ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
7/9/2026 6:30:06 PM

Clerk of the Superior Court
By D. Donaldson ,Deputy Clerk

GIBBS MURA LLP
Andre M. Mura (SBN: 298541)
Steven M. Tindall (SBN 187862)
Ezekiel S. Wald (SBN 341490)
1111 Broadway, Suite 2100, Oakland, CA 94607
Telephone: (510) 350-9710
Fax: (510) 350-9701
amm@classlawgroup.com
smt@classlawgroup.com
zsw@classlawgroup.com

BERDING & WEIL, LLP
Daniel L. Rottinghaus (131949)
Howard J. Silldorf (99132)
Anne L. Rauch (182990)
Theresa M. Filicia (128968)
Carlotta A. Kirby (328242)
160 Hotel Circle North, Ste. 701
San Diego, CA 92108
(800) 838-2090

Attorneys for Plaintiffs Patz, Chesner, and the Certified Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

DANIEL PATZ, JOAN MANN CHESNER, *ET AL.*,

PLAINTIFF,

V.

CITY OF SAN DIEGO,

DEFENDANT.

Case No. 37-2015-00023413-CU-MC-CTL

CERTIFIED CLASS ACTION

DECLARATION OF JOAN MANN CHESNER IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT

Date: July 31, 2026
Time: 9:00 a.m.
Dept: C-67
Judge: Hon. Michael T. Smyth

I, Joan Mann Chesner, declare as follows under penalty of perjury:

1. I base this declaration on my personal knowledge and, if called upon to do so, could and would testify competently to the facts contained in this declaration. I understand that this declaration will be used to support Plaintiffs' Motion for Preliminary Approval of a Class Action Settlement in the above-captioned case.

2. I am a retiree in La Jolla, California.

3. I am a single-family residential water customer of the City of San Diego. As a named Plaintiff, I have actively participated in this litigation since approximately 2018. I have kept in touch with my counsel, reviewed drafts of the complaint, discovery responses, and other case materials, and received regular updates on the case from my counsel. I have reviewed, verified and assisted in responding to voluminous discovery that has been propounded in this matter, including but not limited to approximately 272 Requests for Admissions, Form Interrogatories and other related discovery. I also met with my counsel to prepare for my deposition which was initially scheduled for February 22, 2019, but ultimately did not proceed as scheduled. My counsel has also reviewed the terms of the settlement agreement with me to make sure I understood it.

4. I am happy with the terms of the settlement agreement and think the Court should approve it. The settlement accomplishes what I hoped for when I decided to bring this case. San Diego changed the challenged water rates after the judgment from the trial court, and this settlement helps class members who were overcharged get compensated for their overcharges.

5. When we asked the Court to certify a class in this case, I declared that I understood the responsibilities of a class representative to protect the interests of the class, that I was prepared to serve in that role, and that I was unaware of any conflict that would prevent me from fairly or adequately representing the class. I remain willing and able to perform all of the duties and obligations of a representative of the settlement class until this matter is finally resolved.

6. I also understand that I am entitled to only the rights and remedies of settlement class members under the settlement agreement, and not to any additional compensation by virtue of my status as a settlement class representative.

7. I authorized Class Counsel (Andre Mura, Theresa Filicia, and their colleagues) to enter into this settlement agreement with respect to the claims asserted in the action and any other claims covered by the release.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on June 25, 2026.



Joan Mann Chesner