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13 CITY OF ANAHEIM

14
15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **COUNTY OF ORANGE**

17 ASHLEE ELIZABETH PALMER, an individual,
18 on behalf of herself and all others similarly situated,

19 Plaintiff,

20 v.

21 CITY OF ANAHEIM, a charter city, and ~~DOES 1~~
22 ~~through 10,~~

23 Defendants.
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

OCT 08 2021

DAVID H. YAMASAKI, Clerk of the Court

BY: _____ DEPUTY

CASE NO. 30-2017-00938646-CU-JR-CXC

[PROPOSED] JUDGMENT

Action Filed: August 18, 2017

Assigned for All Purposes to the Honorable
Randall J. Sherman, Department CX105

1 On August 18, 2017, Plaintiff Ashlee Elizabeth Palmer ("Plaintiff") filed this action against
2 Defendant City of Anaheim ("the City"). The operative Second Amended Complaint, dated November
3 18, 2019, alleges four causes of action against the City: (1) Violation of Proposition 218; (2) Declaratory
4 Relief; (3) Injunctive Relief; and (4) Tax Refund. The City filed its Answer to the Second Amended
5 Complaint on December 17, 2019.

6 On June 8, 2020, the Court issued an order certifying a class ("the Class") and directing that
7 notice be sent to members of the Class. The Class is defined as:

8 All persons and entities that, from April 20, 2017 through August 21, 2020, were billed
9 for electric service provided under any rate schedule described in the City of Anaheim's
10 Electric Rates, Rules & Regulations. Excluded from the class are: (i) all persons and
11 entities that make a timely election to be excluded from the class; (ii) any judges assigned
12 to this case, and their immediate family members; and (iii) the City.

13 Notice was provided to the Class in the manner and form approved by the Court. All members of the
14 Class who made a timely election to be excluded from the Class are identified in the record of this case.¹

15 On June 18, 2021, the City moved for summary judgment on the Second Amended Complaint,
16 and all causes of action alleged therein. The Court granted the City's motion and now ORDERS,
17 ADJUDGES, and DECREES that:

18 1. Judgment is entered against Plaintiff and the Class, and for the City, on the Second
19 Amended Complaint and each cause of action alleged therein.

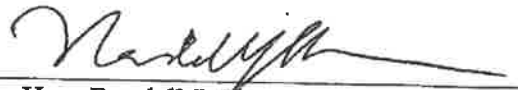
20 2. Plaintiff and the Class take nothing by the Second Amended Complaint.

21 3. The City shall recover its costs from Plaintiff as provided by section 1021 *et seq.* of the
22 Code of Civil Procedure and Rules 3.1700 and 3.1702 of the California Rules of Court.

23 Pursuant to Rule 3.771(b) of the California Rules of Court, the Court directs the City to post a
24 copy of this judgment in a prominent location on the Anaheim Public Utilities Department's website for
25 90 days.

26 IT IS SO ORDERED.

27 DATED: OCTOBER 8, 2021


Hon. Randall J. Sherman
Judge of the Superior Court

28 ¹ See Declaration of Jennifer M. Keough Regarding Notice Administration (filed February 10, 2021); Declaration of Prescott W. Littlefield Regarding Class Opt-Outs (filed September 22, 2021).