

Important: This affects your legal rights. Read it carefully.

NOTICE OF CLASS ACTION

A court approved this notice. This is not an advertisement or solicitation.

TO: All single-family residential customers of the Otay Water District who received residential water service after July 14, 2014

This Notice is to inform you of a class action lawsuit that is being litigated on behalf of all single-family residential customers of the Otay Water District who received residential water service after July 14, 2014. Your rights may be affected by the legal proceedings in this action. There is not yet a resolution of the case that would entitle you to money or other benefits.

WHAT IS THIS CASE ABOUT?

Plaintiff Mark Coziahr (the “Plaintiff”) filed a lawsuit against the Otay Water District in which he represents a class of all single-family residential customers of the Otay Water District who received residential water service at any time after July 14, 2014, up to the present. Plaintiff claims that Otay violated certain provisions of the California Constitution by charging more for the water that it provides to its residential customers than the proportional cost of delivering the water to each parcel of property. Plaintiff seeks an order from the Court that the charges are illegal and seeks repayment of the excess amount that the Otay single-family residential customers were allegedly overcharged. Otay Water District disputes these allegations and maintains that its charges were constitutional and otherwise appropriate under the law.

You are receiving this Notice because you have been identified as a Class Member—that is, you have been identified as a single-family residential customer of the Otay Water District who received residential water service after July 14, 2014.

The Court ruled, by Order of August 1, 2019, that the case may go forward on a class basis. The Court has not, however, rendered any opinion as to whether Plaintiff or Otay Water District is correct about the legal claims in the case.

Your legal rights may be affected whether you act or do not act. Your options are summarized in this Notice.

WHAT ARE YOUR OPTIONS?

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CLASS ACTION	
DO NOTHING	If you do nothing, you will remain in the Class. If you do nothing, you stay part of the class action. You will be bound by the outcome of the lawsuit, whether it is successful or unsuccessful. You will give up your right to sue Otay Water District separately about the same legal claims in the lawsuit.
EXCLUDE YOURSELF	If you exclude yourself from the class action, you will not be affected by the outcome of the lawsuit and will get no money or benefits from the lawsuit if it is successful. You keep any rights you may have to sue Otay Water District separately about the

	same legal claims in this lawsuit. To be excluded, you must sign and mail a written request to be excluded to the Class Notice Administrator at the addresses listed below in Section 3 on or before June 5, 2020.
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FREQUENTLY ASKED QUESTIONS AND ANSWERS

1. Why did I get this Notice?

The Court approved this Notice to inform you that a class has been certified in this case and to advise you of your rights. You have received this Notice because Otay Water District's records indicate that you are a member of the Class. The Class is composed of all single-family residential customers of the Otay Water District who received residential water service from July 14, 2014 to the present.

2. How do I get more information?

If you have questions about this Notice or the class action, or if you did not receive this Notice in the mail and you believe that you are or may be a member of the Class, you should contact the Plaintiff's Counsel at one of the following addresses or by telephone. Please do not contact counsel by email:

Steven Tindall
Andre Mura
Kyla Gibboney
GIBBS LAW GROUP LLP
505 14th Street, Suite 1110
Oakland, CA 94612
Telephone: (619) 313-4197

Scott D. Levine
SCOTT D. LEVINE, APC
12707 High Bluff Drive, Suite 200
San Diego, CA 92130
Telephone: (858) 350-4342

The Court cannot respond to any questions regarding this Notice or the lawsuit. Please do not contact the Court.

3. How do I exclude myself from the lawsuit and if I wish to do so?

If you are a member of the Class but do not want to remain in the Class, you may exclude yourself ("opt out"). If you exclude yourself from the Class, you will lose any right to receive any money as a result of a settlement or judgment in the class action. If you decide to opt out, you may keep any rights you have, if any, against Otay Water District and you may file your own suit against Otay Water District based upon the same legal claims that are asserted in the lawsuit, but you will need to find your own attorney at your own cost to represent you in that suit. To exclude yourself from the class action, you must mail a request for exclusion, postmarked no later than June 5, 2020 to:

Otay Class Notice Administrator
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479

This signed and dated statement must contain the following information: your full name; your current address; and a statement that you wish to be excluded from the Class in *Coziahr v. Otay Water District*, Case No. 37-2015-00400000-CU-MC-CTL. If you do not comply with these procedures and the deadline for exclusions, you will lose any opportunity to exclude yourself from the Class, and your rights will be determined in this lawsuit.

4. Who are the attorneys for the Class Members?

If you do not exclude yourself from the Class, you will be represented by Class Counsel in this litigation. If you prefer to be represented by your own lawyer, you may exclude yourself and hire a lawyer at your own expense.

The Court has appointed the following attorneys as Class Counsel: Steven Tindall, Andre Mura, and Kyla Gibboney of the Gibbs Law Group LLP and Scott Levine of Scott Levine APC. Class Counsel can be reached as follows:

Steven Tindall
Andre Mura
Kyla Gibboney
GIBBS LAW GROUP LLP
505 14th Street, Suite 1110
Oakland, CA 94612
Telephone: (619) 313-4197

Scott D. Levine
SCOTT D. LEVINE, APC
12707 High Bluff Drive, Suite 200
San Diego, CA 92130
Telephone: (858) 350-4342

5. What protections do I have against retaliation for participating in this Class Action?

The law and Otay Water District's own policies protect you from any retaliatory action based upon your decision to participate in or opt out of this class action. You will not be retaliated against by Otay Water District for choosing to participate (or not participate) in the Class Action.

6. Has the Court decided who is right?

The Court has not decided whether Plaintiff or Otay Water District is correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiff will win or lose this case. Plaintiff must prove the Class's claims at a trial, which has not yet occurred. The trial date has been scheduled for June 12, 2020.

7. Where can I get further information?

If you have questions about this Notice, or if you did not receive this Notice in the mail or by email and you believe that you are or may be a member of the Class, you should contact the Class Notice Administrator, RG/2 Claims Administration LLC, at P.O. Box 59479, Philadelphia, PA 19102-9479, via email to info@rg2claims.com or via telephone to 866-742-4955, for more information or to request that a copy of this Notice be sent to you. If you wish to communicate directly with Class Counsel, you may contact them (contact information noted above in Section 4). You may also seek advice and guidance from your own private attorney at your own expense, if you wish to do so.

This Notice is only a summary of the Lawsuit. If you have questions about the case or wish to receive a copy of the court documents in the case, you can access many of the documents online at www.otaywaterdistrictcase.com. (You will need to use the name of the case or case number to access them.) If you do not have access to the Internet, you may contact Class Counsel.

The Court cannot respond to any questions regarding this Notice or the Lawsuit. Please do not contact the Court.