civil Procedure, section 382, which governs class actions in California state courts. More information about why the Court is allowing this lawsuit to proceed as a class action can be found in the Court’s order certifying the class, which is available at _____ [website].

THE CLAIMS IN THE LAWSUIT

5. What is the lawsuit about?

Plaintiff claims that the City of Pasadena has violated, and continues to violate, California Constitution article XIII C, section 2, subdivision (b) (“Proposition 218”) by imposing fees and charges for its electric utility service that exceed the cost of providing that service, without voter approval. In particular, she alleges that the City of Pasadena designs its electric rates to generate funding for the City of Pasadena’s annual transfers of money from its light and power fund to its general fund pursuant to Pasadena City Charter, article XIV, sections 1407-1408; and that this practice, in the absence of voter approval, violates Proposition 218. Amongst other relief, she seeks a refund of all amounts charged that exceed the City of Pasadena’s reasonable cost of providing electric service.

For more information about Plaintiff’s allegations and claims, please review Plaintiff’s complaint, which can be found at _____.

6. How does City of Pasadena answer?

The City of Pasadena denies any wrongdoing. It contends that Pasadena Water and Power's fees and charges for electric utility service do not exceed the reasonable cost of providing that service. In particular, it claims that Pasadena City Charter, article XIV, sections 1407-1408 authorize annual transfers of money from the light and power fund to the general fund; that these provisions were approved multiple times by Pasadena voters; and that accordingly, the City of Pasadena may design its fees and charges for electric utility service in a manner that ensures the transfers are funded, without violating Proposition 218. It has also asserted a number of procedural defenses that, if proven, could limit or prevent any refund.

For more information about the City's allegations and defenses, please review the City of Pasadena's answer to the complaint, which can be found at _____ [website].

7. Has the Court decided who is correct?

No. The Court has not yet decided whether the City of Pasadena or Plaintiff is correct, nor has it entered judgment in favor of any party. By certifying the case as a class action, the Court is not expressing any opinion regarding the merits of Plaintiff's claims. Those claims will be resolved by the Court at trial or by a motion, or by the parties if a settlement is reached.

8. What is the Plaintiff asking for?

Plaintiff seeks a refund of all amounts of Pasadena Water and Power's electric fees and charges that exceed the reasonable cost of providing electric service; a declaration from the Court that those fees and charges are "taxes" that require voter approval under Proposition 218; and a judgment preventing the further collection of electric fees and charges that exceed the reasonable cost of providing electric service unless and until the City of Pasadena obtains voter approval of those fees and charges.

9. Is there money available now?

No. Because the Court has not yet determined whether the City of Pasadena has violated Proposition 218, there is no money available for members of the Class at this time. There is also no guarantee that money or other benefits will be obtained. If at some point money is available, either after trial or as the

result of a settlement, members of the Class who have not requested exclusion will be sent instructions for how they may receive a share.

WHO IS IN THE CLASS?

10. Am I part of the Class?

The Class includes all persons and entities that, from June 1, 2017 through ~~XXXXXXX~~, 2019, were billed by Pasadena Water and Power for retail electric service provided under any rate schedule described in Title 13, Chapter 13.04 of the Pasadena Municipal Code. Any judges assigned to the case, as well as their immediate family members, are excluded from the Class.

According to Pasadena Water and Power's records, you are a member of the Class, and unless you ask to be excluded from the Class, you will be bound by any decisions of the Court that determine the Class' legal rights. For information on how to be excluded from the Class, see section 15 of this Notice.

If you are not sure whether you are a member of the Class, you can obtain free help by contacting the lawyers representing the Plaintiff in this case at the email or phone number listed in section 12 of this Notice.

11. Who is the Class Representative?

The Court has appointed Plaintiff Eve Komesar to serve as the Class Representative. Ms. Komesar is a customer of Pasadena Water and Power who was billed for electric utility service during the relevant period.

THE LAW FIRMS REPRESENTING THE CLASS

12. Is a law firm representing the Class in this case?

The Court has appointed the law firms of Kearney Littlefield, LLP and Krause, Kalfayan, Benink & Slavens, LLP as "Class Counsel." If you remain in the Class, these firms will represent your interests in this case.

Class Counsel may be reached by the following methods:

Thomas A. Kearney, Esq.
tak@kearneylittlefield.com
Prescott W. Littlefield, Esq.
pwl@kearneylittlefield.com
KEARNEY LITTLEFIELD, LLP
3436 N. Verdugo Rd., Suite 230
Glendale, CA 91208
Tel: (213) 473-1900
Fax: (213) 473-1919

Vincent D. Slavens, Esq.
vslavens@kkbs-law.com
Eric J. Benink, Esq.
eric@kkbs-law.com
KRAUSE, KALFAYAN, BENINK & SLAVENS, LLP
550 West C Street, Suite 530
San Diego, CA 92101
Tel: (619) 232-0331
Fax: (619) 232-4019

13. Should I get my own lawyer?

Because Class Counsel are working on your behalf, you do not need to hire your own lawyer. If you would like a different lawyer to represent you, you may hire one. However, you will have to pay that lawyer yourself.

14. How will Class Counsel be paid?

Class Counsel have entered into a contingency fee agreement with Plaintiff. This means that they are advancing all costs and fees in this case and will be paid or reimbursed only if there is a recovery. If there is no recovery, Class Counsel will not be paid and/or reimbursed.

If Plaintiff prevails or the case settles, Class Counsel will ask the Court to issue an order providing for the payment or reimbursement of their fees and costs, either by deducting the fees and costs from any money obtained for the Class or by directing the City of Pasadena to pay those fees and costs. The Court must approve any such request. The City of Pasadena can, and may, oppose any request that it be ordered to pay Class Counsel's fees and costs.

YOUR RIGHTS AND OPTIONS

15. Do I need to do anything now?

At this time, you must decide whether or not you wish to remain in the Class.

(a) NO ACTION REQUIRED to remain in the Class

You do not need to do anything to remain in the Class. If you do not take any action, you will automatically become a member of the Class on _____.

(b) ACTION REQUIRED to be excluded from the Class

To exclude yourself from the Class, you must send a completed *Request to Be Excluded From the Class* form to the following address:

KEARNEY LITTLEFIELD, LLP
Attn: Pasadena Class Exclusion Request
3436 N. Verdugo Rd., Suite 230
Glendale, CA 91208

This form can be downloaded and printed from _____
[website]. **IT MUST BE POSTMARKED NO LATER THAN _____, 2019 TO BE VALID. ANY LATE REQUESTS TO BE EXCLUDED FROM THE CLASS WILL NOT BE ACCEPTED.** Class Counsel will submit to the Court all forms received before the deadline.

If you are considering excluding yourself from the Class, please note that any legal claims that you separately assert against the City of Pasadena may be time barred, which would prevent you from securing relief.

16. What are the risks if I remain in the Class?

If you stay in the Class, you will be bound by the decisions of the Court and any judgment entered in the case. This means that even if you do not receive any money or benefits as a result of your participation in this case, you will not be able to pursue a separate lawsuit against the City of Pasadena on your own that raises the same claims Plaintiff has alleged on behalf of the Class.

07/09/2019
9107/09/2019

17. What are the benefits if I remain in the Class?

If you stay in the Class, you do not have to sue the City of Pasadena on your own for any of the claims that Plaintiff has brought against the City of Pasadena on behalf of the Class. If there is a recovery, either after trial or as a result of a settlement, you may be entitled to a share of that recovery.

18. Do I have to come to trial or any hearings?

No. You do not have to come to trial or to any hearings in this case. Class Counsel and Plaintiff will represent you. You are welcome to come at your own expense.

19. Has a trial date been set?

No trial date has been set.

20. Has the case settled?

No settlement has been reached.

21. Will I get money after trial or settlement?

There is no guarantee that money or benefits will be obtained, and even if they are obtained, there is no guarantee as to when that will occur. If you stay in the Class and Plaintiff obtains money or benefits for the Class after trial or as a result of a settlement, you will be notified about how to participate in the recovery.

GETTING MORE INFORMATION

A copy of this Notice, the Complaint, the Answer to the Complaint, the order certifying the class, and the *Request to Be Excluded from the Class* form can be viewed and downloaded at _____ [website]. If you have any questions, you may contact Class Counsel by any of the methods identified in section 12 of this Notice.

Please do not contact the Judge or the Court directly.

07/09/2019

EXHIBIT B

Legal Notice

Komesar v. City of Pasadena
Class Certification Notice

United States
Postal Service
Permit # _____

6/10/2019
**If You Received Electric
Service from the City of
Pasadena's Department
of Water and Power
Between June 1, 2017
and Month XX, 2019,
This Class Action May
Affect Your Rights.**

*A court authorized this Notice. It is not a
solicitation from a lawyer.*

www.PWPElectricRatesAction.com

A customer of Pasadena Water and Power has filed a class action lawsuit against the City of Pasadena, claiming that the City has violated California Constitution article XIII C, section 2, subdivision (b) ("Proposition 218") by imposing fees for electric utility service that exceed the reasonable cost of providing that service, without voter approval, because it designs those fees to generate funding for transfers of money from its electric utility enterprise fund to its general fund. The City denies any wrongdoing and claims that the challenged rate-setting practices were lawfully approved by Pasadena voters. The Court has not yet decided who is correct.

Who is included? The Court has certified this case as a class action. All persons and entities billed by Pasadena Water and Power for retail electric service between June 1, 2017 and XXXXXXXX, 2019 are in the Class. The City's records indicate that you received electric service from Pasadena Water and Power during this period, and therefore, unless you ask to be excluded, you will be a member of the Class.

What are your options? You have two options at this time. If you do nothing, you will remain in the Class and be bound by any judgment issued by the Court. You may also opt out of the Class, in which case you will not receive any benefits obtained in this case and may, if you choose, pursue your own claims against the City of Pasadena. You must submit an opt out request on or before XXXXXXXX, 2019.

For additional information about the case, including instructions on how to contact Class Counsel and how to opt out of the Class, visit: www.PWPElectricRatesAction.com.

07/09/2019

EXHIBIT C

REQUEST TO OPT OUT OF CLASS ACTION

Komesar v. City of Pasadena, Case No. BC 677632

Superior Court of California, County of Los Angeles

**THIS FORM MUST BE COMPLETED IN FULL
(INCLUDING ALL PERSONAL AND CONTACT INFORMATION)
AND SIGNED/INITIALED WHERE INDICATED**

Please enter the name and billing address identified on electric bills that you currently receive from Pasadena Water & Power. If you no longer receive electric service from Pasadena Water & Power, please enter the name and billing address identified on electric bills that you received from Pasadena Water & Power.

Customer Name: _____

Billing Address: _____

City _____ State _____ Zip Code _____

I received a notice stating that a class has been certified in this case and that, unless I submit a timely request to be excluded, I will become a member of that class. I, on my own behalf or on behalf of my business, hereby ask to be excluded from the class.

_____ (Initial). By initialing here, you represent that you are the customer identified above or that you are authorized to sign this form on behalf of that customer.

_____ (Initial). By initialing here, you affirm your understanding that by asking to be excluded from the class, you will not be entitled to any benefits that the class may obtain in this case.

_____ (Initial). By initialing here, you affirm your understanding that one or more statutes of limitations may bar you from pursuing your own claims against the City. If you have questions on this issue, please consult your own attorney.

SIGN HERE: _____

If the person signing this form is not the customer listed above, please print the name of the person signing the form and describe his or her relationship to the customer.

[FORM CONTINUES ON THE NEXT PAGE]

6710912016

**THIS FORM MUST BE RETURNED BY MAIL (POSTAGE REQUIRED) ON
OR BEFORE _____, 2019, TO THE ADDRESS LISTED BELOW:**

**KEARNEY LITTLEFIELD, LLP
Attn: Pasadena Class Exclusion Request
3436 N. Verdugo Rd., Suite 230
Glendale, CA 91208**

**IF THIS FORM IS NOT POST MARKED ON OR BEFORE
_____, 2019, YOUR REQUEST WILL BE REJECTED
AND YOU WILL REMAIN IN THE CLASS.**

07/09/2019

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 3436 N. Verdugo Blvd., Suite 230, Glendale, CA 91208.

On July 1, 2019, I served the following document(s) described as

STIPULATION AND [PROPOSED] ORDER RE MANNER AND FORM OF CLASS NOTICE

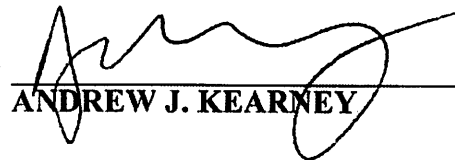
on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

SEE ATTACHED LIST

- ☐ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices. (C.C.P. § 1013 (a) and 1013a(3)). *See attached Service List.*
- ☐ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder. (C.C.P. § 1013(d)(e))
- ☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be served via CaseAnywhere to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. *See Attached Service List*

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

Executed on July 1, 2019, at Glendale, California.



ANDREW J. KEARNEY

SERVICE LIST

Vincent D. Slavens, Esq., SBN 217132 vslavens@kkbs-law.com Eric J. Benink, Esq., SBN 187434 eric@kkbs-law.com KRAUSE, KALFAYAN, BENINK & SLAVENS, LLP 550 West C Street, Suite 530 San Diego, CA 92101 Tel: (619) 232-0331 Fax: (619) 232-4019	Attorneys for Plaintiff and Class
Benjamin P. Fay Jarvis, Fay, Doporto & Gibson, LLP 492 Ninth Street, Suite 310 Oakland, CA 94607 (510) 238-1400 phone (510) 238-1404 fax ben@jarvisfay.com www.jarvisfay.com	Attorneys for Defendant
Michele Bagneris, Esq. Javan Rad, Esq. Pasadena City Attorney's Office, City of Pasadena 100 North Garfield Avenue, Rm. N210 Pasadena, CA 91109 (626) 744-4141 phone (626) 744-4190 fax mbagneris@ci.pasadena.ca.us jrad@cityofpasadena.net	Attorneys for Defendant

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I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 3436 N. Verdugo Blvd., Suite 230, Glendale, CA 91208.

NOTICE OF ENTRY OF ORDER

SEE ATTACHED LIST

- ☐ **BY MAIL:** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices. (C.C.P. § 1013 (a) and 1013a(3)). *See attached Service List.*
- ☐ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder. (C.C.P. § 1013(d)(e))
- ☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be served via CaseAnywhere to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. *See Attached Service List*

Executed on July 17, 2019, at Glendale, California.


ANDREW J. KEARNEY

SERVICE LIST

Vincent D. Slavens, Esq., SBN 217132 vince@beninkslavens.com Eric J. Benink, Esq., SBN 187434 eric@beninkslavens.com BENINK & SLAVENS, LLP 550 West C Street, Suite 530 San Diego, CA 92101 Tel: (619) 232-0331 Fax: (619) 232-4019	Attorneys for Plaintiff and Class
Benjamin P. Fay Jarvis, Fay, Doporto & Gibson, LLP 492 Ninth Street, Suite 310 Oakland, CA 94607 (510) 238-1400 phone (510) 238-1404 fax ben@jarvisfay.com www.jarvisfay.com	Attorneys for Defendant
Michele Bagneris, Esq. Javan Rad, Esq. Pasadena City Attorney's Office, City of Pasadena 100 North Garfield Avenue, Rm. N210 Pasadena, CA 91109 (626) 744-4141 phone (626) 744-4190 fax mbagneris@ci.pasadena.ca.us jrad@cityofpasadena.net	Attorneys for Defendant