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Attorneys for Petitioner and Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHRISTINA LOPEZ-BURTON, an
individual, on behalf of herself and all others
similarly situated,

Petitioner and Plaintiff,

v.

TOWN OF APPLE VALLEY, a general law
city; and DOES 1-10,

Respondents and Defendants.

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 28 2019

BY Amber M. Gear
AMBER M. GEAR, DEPUTY

Case No.: CIVDS1725027

Assigned for all purposes to Hon. David S. Cohn

**DECLARATION OF ERIC J. BENINK IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Petition/Complaint Filed: December 20, 2017

DATE: July 23, 2019
TIME: 8:30 a.m.
DEPT: S26

I, Eric J. Benink, declare as follows:

1. I am one of the attorneys for Petitioner Christina Lopez-Burton ("Burton"). I am duly admitted to practice law in the State of California and am a partner of Benink & Slavens, LLP f/k/a Krause Kalfayan Benink & Slavens, LLP. I have personal knowledge of all of the facts stated below and if called upon, I could and would testify competently thereto.

1 2. I have been actively involved in all aspects of this litigation since its inception. My co-
2 counsel Prescott W. Littlefield and I have conducted extensive formal discovery including:
3 propounding to the Town of Apple Valley (“Town”) Requests for Production of Documents (two
4 sets), Special Interrogatories (two sets), Requests for Admission, and Form Interrogatories;
5 reviewing 8,000+ pages of documents produced by the Town; subpoenaing and reviewing
6 documents from third-party Burrtec Waste Industries (“Burttec”) (1,600+ pages); deposing third-
7 party witness Richard Nino from Burrtec, third-party witness Marc Puckett (former Town Finance
8 Director) and a PMQ for the Town, Kofi Antobam, on 18 separate topics; and reviewing and
9 analyzing the Town’s expert report and declaration regarding the value of the “franchise fee.” We
10 have requested and received information directly from the Town’s attorneys as well to better
11 understand and corroborate various aspects of the issues raised herein. I previously represented my
12 law firm as a plaintiff in a Public Records Act lawsuit against the Town to obtain utility-related
13 documents including documents pertaining to the franchise fee at issue herein (that lawsuit was
14 successful).

15 3. The parties participated in two separate mediations with the Hon. Jeffrey King (Ret.)
16 on February 28, 2019 and March 22, 2019. The settlement negotiations during each mediation
17 session was adversarial and at arm’s length. Participating on Plaintiff’s side were Prescott
18 Littlefield and myself. Burton participated in the first mediation session by telephone as she was
19 recovering from pneumonia and in the second mediation session in person. On the Town’s side,
20 the Town’s outside counsel Richard Egger and Town Manager Doug Robertson participated in both
21 sessions. The settlement reached in principle during the March 22, 2019 session required
22 subsequent Town Council approval, which I understand was given during a closed session on
23 March 26, 2019. Between March 26, 2019 and June 25, 2019, the parties negotiated and drafted
24 the terms of the formal Settlement Agreement (and its exhibits), which was executed on June 27,
25 2019, and is separately filed herewith.

26 4. The class period begins on July 24, 2016 because it marks the one-year date prior to
27 the date Burton submitted a government claim on behalf of herself and all others similarly situated
28 seeking a refund under the Government Claims Act. (Gov’t Code § 911.2 [requiring claims for

1 damages to be presented within one year].) Thus, claims for charges imposed prior to July 24, 2016
2 are barred. According to the Town's discovery responses, there are approximately 22,400 class
3 members (Account Holders).

4 5. The Town asserted during settlement negotiations that it planned to raise rates by 4-
5 5% each year over the next few years.

6 6. Our investigation has revealed that the Town has transferred or budgeted to transfer
7 \$6,021,653 as "franchise fees" in Fiscal Year 16-17 through Fiscal Year 18-19. It has also
8 transferred or budgeted to transfer \$3,251,429 as administrative overhead in Fiscal Year 16-17
9 through Fiscal Year 18-19. However, Burton does not claim that all of the administrative overhead
10 transfers are improper. In the Petition, she raised specific issues regarding a portion of the General
11 Gov't Services budget: expenses related to the Town's golf course and parks and recreation
12 department. In Fiscal Year 16-17, the Town budgeted the Solid Waste Fund to (indirectly) pay
13 golf course and parks and recreation department costs totaling \$286,744 (of the \$2,076,309
14 *budgeted* to be transferred in total or ~14%.) But the Town only actually transferred \$789,489
15 that year. The Town transferred \$1,672,540 in Fiscal Year 17-18, but there is no cost allocation
16 plan identifying how these funds were allocated. In Fiscal Year 18-19, the Town budgeted
17 \$789,000 in total, but again there is no cost allocation plan identifying how these funds were
18 allocated.

19 7. This novel case brings uncertainty and the probable risk of extended delay because
20 the losing party is likely to appeal any adverse ruling. I am not aware of any case where a court
21 has adjudicated the legality of a franchise fee embedded in property-related rates imposed directly
22 by a local agency. I am confident about Burton's legal position, but Proposition 218 and 26 cases
23 have been hotly litigated in the Court of Appeal and the California Supreme Court. I am aware
24 that the landscape can change and has changed suddenly and unexpectedly in this area. I view
25 appellate proceedings as a detriment to ratepayers because it deprives them of immediate and
26 substantial benefits. The *Jacks v. City of Santa Barbara* case, for example, was originally filed in
27 the trial court in 2011 and after remand, is still being litigated in the trial court.
28

1 8. Even if this Court were to agree with Burton that a franchise fee imposed directly by
2 a local government is not a cost of providing service under article XIII D, section 6, the Town has
3 adduced evidence through its expert that it incurs costs in the form of a deferred maintenance
4 impact of \$1.9 million per year that is nearly the amount of the annual franchise fee. (See
5 Declaration of Bradford Thompson in Support of Town of Apple Valley’s Opposition to Opening
6 Brief, filed March 20, 2019, ¶ 16.) If this argument succeeded, Class Members would be entitled
7 to a tiny fraction of the damages sought.

8 9. With regard to administrative overhead issues, the Town argued in its Opposition
9 Brief to Burton’s Opening Brief that it makes these transfers “because the Solid Waste Fund does
10 not exclusively support operation of the Town’s multi-million dollar solid waste and recycling
11 service program” and “operation of the solid waste program requires basic operational tools and
12 support staff including accounting software and payment for services...” It claims that it
13 previously prepared its own cost allocation plans, but in 2016, a third party, Cost Recovery
14 Specialist, prepared a draft cost allocation plan that it has used as a reference point for transfers in
15 Fiscal Years 16-17 through 18-19. It argues the courts have recognized that “some fees are not
16 easily correlated to a specific, ascertainable cost” and “[c]ourts afford agencies a reasonable degree
17 of flexibility to apportion the costs of regulatory programs in a variety of reasonable financing
18 schemes.” (See Opposition Brief, filed March 20, 2019, pp. 19-22.) It relies on a case, *Moore v.*
19 *City of Lemon Grove*, which is a published appellate case wherein I represented a sewer ratepayer
20 and lost. Thus, I have firsthand knowledge of the flexibility that courts have sometimes afforded
21 the government when calculating reimbursements.

22 10. Finally, Burton is mindful of the Town’s size as well. The Town’s General Fund
23 budget is approximately \$32 million and the Solid Waste Fund’s budget is approximately \$11.2
24 million. If Burton prevailed on all issues, it could be extremely disruptive to the Town’s ability to
25 deliver other services which is not an outcome Burton desires.

26 11. My firm and I have substantial class action experience as reflected in our Firm
27 Résumé attached hereto as **Exhibit A**. And as the Firm Résumé demonstrates, my firm and I have
28 extensive experience representing ratepayers and taxpayers in Proposition 26 and Proposition 218

1 cases. I estimate that over the past two years, 90% of our cases have involved Proposition 26 and
2 Proposition 218 issues. In 2018, I was appointed co-lead class counsel in *Eck v. City of Los Angeles*
3 (BC577028) which provided a settlement of \$52 million (common fund) and \$241 million in future
4 savings for Los Angeles Department of Water and Power electric customers based on alleged
5 violations of Proposition 26 and Proposition 218.

6 12. An itemization of costs incurred to date and for which my firm will seek
7 reimbursement in this matter is attached hereto as **Exhibit B**.

8 13. I believe that through the prosecution of dozens of Proposition 218 and Proposition
9 26 and consumer class action cases, I have a deep appreciation for the risks and possible outcomes
10 for the Class in this matter. In light of the novel issues raised herein, the uncertainty of the outcome,
11 the possibility that the Court would find the Town's cost allocation methods sufficient, in whole or
12 in part, and the probable risks of delay following a litigated judgment, I believe that the proposed
13 Settlement which requires the Town to establish a \$3,150,000 Common Fund and freeze rates until
14 July 1, 2021 is fair, adequate and reasonable and is in the best interest of Class and should be
15 approved.

16
17 I declare under penalty of perjury that the foregoing is true and correct.

18
19 Executed on June 27, 2019 in San Diego, CA.

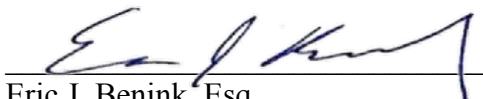
20
21
22 
23 Eric J. Benink, Esq.

EXHIBIT A

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, towns, 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 represents consumers, businesses and shareholders in securities, consumer fraud, business litigation, in actions in state and federal court. He has prosecuted consumer and business litigation cases against Wells Fargo Bank, Sprint, Ticketmaster, Fleet Bank, and Apple Computer. He has represented hedge funds in securities actions.

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 five securities/investment fraud cases (three civil and two criminal). 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. In December 2018, the San Mateo Superior Court (Judge Ayoub) appointed him a receiver, pursuant to Penal Code section 186.1,1 in *People v. Gamos*, et al., Case No. 18SF014404AB.

Mr. Benink is a member of the San Diego County Bar Association, the Consumer Attorneys of San Diego, a graduate of LEAD San Diego, and 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. He has been a contributor to the Trial Bar News, a publication of the Consumer Attorneys of San Diego. He is a member of the

Art Pratt Foundation which funds charitable causes throughout San Diego county. He was designated a *Super Lawyer* by Super Lawyers magazine in each year, 2014 - 2019.

Mr. Benink acted as lead counsel in *Shames v. City of San Diego*, (San Diego Superior Court, Case No. GIC 831539), a class action that recovered \$40 million for residential sewer customers for violations of Proposition 218. He has also prosecuted numerous class actions cases, including but not limited to: *Soto v. STI Prepaid, LLC* (San Diego Superior Court, Case No. GIC868083) (violation of prepaid calling card statute); *Neborsky v. Redem Technologies, Inc.* (San Diego Superior Court, Case No. GIC GIC804280) (securities fraud); *Milne v. Ticket Innovations, Inc.* (breach of fiduciary duty to shareholders) (Los Angeles Superior Court, Case No. BC 311258); *Ruffalo v. En Pointe Technologies, Inc.* (United States District Court, Southern District of California, Case No. 3:01-cv-00205 BEN-AJB) (federal securities fraud); *Rivera v. Sprint International Communications Corp.*, (San Diego Superior Court, Case No. GIC799868) (international phone overcharges); and *Horn v. Commercial Lending Capital, Inc.*, (Riverside Superior Court, Case No. RIC10019819) (illegal lender advance fees).

His focus today is in the representing ratepayers and taxpayers in cases alleging illegal utility fees and taxes imposed by local government in violation of Proposition 218 and Proposition 26 and has presented Proposition 218 to civic organizations. Some of the cases he has prosecuted and/or is currently prosecuting include:

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);

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);

Hobbs, et al. v. Modesto, Stanislaus Superior Court Case No. 2019186 (class action alleging illegal taxes disguised as electric rates);

Mahon, et al. v. City of San Diego, San Diego Superior Court Case No. 37-2015-00014540 (KKBS appointed co-lead counsel in class action alleging illegal taxes disguised as electric franchise fees [on appeal following adverse summary judgment ruling]);

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);

Shames v. City of San Diego, San Diego Superior Court Case No. (settlement restoring \$40 million to residential sewer rate payers);

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

Moreno v. City of Riverside, Riverside Superior Court Case No. RCI 1210249 (challenging water fee transfers to City's general fund (settlement restoring \$10 million));

Spencer v. City of Burbank, Los Angeles Superior Court Case No. BS145021 (challenging transfers to City's general fund (settlement restoring \$1.5 million));

Jackson, et al. v. City of Lincoln, Placer County Superior Court, Case No. SCV0039384 (settlement restoring over \$1 million to water rate customers);

Spencer v. City of Burbank, Los Angeles Superior Court, Case No. BS162779 (obtained writ of mandate ordering City to cease imposition of 6.5% surcharge embedded in electric rates);

Sacramento Taxpayers Assoc. v. Carmichael Park District, Sacramento Superior Court, Case No. 2014-80001869 (writ of mandate obtained invalidating property assessments);

Monroe v. City of Sacramento, Sacramento Superior Court, Case No. 2018-00243701 (challenging property and business improvement district assessments);

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 street car operations); and

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

Vincent D. Slavens, Partner

Mr. Slavens is a litigation attorney practicing in the areas of municipal, securities, business/contracts, and consumer litigation. He earned his Bachelor of Arts degree in Corporate Finance from San Diego State University in 1994 and graduated with honors (*magna cum laude*) from California Western School of Law in 2001. Prior to law school, he worked as an investment broker for several of years. Mr. Slavens was a member of the California Western School of Law, Law Review. After passing the California Bar in 2001, he joined Krause & Kalfayan as an associate attorney and has put his securities experience to use 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.

Over the past several years, Mr. Slavens has successfully represented investors, businesses, ratepayers 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. Through his creative litigation and trial tactics, Mr. Slavens has participated in the recovery of tens of millions of dollars for the benefit of his clients and class members. He has extensive experience litigating individual and class actions in federal and state court, and arbitrating claims before AAA, FINRA and other arbitration forums. In addition, he is an experienced appellate advocate. 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.

Mr. Slavens has acted as counsel in securities class actions such as *Glea F. Bobbs v. Southern Pacific Equities, LLC*, involving a multi-million Ponzi scheme. He also handled an arbitration on behalf of nearly 20 investors in *Larner, et al v. Wedbush Morgan Securities, et al* (alleging misrepresentations and violation of securities laws). He has also represented ratepayers and taxpayers in cases alleging illegal utility fees and taxes imposed by local government in violation of Proposition 218 and Proposition 26. Some of the cases he has prosecuted and/or is currently prosecuting include:

Hobbs, et al. v. Modesto, Stanislaus Superior Court Case No. 2019186 (appointed co-lead counsel in class action alleging illegal taxes disguised as electric rates);

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)

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 (appointed co-lead counsel in case alleging City's electric utility rates impose a tax in violation of Proposition 26);

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

Komesar v. City of Pasadena, Los Angeles Superior Court Case No. BC677632 (alleging City's electric utility rates impose a tax in violation of Proposition 26); and

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

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.

EXHIBIT B

Selection Criteria

Slip.Transaction Dat 1/1/2017 - 5/31/2019
Clie.Selection Include: AV Garbage
Slip.Classification Open
Slip.Transaction Typ 2 - 2

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Posting Status	Description	User Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
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<p>Robin Griffin Photocopy AV Garbage</p>								
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<p>Robin Griffin Scanning AV Garbage</p>								
110843	1/9/2018	EXP	Billed Knox #4239125 (K1557709) Service of Summons & Petition	G:33917	2/14/2018	1	99.75	99.75
<p>Robin Griffin Service Fees AV Garbage</p>								
110916	12/21/2017	EXP	Billed Knox #4237440 (K1557366) Filing of Summons & Petition with the court	G:33917	2/14/2018	1	65.75	65.75
<p>Robin Griffin Courier Charge AV Garbage</p>								

6/25/2019
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Benink & Slavens, LLP
Slip Listing

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Slip ID	Dates and Time	User	Units	Rate	Slip Value
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Billed	G:33949	3/13/2018			
Printing charges for February, 2018		AV Garbage			
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Scan charges for February, 2018		AV Garbage			
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Slip Listing

Page 3

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Postage for April, 2018					
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Billed	G:34082	7/16/2018 AV Garbage			
Knox #4260505 (K1568323) - Filing of Stip Re: Bifurcated Writ Petition Hearing & Briefing Schedule & POS					
112284	EXP	Robin Griffin	5	0.25	1.25
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7/31/2018		Postage			
Billed	G:34110	8/23/2018 AV Garbage			
July, 2018 - Postage					

6/25/2019
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Benink & Slavons, LLP
Slip Listing

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Slip ID	Dates and Time	User	Units	Rate	Slip Value
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		Reference	Variance		
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7/31/2018		Reproduction			
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July, 2018 Print/Copy/Scan		AV Garbage			
112748	EXP	Robin Griffin	1	3.30	3.30
8/31/2018		Reproduction			
Billed	G:34145	9/17/2018			
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112764	EXP	Robin Griffin	1	0.68	0.68
8/31/2018		Postage			
Billed	G:34145	9/17/2018			
Postage for August, 2018		AV Garbage			
112774	EXP	Robin Griffin	1	23.59	23.59
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Billed	G:34181	10/18/2018			
Postage charges for September, 2018		AV Garbage			
113063	EXP	Robin Griffin	1	6.49	6.49
10/8/2018		Travel Expense			
Billed	G:34214	11/14/2018			
Chase - EJB - Toll Road for travel to Depo of Richard Nino		AV Garbage			
113064	EXP	Robin Griffin	1	53.00	53.00
10/5/2018		Depo/Subpoena			
Billed	G:34214	11/14/2018			
Ck #7974 - Burntec witness fees payable to Richard Nino		AV Garbage			
113208	EXP	Robin Griffin	1	967.95	967.95
10/29/2018		Depo/Subpoena			
Billed	G:34214	11/14/2018			
Centext #162080 Transcripts from Depo of Richard Nino (10-5-18)		AV Garbage			
113255	EXP	Robin Griffin	1	18.60	18.60
11/2/2018		Postage			
Billed	G:34253	1/23/2019			
UPS #1ZF825520193851779 - Delivery of Add'l		AV Garbage			

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Slip ID Dates and Time Posting Status Description	User Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
Discovery - Set 2 to OPC Lomakin				
113292 10/31/2018 Billed Print, Copy & Scan charges for October 2018	EXP G:34214 11/14/2018 AV Garbage	1	474.35	474.35
113312 10/31/2018 Billed Postage for October 2018	EXP G:34214 11/14/2018 AV Garbage	1	0.68	0.68
113341 11/1/2018 Billed Knox #4276391/K1575713 - Service of Notice of Depo & Depo Subpoena on Marc Puckett	EXP G:34253 1/23/2019 AV Garbage	1	129.75	129.75
113458 11/30/2018 Billed Copy, Print & Scan charges for November, 2018	EXP G:34253 1/23/2019 AV Garbage	1	15.20	15.20
113485 11/30/2018 Billed Postage Charges for November, 2018	EXP G:34253 1/23/2019 AV Garbage	1	1.83	1.83
113515 10/5/2018 Billed 10-5-18 Mileage reimbursement for travel to/from Depo of Richard Nino	EXP G:34253 1/23/2019 AV Garbage	170	0.545	92.65
113516 12/6/2018 Billed 12-6-18 Mileage reimbursement for travel to/from Depo of Marc Puckett	EXP G:34253 1/23/2019 AV Garbage	170	0.545	92.65
113540 12/13/2018 Billed Print documents from court website	EXP G:34253 1/23/2019 AV Garbage	1	23.50	23.50
113544 12/6/2018 Billed Meals during Depo of Marc Puckett - Pollos Maria -	EXP G:34253 1/23/2019 AV Garbage	1	11.56	11.56

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Slip ID	Dates and Time	User	Units	Rate	Slip Value
Posting Status	Activity	Activity	DNB Time	Rate Info	
Description	Client	Reference	Est. Time	Bill Status	
			Variance		
113579	EXP	Robin Griffin	1	1,229.15	1,229.15
12/20/2018		Reporters Cost			
Billed	G:34253	1/23/2019 AV Garbage			
Centext Invoice #165101 - Depo and transcript for Marc Puckett 12-6-18					
113632	EXP	Robin Griffin	1	31.60	31.60
12/31/2018		Reproduction			
Billed	G:34253	1/23/2019 AV Garbage			
Copy/Print/Scan charges for December, 2019					
113705	EXP	Robin Griffin	1	6.70	6.70
12/28/2018		Postage			
Billed	G:34253	1/23/2019 AV Garbage			
USPS - mailing of discovery responses					
113756	EXP	Robin Griffin	1	51.40	51.40
12/6/2018		Depo/Subpoena			
Billed	G:34253	1/23/2019 AV Garbage			
Witness fees for Depo of Marc Puckett					
113941	EXP	Eric J. Benink, Esq.	1	16.75	16.75
2/4/2019		Travel Expense			
Billed	G:34336	4/26/2019 AV Garbage			
Toll Roads - Toll road fees for travel to depo of PMK					
114041	EXP	Robin Griffin	1	22.04	22.04
2/15/2019		Postage			
Billed	G:34336	4/26/2019 AV Garbage			
UPS #1ZF825520798373534 Delivery of Opening Brief Docs to OPC Lomakin					
114095	EXP	Robin Griffin	1	2,192.48	2,192.48
2/4/2019		Depo/Subpoena			
Billed	G:34336	4/26/2019 AV Garbage			
Centext Invoice #167490 - Transcript of Kofi Antobam, PMQ					
114101	EXP	Robin Griffin	1	2,129.00	2,129.00
2/28/2019		Mediation Fees			
Billed	G:34336	4/26/2019 AV Garbage			
JAMS Mediation fees Ref. #1220061519 2-28-19 @ 10:00 a.m.					
114104	EXP	Robin Griffin	1	19.30	19.30
2/22/2019		Postage			
Billed	G:34336	4/26/2019 AV Garbage			
UPS #1ZF825520192510004 Delivery of Mediation Fees Deposit to JAMS					

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Slip ID	Dates and Time	User	Units	Rate	Slip Value
Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
114152	EXP	Robin Griffin	1	590.80	590.80
2/28/2019		Reproduction			
Billed	G:34336	4/26/2019			
Print, Copy, Scan charges for February, 2019		AV Garbage			
114344	EXP	Robin Griffin	1	128.75	128.75
3/27/2019		Courier Charge			
Billed	G:34336	4/26/2019			
Knox #4290619/K1583236 filing of Notice of Settlement & POS		AV Garbage			
114464	EXP	Robin Griffin	218	0.58	126.44
2/4/2019		Travel Expense			
Billed	G:34336	4/26/2019			
Mileage reimbursement to EJB for travel to Depo: 4740 Green River, Corona, CA 218 miles r/t		AV Garbage			
114465	EXP	Robin Griffin	242	0.58	140.36
2/28/2019		Travel Expense			
Billed	G:34336	4/26/2019			
Mileage reimbursement to EJB for travel to 1st Mediation: 3800 E. Concours Dr., Ontario, CA 242 miles r/t		AV Garbage			
114466	EXP	Robin Griffin	242	0.58	140.36
3/22/2019		Travel Expense			
Billed	G:34336	4/26/2019			
Mileage reimbursement to EJB for travel to 2nd Mediation: 3800 E. Concours Dr., Ontario, CA 242 miles r/t		AV Garbage			
114473	EXP	Robin Griffin	1	106.75	106.75
4/4/2019		Courier Charge			
Billed	G:34378	5/10/2019			
Knox #4291273/K1583236-02 - Filing of Notice of Settlement & POS		AV Garbage			
114608	EXP	Robin Griffin	1	10.37	10.37
2/28/2019		Lexis/Westlaw			
Billed	G:34336	4/26/2019			
Legal research for February, 2019		AV Garbage			
114614	EXP	Robin Griffin	1	3.65	3.65
3/31/2019		Reproduction			
Billed	G:34336	4/26/2019			
Copy, Print & Scan charges for March, 2019		AV Garbage			

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Slip ID			User	Units	Rate	Slip Value
Dates and Time			Activity	DNB Time	Rate Info	
Posting Status			Client	Est. Time	Bill Status	
Description			Reference	Variance		
114640	EXP		Robin Griffin	1	0.50	0.50
3/31/2019			Postage			
Billed	G:34336	4/26/2019	AV Garbage			
Postage charges for March, 2019						
114676	EXP		Robin Griffin	1	225.00	225.00
2/15/2019			Courier Charge			
Billed	G:34336	4/26/2019	AV Garbage			
Delivery of opening brief to San Bernardino Superior Court via courier.						
114726	EXP		Robin Griffin	1	10.30	10.30
4/30/2019			Reproduction			
Billed	G:34378	5/10/2019	AV Garbage			
Print/Copy/Scan charges for April 2019						
114757	EXP		Robin Griffin	1	0.65	0.65
4/30/2019			Postage			
Billed	G:34378	5/10/2019	AV Garbage			
Postage charges for April 2019						
114765	EXP		Robin Griffin	1	10.72	10.72
5/3/2019			E-File/Fax File			
Billed	G:34411	6/20/2019	AV Garbage			
Fax Filing of Notice of Entry of Order Re: : Notice of Settlement and Stip to Vacate Hearing Date and Related Dates & POS						
Grand Total						
				Billable	0.00	11,273.47
				Unbillable	0.00	0.00
				Total	0.00	11,273.47