



San Diego Superior Court

Coziahr v. Otoy Water District

Case No. 37-2015-00400000-CU-MC-CTL

Class Action Notice

Authorized by the San Diego Superior Court

Were you a single-family residential water customer of Otoy Water District any time between July 14, 2014 and December 31, 2022?

There is a \$12,000,000 settlement of a lawsuit.

You may be entitled to money.

To be part of this settlement, you should:

Read this notice.

You do not need to respond to this notice to be a part of the settlement.

Important things to know:

- If you take no action, you will still be bound by the settlement, and your rights will be affected.
- You can learn more at: <https://www.otaywaterdistrictcase.com>.

Table of Contents

Table of Contents	2
About This Notice	3
Why did I get this notice?.....	3
What do I do next?.....	3
What are the most important dates?.....	4
Learning About the Lawsuit	4
What is this lawsuit about?.....	4
Why is there a settlement in this lawsuit?.....	4
What happens next in this lawsuit?.....	5
Learning About the Settlement	6
What does the settlement provide?	6
How do I know if I am part of this settlement?.....	6
How much will my payment be?.....	7
Deciding What to Do	7
How do I weigh my options?	7
What is the best path for me?.....	8
Submitting a Claim	8
How do I get a payment if I am a class member?.....	9
Do I have a lawyer in this lawsuit?.....	9
Do I have to pay the lawyers in this lawsuit?	10
Opting Out	10
What if I don't want to be part of this settlement?.....	10
How do I opt out?	10
Objecting	11
What if I disagree with the settlement?	11

Doing Nothing 12
 What are the consequences of doing nothing? 12
Key Resources 12
 How do I get more information? 12
 Instructions for accessing eCourt Public Portal..... 13

About This Notice

Why did I get this notice?

This notice is to tell you about the settlement of a class action lawsuit, *Coziahr v. Otay Water District* brought on behalf of people who were customers of Otay Water District at any time between July 14, 2014 and December 31, 2022, alleging that Otay Water District’s single-family residential water rates were unconstitutional. **You received this notice because you may be a member of the group of people affected, called the “class.”** This notice gives you a summary of the terms of the proposed settlement agreement, explains what rights class members have, and helps class members make informed decisions about what action to take.

What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Options	More information about each option
Do Nothing	If the evidence showed that you were overcharged under Otay’s single-family residential water rates, you do not need to do anything further to receive a refund. Your refund will automatically be credited against your bill (if you are still a customer) or sent to you (if you are no longer a customer). The settlement administrator may ask you to confirm your contact information and select your preferred method of payment. Not all customers were overcharged. You will only receive a refund if the evidence the parties put forward at trial showed that you experienced an overcharge. If

	you do nothing further, you will also give up rights resolved by settlement.
Opt Out	Get no payment. Allows you to bring another lawsuit against Otay Water District about the same issues.
Object	Tell the Court why you don't like the settlement.

Read on to understand the specifics of the settlement and what each choice would mean for you.

What are the most important dates?

Your deadline to object or opt out: **July 3, 2026**
 Settlement approval hearing: **July 31, 2026**

Learning About the Lawsuit

What is this lawsuit about?

A class action lawsuit was filed against Otay Water District on behalf of people who were single-family residential water customers of Otay between July 14, 2014 and December 31, 2022. The lawsuit claims that Otay Water District charged unconstitutional single-family residential water rates, because those rates were not proportional to the cost of providing water service to its single-family residential customers.

Otay Water District denies that it has overcharged any class members or that any money is owed.

Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in this lawsuit at:
<https://www.otaywaterdistrict.case.com>

Why is there a settlement in this lawsuit?

In 2026, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of the customers who brought the case and all members of the settlement class, which includes all single-family residential customers of Otay Water District between July 14, 2014 and December 31, 2022.

The Court previously decided that Otay Water District had charged single-family residential customers under an unconstitutional water rate structure. The Court has not yet decided the amount of the refund that is owed to class members.

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that caused the harm.

What happens next in this lawsuit?

The Court will hold a Fairness hearing to decide whether to approve the settlement. The hearing will be held at:

Where: San Diego Superior Court, Hall of Justice, Fourth Floor, Department C-67, 330 W Broadway, San Diego, CA 92101.

When: 9:00 a.m. on July 31, 2026.

The Court has directed the parties to send you this notice about the proposed settlement. Because the settlement of a class action decides the rights of all members of the proposed class, the Court must give final approval to the settlement before it can take effect. Payments will only be made if the Court approves the settlement.

You don't have to attend, but you may at your own expense. You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not approve the settlement or the parties decide to end it, it will be void and the lawsuit will continue. The date of the hearing may change without further notice to members of the class. To learn more and confirm the hearing date, go to <https://www.otaywaterdistrictcase.com>.

Learning About the Settlement

What does the settlement provide?

The Court determined that Otay Water District's rates for single-family residential customers were unconstitutional between July 14, 2015 and December 31, 2022. The Court also determined that Otay's customers who overpaid for water are entitled to a refund.

The settlement also pays money to customers who, as a result of the unconstitutional water rate structure, paid more than they would have paid otherwise. Not all customers will receive refunds under the settlement. For customers who were overcharged, the settlement will automatically provide those customers with refunds—you do not have to do anything further to receive your refund. If you are no longer an active customer of Otay Water District, you may be asked to validate your contact information, and to select your preferred payment method.

Otay Water District has agreed to pay \$12,000,000.00 into a settlement fund. This money will be divided among the class members who were overcharged, and will also be used to pay for costs and fees approved by the Court, including the cost of administering this settlement (expected to be no more than \$312,605.00, subject to court approval). Members of the settlement class will "release" their claims as part of the settlement, which means they cannot sue Otay Water District for the same issues in this lawsuit. The full terms of the release can be found <https://www.otaywaterdistrictcase.com>.

If there is money left over after the claims process is completed, it will be donated to an organization approved by the Court. The Court has approved the Sierra Club California Water Committee (SoCal Water Sierra Club), including the San Diego chapter, as the recipient for any funds remaining after the claims process is completed.

How do I know if I am part of this settlement?

If you were a single-family residential customer of Otay Water District between July 14, 2014 and December 31, 2022, you are a member of the class and may be entitled to money.

How much will my payment be?

The Class retained an expert witness to calculate the amount of the refund owed to each class member, based on the difference between the amount each class member actually paid between July 14, 2014 and December 31, 2022 for their single-family residential water service, and the amount that class member would have paid if Otay had not charged unlawful rates. Each class member who was overcharged based on that calculation will automatically receive a refund. The refund amount is based on the customer's share of the net settlement fund.

Not all class members experienced overcharges, and those class members who were not overcharged will **not** receive a refund under the settlement.

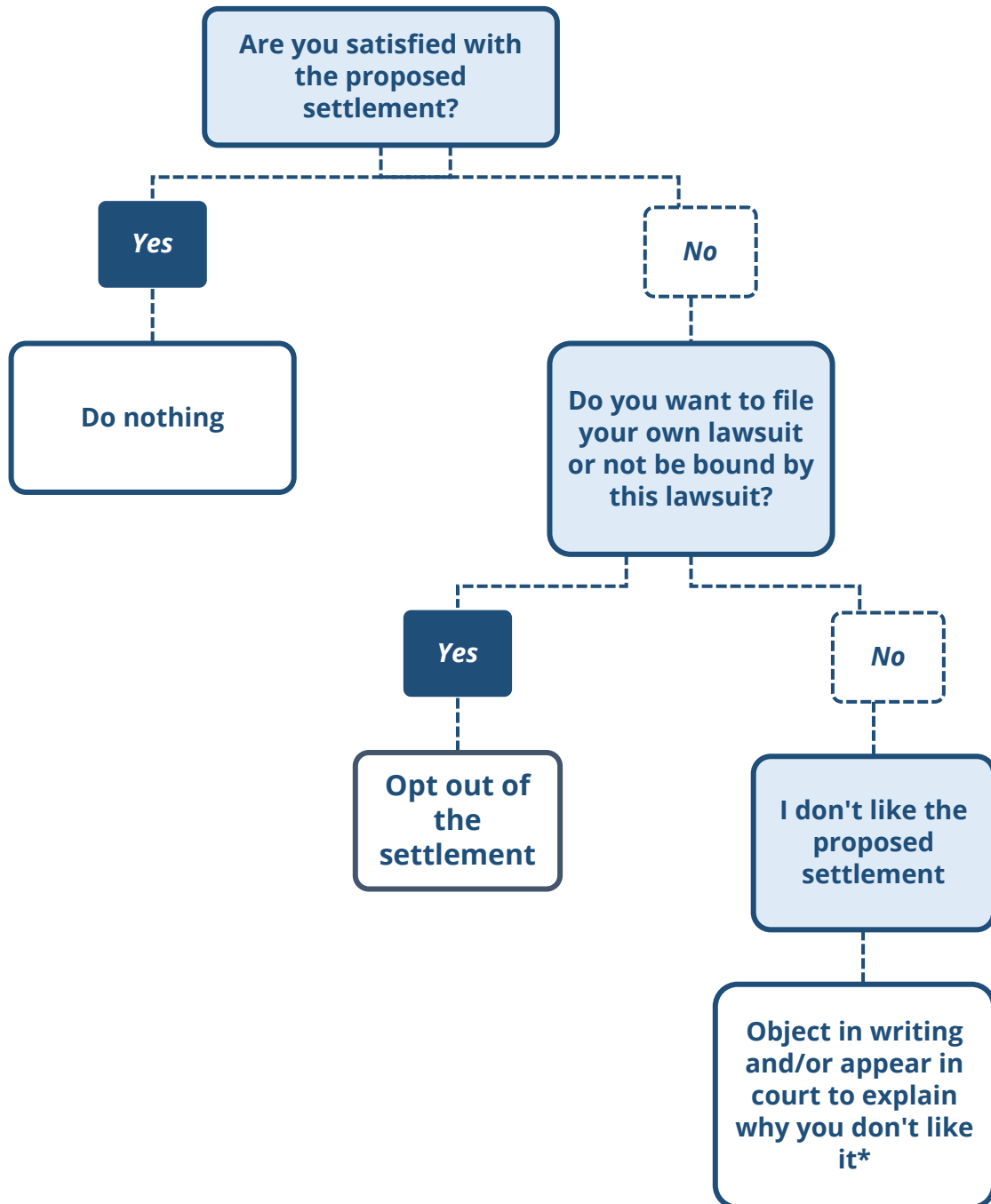
Deciding What to Do

How do I weigh my options?

You have three options. You can stay in the settlement (and do nothing further, except verifying your contact information and preferred payment method), you can opt out of the settlement, or you can object to the settlement. This chart shows the effects of each option:

	Do Nothing (Stay in Settlement)	Opt out	Object
Can I receive settlement money if I . . .	YES	NO	YES
Am I bound by the terms of this lawsuit if I . . .	YES	NO	YES
Can I pursue my own case if I . . .	NO	YES	NO
Will the class lawyers represent me if I . . .	YES	NO	NO

What is the best path for me?



**You can object to the settlement AND remain a class member to receive payment.*

Participating in the Settlement

How do I get a payment if I am a class member?

If you wish to receive money, you do not need to take any further action. Class members who were overcharged (based on calculations by an expert witness) will automatically receive refunds. If you are still a customer of Otay Water District, your refund will be automatically credited against your water bill. If you are no longer a customer of Otay Water District, your refund will be sent to you. The Settlement Administrator may ask you to confirm your current contact information in order to ensure that you receive your refund.

You may enter your customer ID at <https://www.otaywaterdistrictcase.com> to see whether you are estimated to receive a refund under the Settlement, or contact the Settlement Administrator (address below).

Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals and lawyers.

Your lawyers:

Andre M. Mura
Steven M. Tindall
Ezekiel S. Wald
Gibbs Mura LLP
1111 Broadway, Suite 2100
Oakland, CA 94067

Scott Levine
Scott D. Levine APC
603 N. Highway 101, Suite C
Solana Beach, CA 92075

These are the lawyers who negotiated this settlement on your behalf.

If you want to be represented by your own lawyer, you may hire one at your own expense.

Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and costs will be paid from the Settlement Fund. **You will not have to pay the lawyers directly.**

To date, your lawyers have not been paid any money for their work or the expenses that they have paid for the case. To pay for some of their time and risk in bringing this case without any guarantee of payment unless they were successful, your lawyers will request, as part of the final approval of this Settlement, that the Court approve a payment of up to \$4,000,000 total in attorneys' fees plus the reimbursement of out-of-pocket expenses of no more than \$350,000.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think the settlement terms are fair.

Your lawyers will also ask the Court to approve a payment of \$5,000.00 to the Class Representative for the time and effort he contributed to the case. If approved by the Court, this will be paid from the Settlement Fund.

Opting Out

What if I don't want to be part of this settlement?

You can opt out. If you do, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit and may be able to file your own case. You cannot exclude yourself from the program changes called for by the proposed settlement.

How do I opt out?

To opt out of the settlement, you must complete the opt out form

included with this notice and mail it by July 3, 2026 to the Settlement Administrator at:

Otay Class Notice Administrator
RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Toll-Free: (866) 742-4955
Email: info@rg2claims.com

Be sure to include your name, address, telephone number, and signature.

Objecting

What if I disagree with the settlement?

If you disagree with any part of the settlement (including the lawyers' fees) but don't want to opt out, you may object. You must give reasons why you think the Court should not approve it and say whether your objection applies to just you, a part of the class, or the entire class. The Court will consider your views. The Court can only approve or deny the settlement — it cannot change the terms of the settlement. You may, but don't need to, hire your own lawyer to help you.

To object, you must send a letter to the Court (or file your comment on the docket in this Action) that:

- (1) is received by July 3, 2026;
- (2) includes the case name and number (*Coziahr v. Otay Water District*, No. 37-2015-00400000)
- (3) includes your full name, address where you receive water service (or received water service) from Otay Water District, the name of the property owner for the address where the objector/commenter receives or received water service from Otay Water District (if you are not the property owner), your telephone number, and your email address (if you have one);
- (4) states the reasons for your objection;
- (5) the name and contact information of any attorneys representing, advising, or assisting you in filing your comment or objection, and if

- you are advised or represented by an attorney, a statement identifying the objections that attorney has filed to other class action settlements in the last five years;
- (6) says whether either you or your lawyer intend to appear at the final approval hearing and your lawyer's name;
- (7) your signature (handwritten or electronically imaged, e.g., "DocuSign").

Mail the letter to:

Otay Class Notice Administrator RG/2 Claims Administration LLC P.O. Box 59479 Philadelphia, PA 19102-9479 Toll-Free: (866) 742-4955	San Diego Superior Court, Hall of Justice, Fourth Floor, Department C-67 330 W Broadway, San Diego, CA 92101
---	--

Email: OtayWaterSettlement@rg2claims.com

Doing Nothing

What are the consequences of doing nothing?

If you do nothing, you will still be bound by the settlement and its "release" provisions. That means you won't be able to start, continue, or be part of any other lawsuit against Otay Water District about the issues in this case. A full description of the claims and persons who will be released if this settlement is approved can be found <https://www.otaywaterdistrictcase.com>.

Key Resources

How do I get more information?

This notice is a summary of the proposed settlement. The complete settlement with all its terms can be found at <https://www.otaywaterdistrictcase.com>. To get a copy of the settlement agreement or get answers to your questions:

- contact your lawyer (information below)
- visit the case website at <https://www.otaywaterdistrictcase.com>

- access the Court’s online portal at <https://odyroa.sdcourt.ca.gov/Cases#> or by visiting the Clerk’s office of the Court (address in the table below).

Resource	Contact Information
Case website	https://www.otaywaterdistrictcase.com
Settlement Administrator	Otay Class Notice Administrator RG/2 Claims Administration LLC P.O. Box 59479 Philadelphia, PA 19102-9479 Toll-Free: (866) 742-4955 Email: OtayWaterSettlement@rg2claims.com
Your Lawyers	Andre M. Mura Steven M. Tindall Ezekiel S. Wald Gibbs Mura LLP 1111 Broadway, Suite 2100 Oakland, CA 94067 Scott Levine Scott D. Levine APC 603 N. Highway 101, Suite C Solana Beach, CA 92075
Court (DO NOT CONTACT)	San Diego Superior Court, Hall of Justice, Fourth Floor, 330 W Broadway, San Diego, CA 92101

Instructions for accessing eCourt Public Portal

To access the Court's eCourt Public Portal online found at <https://odyroa.sdcourt.ca.gov/Cases#>, you will first need to “agree” to the terms and conditions shown on the screen. You can then access case documents by entering the case number, 37-2015-00400000, in the “V3 Format,” and clicking on "Search." On the following page, you will see case details, information about future hearings, and if you scroll down, the Court’s “Register of Actions.” You may then download

images of every document filed in the case for a fee. You may also view images of case documents for free at one of the computer terminal kiosks at court locations.