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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

MARK COZIAHR, on behalf of himself and all others similarly situated,

PLAINTIFF,

VS.

OTAY WATER DISTRICT; and DOES 1 through 200, inclusive,

DEFENDANTS.

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

CERTIFIED CLASS ACTION

LETTER FROM HONORABLE HERBERT B. HOFFMAN (RET.)

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

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To be submitted by the parties

The Honorable Michael T. Smyth
Department C-67
Superior Court of State of California
County of San Diego

Re: *Patz v. City of San Diego*, Case No. 37-2015-00023413-CU-MC-CTL

Dear Judge Smyth:

I am a mediator at Judicate West and a retired judge of the Superior Court of San Diego. I served as a mediator in the above-referenced case, and I write in support of the proposed class action settlement.

Without discussing confidential matters, I am pleased to report that the proposed settlement is the product of a mediator's proposal. The mediator's proposal is based on the damages model accepted by the California Court of Appeal in this same case, *Patz v. City of San Diego* (2025) 113 Cal.App.5th 225, and in my view, represents a very fair resolution of this case, as it provides meaningful compensation to those entitled to refunds under the refund methodology that was affirmed by the Court of Appeal and brings an end to this long-running case.

Sincerely,

Herbert Hoffman (ret.)