

1 LAW OFFICES OF CLARK GAREN
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7 ATTORNEYS FOR PLAINTIFF

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
9
10 DESERT DISTRICT

11	MICHAEL R. SOLOMON,)	CASE NO. PSC 1503643
12)	
13	Plaintiff,)	DECLARATION OF CLARK
14)	GAREN IN OPPOSITION TO
15	-vs-)	DEFENDANTS MOTION FOR
16)	ATTORNEY FEES
17	DESERT HEALTHCARE DISTRICT;)	
18	KAY HAZEN, an individual; KATHY)	Date: February 9, 2015
	GRECO, an individual;)	Time: 8:30 A.M.
)	Place: PS2
	Defendants.)	
)	

19 I, CLARK GAREN, state and declare:

20 1. If duly called as a witness and sworn to give testimony, my testimony
21 would be as stated herein.

22 2. All of the facts stated herein are within my own, personal knowledge.

23 3. I have been practicing law since January 5, 1972. I am admitted to
24 practice law in California and Texas. I am admitted to practice before the United
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1 States Supreme Court; the United States Court of Appeals for the 9th Circuit; the
2 United States District Courts for the Central, Southern, Northern, and Eastern
3 Districts of California, the Southern and Northern District of Texas, and the
4 District of Arizona; the United States Tax Court; the California Supreme Court;
5 and the Texas Supreme Court. I have also served on the California Judicial
6 Council Advisory Committee on forms, during which time the current California
7 Form Complaints; Form Interrogatories; Enforcement of Judgment; and
8 Attachment forms were formulated and placed into use. I hold an A.A. degree; a
9 B.S.L. degree; a J.D. degree, and an LL.M. (Tax) degree. I have maintained an
10 office in Palm Springs, California since 1996 and I am familiar with the customary
11 charges for litigation in this Court. I also previously served as a court appointed
12 arbitrator/mediator for this Court.
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18 4. At all times during the conduct of this litigation, I was a functioning as
19 the attorney for Plaintiff MICHAEL R. SOLOMON. Based upon my education
20 and experience, I am competent to testify regarding the attorney fees requested by
21 Defendants in this Motion.
22

23 5. I believe all of the hourly rates charged by any of the Defendants
24 attorneys are reasonable. However, I do believe that most of the services provided
25 and charged for are unreasonable, excessive, and unnecessary.
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1 6. The liability for and defense of Plaintiff's claim was provided by the
2 District's insurance company, who retained the Artiano firm to handle this case. I
3 was personally told this by Jeffrey A. Morris on September 1, 2015, and this is
4 reflected on the statements from the Artiano firm attached as Exhibit C to the
5 Notice of Lodgment.
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8 7. The Artiano law firm claims to have worked the following days and hours
9 researching the initial SLAPP motion:
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11	9/11/2015	-	4.90 hours
12	9/14/2015	-	2.70 hours
13	9/23/2015	-	2.60 hours
14	9/29/2015	-	8.50 hours
15	10/1/2015	-	1.10 hours
16	10/2/2015	-	7.80 hours
17	10/5/2015	-	6.00 hours

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20
21 These figures total 33.60 hours, or slightly more than 4 full 8 hour days. In
22 my professional opinion, this amount of time for research only in connection with
23 the SLAPP motion is unreasonable, excessive, and unnecessary. In my
24 professional opinion, 8.0 hours, or one full work day, is a reasonable period of
25 time to exclusively devote to researching the SLAPP motion of 23 pages,
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1 including declarations, that cited 33 cases and 3 statutes. In my professional
2 opinion, the time allowed for research should be reduced from 33.60 hours to 8.0
3
4 hours.

5 8. The Artiano law firm claims to have worked the following days and hours
6 preparing the initial SLAPP motion:
7

8 9/29/2015 - 8.50 hours

9 9/30/2015 - 8.60 hours

10 10/6/2015 - 8.80 hours

11 10/12/2015 - 0.90 hours

12 10/14/2015 - 1.30 hours

13 10/15/2015 - 5.80 hours

14 10/20/2015 - 3.70 hours

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18 These figures total 37.60 hours, or almost 5 full days. This is in addition to 33.60
19 hours, or slightly more than 4 full 8 hour days, spent researching the Motion. In
20 my professional opinion, this amount of time for preparation of the SLAPP motion
21 is unreasonable, excessive, and unnecessary. In my professional opinion, 16.0
22 hours, or two full work days, is a reasonable period of time to exclusively devote
23 to preparing the SLAPP motion of 23 pages, including declarations, that cited 33
24 cases and 3 statutes. In my professional opinion, the time allowed for preparation
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1 of the motion should be reduced from 37.60 hours to 16.0 hours. This will allow
2 the Artiano law firm a total of 24 hours or 3 full work days to research and prepare
3 the SLAPP motion consisting of 23 pages, including declarations, that cited 33
4 cases and 3 statutes.
5

6
7 9. The Artiano law firm claims to have worked the following days and hours
8 researching the reply to the opposition to the initial SLAPP motion:

9 11/5/2015 - 0.6 hours

10 11/6/2015 - 8.3 hours

11 11/10/2015 - 8.2 hours
12

13
14 These figures total 17.10 hours, or slightly more than 2 full 8 hour days. In
15 my professional opinion, this amount of time for research only in connection with
16 the reply to the SLAPP motion is unreasonable, excessive, and unnecessary. In my
17 professional opinion, 4.0 hours, or one-half full work day, is a reasonable period
18 of time to exclusively devote to researching a reply to the opposition to the SLAPP
19 motion of 23 pages, including declarations, that cited 33 cases and 3 statutes. In
20 my professional opinion, the time allowed for research should be reduced from
21 17.10 hours to 4.0 hours.
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25 10. The Artiano law firm claims to have worked the following days and
26 hours preparing the reply to the opposition to the initial SLAPP motion:
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1 11/9/2015 - 8.0 hours
2
3 11/11/2015 - 7.20 hours
4
5 11/12/2015 - 1.4 hours
6
7 11/13/2015 - 1.9 hours

8 These figures total 18.50 hours, or almost two and one-half full days
9 actually preparing the reply to the opposition. This is in addition to 17.10 hours, or
10 slightly more than 2 full 8 hour days, spent researching the reply to the opposition
11 to the Motion, making a total of 35.60, or 4 and one half full days spent
12 researching and preparing a reply to the opposition to the Motion. In my
13 professional opinion, this amount of time for preparation of the reply to the
14 opposition to the SLAPP motion is unreasonable, excessive, and unnecessary. In
15 my professional opinion, 4.0 hours is a reasonable period of time to exclusively
16 devote to preparing the reply to the opposition to the SLAPP motion. In my
17 professional opinion, the time allowed for preparation of the reply to the
18 opposition to the motion should be reduced from 18.50 hours to 4.0 hours. This
19 will allow the Artiano law firm a total of one full 8 hour day to research and
20 prepare the reply to the opposition to the SLAPP motion.
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25 11. The Artiano law firm claims to have worked the following days and
26 hours in communications with their clients:
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8/20/2015	-	1.30 hours
9/03/2015	-	0.6 hours
9/14/2015	-	8.30 hours
9/17/2015	-	1.0 hours
10/19/2015	-	2.60 hours
10/20/2015	-	3.70 hours
10/22/2015	-	0.4 hours
10/23/2015	-	0.7 hours
10/26/2015	-	2.60 hours
10/27/2015	-	5.70 hours
11/6/2015	-	0.4 hours
11/8/2015	-	.50 hours
11/18/2015	-	0.4 hours

These figures total 28.20 hours, or almost 3.5 full days, communicating with the defendants. In my professional opinion, this amount of time communicating with the defendants for a simple SLAPP motion is unreasonable, excessive, and unnecessary. In my professional opinion, no more than 4.0 hours, or one-half work day, is a reasonable period of time to exclusively devote to communicating with the defendants regarding the preparing the SLAPP motion of 23 pages, including

1 declarations, that cited 33 cases and 3 statutes. In my professional opinion, the
2 time allowed for communicating with the defendants should be reduced from
3
4 28.20 hours to 4.0 hours.

5 12. The Artiano law firm claims to have worked the following days and
6
7 hours in analyzing the tentative ruling and preparing for and attending oral
8 argument:

9 11/19/2015 - 1.5 hours
10
11 11/19/2015 - 3.8 hours
12
13 11/20/2015 - 7.20 hours
14
15 11/20/2015 - 5.3 hours

16 These figures total 17.8 hours, or more than two full days, to obtain the
17 tentative ruling from the internet, review it, and prepare for and attend oral
18 argument. In my professional opinion, this amount of time to obtain the tentative
19 and prepare for and attend the hearing is unreasonable, excessive, and
20 unnecessary. In my professional opinion, no more than 7.0 hours, or the 5.3 hours
21 to appear and argue plus 1.7 additional hours to obtain and review the tentative is
22 a reasonable period of time. In my professional opinion, the time allowed for this
23
24 should be reduced from 17.8 hours to 7.0 hours.
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1 13. The Artiano law firm billed a total of 160.60 hours. Of this, 152.80
2 hours are analyzed hereinabove in Paragraphs 7, 8, 9, 10, 11 and 12 hereinabove.
3
4 It is my professional opinion, as stated hereinabove in Paragraphs 7, 8, 9, 10, 11
5 and 12 hereinabove, that those 152.8 hours should be reduced to a total of 43
6 hours. I believe the balance of the 7.80 hours billed by the Artiano law firm that
7 are not discussed in Paragraphs 7, 8, 9, 10, 11 and 12 hereinabove are reasonable.
8
9 Therefore, it is my professional opinion that a reasonable amount of hours to
10 prepare the SLAPP motion is 50.80 hours. These should be billed at the rate of
11 \$195.00 per hour, which is the highest hourly rate billed by the Artiano law firm.
12
13 This results in a total reasonable attorney fee of \$9,906.00.
14

15 14. At the outset, it is my professional opinion that all of the services
16 provided by Best, Best, and Krieger are unreasonable, excessive, and unnecessary.
17
18 Best, Best, and Kreiger did not even appear as an attorney of record in this
19 proceeding. More importantly, all of the services described on their billing are
20 duplicate the services performed by the Artiano Attorneys of Record and are
21 therefore unnecessary, excessive, and unreasonable.
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23 15. On August 11, 2015, Robert Hargreaves claims to have worked .5 hours
24 and Carlos Campos claims to have worked 3.5 hours on this case reviewing the
25 Complaint and talking with the District. Since coverage for this case was provided
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1 by the Special District Risk Management Authority Insurance who retained the
2 Artiano law firm, it is my professional opinion that these hours were unreasonable,
3 excessive, and unnecessary.
4

5 16. On August 12, 2015, Carlos Campos claimed to have worked .4 hours
6 on this case and Robert Hargraves claimed to have worked .3 hours on this case
7 for a total of 0.7 hours. It is impossible to determine from the time sheets what was
8 accomplished by these attorneys in 0.7 hours. Since coverage for this case was
9 provided by the Special District Risk Management Authority Insurance who
10 retained the Artiano law firm, it is my professional opinion that these hours were
11 unreasonable, excessive, and unnecessary.
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15 17. On August 13, 2015, Carlos Campos claimed to have worked 1.5 hours
16 on this case and Robert Hargraves claimed to have worked .2 hours on this case
17 for a total of 1.7 hours reviewing the Summons and the laws for signing a Notice
18 and Acknowledgment of Summons and Complaint. Since coverage for this case
19 was provided by the Special District Risk Management Authority Insurance who
20 retained the Artiano law firm, it is my professional opinion that these hours were
21 unreasonable, excessive, and unnecessary.
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25 18. On August 17, 2015, Joseph Ortiz claimed to have worked 1.1 hours on
26 this case reviewing the Complaint for a total of 1.1 hours. Since coverage for this
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1 case was provided by the Special District Risk Management Authority Insurance
2 who retained the Artiano law firm, it is my professional opinion that these hours
3
4 were unreasonable, excessive, and unnecessary.

5 19. On August 18, 2015, Joseph Ortiz claimed to have worked .8 hours on
6
7 this case and Robert Hargraves claimed to have worked .3 hours on this case for a
8 total of 1.1 hours reviewing correspondence and dealing with signing a Notice and
9 Acknowledgment of Service of Summons and Complaint. Since coverage for this
10 case was provided by the Special District Risk Management Authority Insurance
11 who retained the Artiano law firm, it is my professional opinion that these hours
12
13 were unreasonable, excessive, and unnecessary.
14

15 20. On August 20, 2015, Joseph Ortiz claimed to have worked .8 hours on
16
17 this case consulting with assigned insurance counsel for a total of .8 hours. Since
18 coverage for this case was provided by the Special District Risk Management
19 Authority Insurance who retained the Artiano law firm, it is my professional
20
21 opinion that these hours were unreasonable, excessive, and unnecessary.

22 21. On August 22, 2015, G. Henry Wells claimed to have worked 2.8 hours
23
24 on this case reviewing the Complaint for a total of 2 .8 hours. Since coverage for
25 this case was provided by the Special District Risk Management Authority
26 Insurance who retained the Artiano law firm, it is my professional opinion that
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1 these hours were unreasonable, excessive, and unnecessary.

2 22. On August 24, 2015, Douglas S. Phillips claimed to have worked 5.0
3 hours on this case reviewing the Complaint for a total of 5.0 hours. Since coverage
4 for this case was provided by the Special District Risk Management Authority
5 Insurance who retained the Artiano law firm, it is my professional opinion that
6 these hours were unreasonable, excessive, and unnecessary.
7

8 23. As of August 24, 2015, various members of the law firm of Best, Best,
9 and Krieger claim to have spent a total of 15.20 hours reviewing Plaintiff's
10 Complaint and determining how to sign a Notice and Acknowledgment of Service
11 of Summons and Complaint. Since coverage for this case was provided by the
12 Special District Risk Management Authority Insurance who retained the Artiano
13 law firm, it is my professional opinion that these hours are not only unreasonable,
14 excessive, and unnecessary; they are ridiculous for such a perfunctory task. Either
15 the defendants signed the Notice and Acknowledgment of Service and returned it
16 or decided not to sign and return it and be personally served. It could not have
17 possibly taken competent attorneys 15.20 hours to resolve this issue.
18

19 24. On August 28, 2015, Douglas S. Phillips claimed to have worked 3.0
20 hours on this case preparing a special motion to strike the Complaint for a total of
21 3.0 hours. Since coverage for this case was provided by the Special District Risk
22

1 Management Authority Insurance who retained the Artiano law firm, and since all
2 of this work was duplicated by the Artiano law firm which also spent 71.20 hours
3 researching and preparing the special motion to strike the Complaint, it is my
4 professional opinion that these hours were unreasonable, excessive, and
5 unnecessary.
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8 25. On August 31, 2015, G. Henry Wells claimed to have worked 3.0
9 hours on the Sullivan Complaint. I fail to understand why work on the Sullivan
10 Complaint is a cost that can be recovered from Dr. Solomon. In addition, since
11 coverage for this case was provided by the Special District Risk Management
12 Authority Insurance who retained the Artiano law firm, and since all of this work
13 was duplicated by the Artiano law firm which also spent 71.20 hours researching
14 and preparing the special motion to strike the Complaint, it is my professional
15 opinion that these hours were unreasonable, excessive, and unnecessary even if
16 Mr. Wells was in fact working on the Solomon Complaint instead of the Sullivan
17 Complaint.
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22 26. On August 19, 2015, Carlos Campos claimed to have worked 0.8
23 hours on this case drafting and editing an e-mail. Since coverage for this case was
24 provided by the Special District Risk Management Authority Insurance who
25 retained the Artiano law firm, it is my professional opinion that these hours were
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1 unreasonable, excessive, and unnecessary.

2 27. On August 19, 2015, Carlos Campos claimed to have worked 1.10
3 hours on this case drafting and editing e-mail and correspondence. Since coverage
4 for this case was provided by the Special District Risk Management Authority
5 Insurance who retained the Artiano law firm, it is my professional opinion that
6 these hours were unreasonable, excessive, and unnecessary.
7

8 28. On August 20, 2015, Carlos Campos claimed to have worked 0.40
9 hours conferring with Attorney Ortiz. Since coverage for this case was provided
10 by the Special District Risk Management Authority Insurance who retained the
11 Artiano law firm, it is my professional opinion that these hours were unreasonable,
12 excessive, and unnecessary.
13

14 29. On August 25, 2015, Carlos Campos claimed to have worked 0.40
15 hours conferring with unnamed defense counsel. Since coverage for this case was
16 provided by the Special District Risk Management Authority Insurance who
17 retained the Artiano law firm, it is my professional opinion that these hours were
18 unreasonable, excessive, and unnecessary.
19

20 30. On September 2, 2015, G. Henry Wells claimed to have worked 1.8
21 hours drafting a memo on a subject that cannot be ascertained from Exhibit A.
22 Since coverage for this case was provided by the Special District Risk
23

1 Management Authority Insurance who retained the Artiano law firm, it is my
2 professional opinion that these hours were unreasonable, excessive, and
3
4 unnecessary.

5 31. On September 9, 2015, Carlos Campos claimed to have worked 0.4
6 hours corresponding with defense counsel. Since coverage for this case was
7 provided by the Special District Risk Management Authority Insurance who
8 retained the Artiano law firm, it is my professional opinion that these hours were
9
10 unreasonable, excessive, and unnecessary.
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12 32. On September 10, 2015, Joseph Ortiz claimed to have worked 0.70
13 hours reviewing corresponding from his partner, Carlos Campos. Since coverage
14 for this case was provided by the Special District Risk Management Authority
15 Insurance who retained the Artiano law firm, it is my professional opinion that
16
17 these hours were unreasonable, excessive, and unnecessary.
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19 33. On September 12, 2015, G. Henry Wells claimed to have worked 2.60
20 hours reviewing and finalizing a memo.. Since coverage for this case was provided
21 by the Special District Risk Management Authority Insurance who retained the
22
23 Artiano law firm, it is my professional opinion that these hours were unreasonable,
24
25 excessive, and unnecessary.
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1 34. On September 14, 2015, G. Henry Wells claimed to have worked 1.00
2 hours preparing for and attending a meeting with defense counsel and his partner,
3 Carlos Campos. Since coverage for this case was provided by the Special District
4 Risk Management Authority Insurance who retained the Artiano law firm, it is my
5 professional opinion that these hours were unreasonable, excessive, and
6 unnecessary and duplicating work performed by the Artiano law firm.
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9 35. On September 14, 2015, Carlos Campos claimed to have worked 2.50
10 hours preparing for and attending a meeting with defense counsel and his partner,
11 Carlos Campos. Since coverage for this case was provided by the Special District
12 Risk Management Authority Insurance who retained the Artiano law firm, it is my
13 professional opinion that these hours were unreasonable, excessive, and
14 unnecessary and duplicating work performed by the Artiano law firm.
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17 36. On October 15, 2015, Carlos Campos claimed to have worked 1.00
18 hours reviewing declarations and correspondence regarding the SLAPP motion.
19 Since coverage for this case was provided by the Special District Risk
20 Management Authority Insurance who retained the Artiano law firm, it is my
21 professional opinion that these hours were unreasonable, excessive, and
22 unnecessary and duplicating work performed by the Artiano law firm.
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1 37. On October 16, 2015, G. Henry Wells claimed to have worked 2.00
2 hours reviewing and revising the SLAPP motion. Since coverage for this case was
3 provided by the Special District Risk Management Authority Insurance who
4 retained the Artiano law firm, it is my professional opinion that these hours were
5 unreasonable, excessive, and unnecessary and duplicating work performed by the
6 Artiano law firm.
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9 38. On October 16, 2015, G. Henry Wells claimed to have worked an
10 additional 2.30 hours reviewing and revising the SLAPP motion. Since coverage
11 for this case was provided by the Special District Risk Management Authority
12 Insurance who retained the Artiano law firm, it is my professional opinion that
13 these hours were unreasonable, excessive, and unnecessary and duplicating work
14 performed by the Artiano law firm.
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18 39. On October 16, 2015, Carlos Campos claimed to have worked 0.3
19 hours reviewing revised declarations and correspondence regarding the SLAPP
20 motion. Since coverage for this case was provided by the Special District Risk
21 Management Authority Insurance who retained the Artiano law firm, it is my
22 professional opinion that these hours were unreasonable, excessive, and
23 unnecessary and duplicating work performed by the Artiano law firm.
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1 40. On October 16, 2015, Carlos Campos claimed to have worked an
2 additional 0.3 hours reviewing revised declarations and correspondence regarding
3 the SLAPP motion. Since coverage for this case was provided by the Special
4 District Risk Management Authority Insurance who retained the Artiano law firm,
5 it is my professional opinion that these hours were unreasonable, excessive, and
6 unnecessary and duplicating work performed by the Artiano law firm.
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9 41. On October 22, 2015, Carlos Campos claimed to have worked 1.70
10 hours reviewing revised declarations and correspondence regarding the **filed**
11 SLAPP motion. Since coverage for this case was provided by the Special District
12 Risk Management Authority Insurance who retained the Artiano law firm, it is my
13 professional opinion that these hours were unreasonable, excessive, and
14 unnecessary and duplicating work performed by the Artiano law firm.
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18 42. On October 22, 2015, Carlos Campos claimed to have worked 0.8
19 hours reviewing and respond to correspondence and request a copy of final report
20 and exhibits regarding the **filed** SLAPP motion. Since coverage for this case was
21 provided by the Special District Risk Management Authority Insurance who
22 retained the Artiano law firm, it is my professional opinion that these hours were
23 unreasonable, excessive, and unnecessary and duplicating work performed by the
24 Artiano law firm.
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1 43. On October 23, 2015, Robert W. Hargreaves claimed to have worked
2 0.3 hours reviewing e-mails. Since coverage for this case was provided by the
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4 Special District Risk Management Authority Insurance who retained the Artiano
5 law firm, it is my professional opinion that these hours were unreasonable,
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7 excessive, and unnecessary and duplicating work performed by the Artiano law
8 firm.

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10 44. On October 23, 2015, Carlos Campos claimed to have worked 0.9
11 hours reviewing correspondence regarding the **filed** SLAPP motion. Since
12 coverage for this case was provided by the Special District Risk Management
13 Authority Insurance who retained the Artiano law firm, it is my professional
14 opinion that these hours were unreasonable, excessive, and unnecessary and
15 duplicating work performed by the Artiano law firm.
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18 45. On October 25, 2015, Carlos Campos claimed to have worked 0.8
19 hours re strategy and an upcoming board meeting; correspondence with defense
20 counsel, and correspondence with Carlos Campos regarding the **filed** SLAPP
21 motion. Since coverage for this case was provided by the Special District Risk
22 Management Authority Insurance who retained the Artiano law firm, it is my
23 professional opinion that these hours were unreasonable, excessive, and
24 unnecessary and duplicating work performed by the Artiano law firm.
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1 46. On October 26, 2015, Robert Hargreaves claimed to have worked 0.8
2 hours reviewing emails and a conference with Carlos Campos regarding the **filed**
3 SLAPP motion. Since coverage for this case was provided by the Special District
4 Risk Management Authority Insurance who retained the Artiano law firm, it is my
5 professional opinion that these hours were unreasonable, excessive, and
6 unnecessary and duplicating work performed by the Artiano law firm.
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9 47. On October 26, 2015, Carlos Campos claimed to have worked 1.20
10 hours reviewing the **filed** SLAPP motion, reviewing correspondence and
11 revisions, and conferences with the district and defense counsel. Since coverage
12 for this case was provided by the Special District Risk Management Authority
13 Insurance who retained the Artiano law firm, it is my professional opinion that
14 these hours were unreasonable, excessive, and unnecessary and duplicating work
15 performed by the Artiano law firm.
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19 48. On November 11, 2015, Carlos Campos claimed to have worked 0.3
20 hours reviewing a draft reply brief to the **filed** SLAPP motion. Since coverage for
21 this case was provided by the Special District Risk Management Authority
22 Insurance who retained the Artiano law firm, it is my professional opinion that
23 these hours were unreasonable, excessive, and unnecessary and duplicating work
24 performed by the Artiano law firm.
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1 49. On November 13, 2015, Carlos Campos claimed to have worked 0.8
2 hours reviewing a draft reply brief to the **filed** SLAPP motion and responding to e-
3 mail correspondence. Since coverage for this case was provided by the Special
4 District Risk Management Authority Insurance who retained the Artiano law firm,
5 it is my professional opinion that these hours were unreasonable, excessive, and
6 unnecessary and duplicating work performed by the Artiano law firm.
7

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9 50. On November 15, 2015, Carlos Campos claimed to have worked 0.4
10 hours reviewing correspondence. Since coverage for this case was provided by the
11 Special District Risk Management Authority Insurance who retained the Artiano
12 law firm, it is my professional opinion that these hours were unreasonable,
13 excessive, and unnecessary and duplicating work performed by the Artiano law
14 firm.
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18 51. On November 19, 2015, G. Henry Wells claimed to have worked 0.5
19 hours reviewing the reply brief and analyzing and composing e-mail
20 correspondence. Since coverage for this case was provided by the Special District
21 Risk Management Authority Insurance who retained the Artiano law firm, it is my
22 professional opinion that these hours were unreasonable, excessive, and
23 unnecessary and duplicating work performed by the Artiano law firm.
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1 52. On November 19, 2015, Carlos Campos claimed to have worked 1.20
2 hours reviewing the tentative opinion, conferring with defense counsel, and
3 drafting a statement to the Board. Since coverage for this case was provided by the
4 Special District Risk Management Authority Insurance who retained the Artiano
5 law firm, it is my professional opinion that these hours were unreasonable,
6 excessive, and unnecessary and duplicating work performed by the Artiano law
7 firm.
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11 53. On November 20, 2015, Carlos Campos claimed to have worked 1.00
12 hours corresponding with defense counsel. Since coverage for this case was
13 provided by the Special District Risk Management Authority Insurance who
14 retained the Artiano law firm, it is my professional opinion that these hours were
15 unreasonable, excessive, and unnecessary and duplicating work performed by the
16 Artiano law firm.
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18
19 54. On September 1, 2015, after this action was filed, but before any
20 appearance was made by Defendant, I personally had a telephone call with
21 Defendants counsel, Jeffrey A. Morris. I told him that this case would be
22 dismissed without payment of any money, attorney fees, or court costs if the Board
23 agreed to terminate the employment of Defendant KATHY GRECO. This
24 conversation is noted on Defendants Exhibit C of Defendants lodgment in support
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1 of Motion for Attorney Fees. Mr. Morris promised to discuss this with the Board.

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3 55. When I did not hear back from Mr. Morris, I again telephoned him to
4 inquire as to the status of this offer. Mr. Morris replied that the offer was rejected
5 outright.

6
7 I DECLARE UNDER PENALTY OF PERJURY THAT THE
8 FOREGOING IS TRUE AND CORRECT.

9 EXECUTED ON JANUARY 16, 2016 AT PALM SPRINGS,
10 CALIFORNIA

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14 
15 CLARK GAREN, DECLARANT

1 PROOF OF SERVICE BY MAIL

2 (1013a, 2015.5 C.C.P.)

3 STATE OF CALIFORNIA)
4 COUNTY OF RIVERSIDE) S.S.

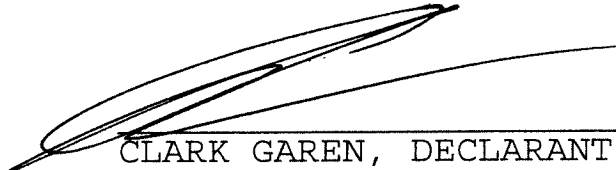
5 I am a citizen of the United States and a Resident
6 of the County Aforesaid; I am over the age of eighteen
7 years and not a party to the within entitled action;
8 my business address is:
9 17100 NORTH INDIAN, NORTH PALM SPRINGS, CALIFORNIA
10 92258

11 On January 18, 2016, I served the within
12 DECLARATION OF CLARK GAREN IN OPPOSITION TO DEFENDANTS MOTION FOR
13 ATTORNEY FEES on the interested parties herein in said
14 action by placing a true copy thereof enclosed in a
15 sealed envelope with postage thereon fully prepaid, in
16 the United States mail at NORTH PALM SPRINGS,
17 CALIFORNIA addressed as follows:

18 ARTIANO, SHINOFF & HOLTZ,
19 ATTORNEYS AT LAW,
20 17710 JEFFERSON AVENUE,
21 SUITE 102,
22 TEMECULA, CALIFORNIA 92590

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE
24 FOREGOING IS TRUE AND CORRECT.

25 EXECUTED ON JANUARY 18, 2016 AT PALM SPRINGS,
26 CALIFORNIA

27
28

CLARK GAREN, DECLARANT