Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R25-0374
August 5, 2025

REPORT RE:

REQUEST FOR ATTORNEY FEES, PURSUANT TO THE RULING IN *FRIENDS OF WESTWANDA DRIVE v. CITY OF LOS ANGELES, et al.* LOS ANGELES SUPERIOR COURT CASE NO. 20STCP03490 (COUNCIL DISTRICT 5)

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

This report requests that the City Council approve the payment of $212,025.15 plus applicable interest in attorneys' fees pursuant to a ruling issued against the City in the above lawsuit regarding a challenge to the building permits issued to construct a single-family home at 10034 Westwanda Drive.

Background

In 2018, Real Parties Karla Shahin and Armen Melkonians (Real Parties) applied to build a two-story home at 10034 West Westwanda Drive and permits were issued. Friends of Westwanda Drive (Petitioner) filed a petition for a writ of mandate challenging the Los Angeles Department of Building and Safety's (LADBS) issuance of building permits. Petitioner contended that LADBS's erred in its determination that Westwanda Drive is 20-feet in width in all locations as required by Los Angeles Municipal Code Section 12.21.C. The case proceeded to trial and the Court granted the writ of mandate agreeing that no substantial evidence supported LADBS's determination that Westwanda Drive is 20-feet in width in all locations. The Court of Appeal affirmed the Court's ruling.

Petitioner subsequently filed a motion for attorneys' fees and the Court granted the motion, in part, and awarded attorneys' fees in the amount of $212,025.15 jointly and severally with Real Parties. The ruling reflects an approximate 66 percent reduction of the original attorney fee request of $629,813.50.

The attorney fee ruling, which contains both the factual and procedural background of the case, is attached to this report as Exhibit A. Neither the City, Real Parties, nor Petitioner appealed the fee award.

Recommendation

This Office requests the City Council, subject to the approval of the Mayor, approve the payment of attorneys' fees in the amount of $212,025.15 plus applicable interest by doing the following:

1. Authorize payment of the Court-ordered attorneys' fees in the total amount of $212,025.15 plus applicable interest from the Liability Claims Fund No. 100/59, Account No. 009798 – Miscellaneous Liability Payouts. The demand drawn on said fund shall be paid as follows: Channel Law Group LLP.

2. Authorize this Office to deliver the warrants payable to Channel Law Group LLP, contemporaneous with receipt of a Notice of Satisfaction of the attorneys' fee awarded against the City.

3. Authorize this Office to make necessary technical adjustments, subject to approval of the City Administrative Officer, and that the Controller be authorized to implement the instructions.

If you have any questions regarding this matter, please contact the undersigned at (213) 978-8248. A member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By
K. LUCY ATWOOD
Deputy City Attorney

KLA:jr
Attachment
M:\Real Prop_Env_Land Use\Land Use\Lucy Atwood\Westwanda - Friends of\Report re Fees\Westwanda 2025.05.07 Westwanda Fee Report (06.30.25glt)-dw (1).docx

EXHIBIT A

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Attorneys for Petitioner,
FRIENDS OF WESTWANDA DRIVE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

FRIENDS OF WESTWANDA DRIVE, an unincorporated association, *Petitioner,* vs. CITY OF LOS ANGELES, a municipal corporation; LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY; and DOES 1-10 *Respondents,*	Case No. 20STCP03490 **NOTICE OF RULING ON MOTION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS** *Assigned for all purposes to:* *Honorable Curtis A. Kin* *Department 86* *Action Filed: October 22, 2020*
KARLA SHAHIN, ARMEN MELKONIANS; and ROES 11-20 *Real Parties in Interest*	

Channel Law Group, LLP
8383 Wilshire Blvd., Suite 750
Beverly Hills, CA 90211

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE of the Court's January 16, 2025 Ruling on Petitioner's Motion for an Award of Attorneys' Fees and Costs attached hereto at **Exhibit 1.**

Dated: January 22, 2025

By: _____

Jamie T. Hall
CHANNEL LAW GROUP, LLP
Attorneys for Petitioner Friends of Westwanda Drive

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EXHIBIT 1

Superior Court of California
County of Los Angeles

FRIENDS OF WESTWANDA DRIVE, Petitioner, vs. CITY OF LOS ANGELES, *et al.*, Respondents,	Case No. 20STCP03490 [PROPOSED] RULING ON MOTION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS Dept. 86 (Hon. Curtis A. Kin)
KARLA SHAHIN, *et al.*, Real Parties in Interest.	

Petitioner Friends of Westwanda Drive moves for an award of attorney fees and costs in the amount of $629,813.50 against respondents City of Los Angeles ("City") and Los Angeles Department of Building and Safety and real parties in interest Karla Shahin and Armen Melkonians, jointly and severally. The Motion is GRANTED IN PART.

I. Background

A. Facts

The Court adopts the Court of Appeal's summary of the facts and administrative appeals:

"Karla Shahin owns a lot on Westwanda Drive in Benedict Canyon. The lot sits on the corner of Westwanda Drive and Stowell Lane in a hillside residential development. Any home construction is therefore regulated by the Single-family Zone Hillside Development Standards of section 12.21.

"Real parties in interest Shahin and her husband Armen Melkonians (collectively real parties) planned to build a two-story single-family home and a site retaining wall and to have the lot graded. Shahin applied to the Department of Building and Public Safety/Public Works (LADBS) for the necessary ministerial permits.

"In May 2018, the City's Bureau of Engineering (BOE) determined Westwanda Drive and Stowell Lane, the two roadways adjacent to the Shahin lot, satisfied the minimum roadway width requirement of 20 feet pursuant to section 12.21.C.10(i)(3). BOE relayed an electronic clearance to LADBS, which issued the requested permits to Shahin.

"Neighborhood residents became concerned the permits were issued to Shahin in error. Friends of Westwanda Drive (Friends) believed Westwanda Drive did not meet the minimum roadway width requirement and notified the LADBS and BOE.

"At some point, BOE conducted a survey and informed LADBS of the result. The survey confirmed that multiple portions of Westwanda Drive measured less than 20 feet in width. Many permits had been issued to residents based on this 'mistaken information.' On September 6, 2018, BOE declined to take 'any other action.'" (*Friends of Westwanda Drive v. City of Los Angeles* (2024) 2024 WL 220447, at *1, footnote omitted.)

B. Administrative Appeals

The Court adopts the Court of Appeal's summary of the administrative appeals:

"On February 27, 2020, Friends filed an appeal (a request for modification), contesting the issuance of the permits to Shahin. Friends contended LADBS issued the permits in error based on BOE's erroneous clearance. A survey, commissioned by Friends, showed Westwanda Drive measured less than the minimum roadway width requirement in many places. As a result, Friends argued, no building or grading permits could be issued unless the street was widened to 20 feet or a zoning administrator determination (ZAD) was granted in accordance with section 12.21.C.10(i)(3). Shahin's permits should, therefore, be revoked as prematurely issued. On March 10, 2020, LADBS denied the appeal without comment or written findings.

"Friends next appealed to the Board of Building and Safety Commissioners (BBSC). BBSC held a public hearing on July 28, 2020, during which Friends's appeal was considered. According to a LADBS staff member's testimony and report on appeal, only one of Friends's issues fell within BBSC's purview—whether LADBS erred or abused its discretion in issuing permits based on BOE's erroneous clearance. LADBS's position was BOE's task was to verify that section 12.21.C.10(i)(3)'s

requirements had been met before issuing a clearance. LADBS was therefore authorized to rely on BOE's clearance and grant permits where, as here, the clearance was never rescinded.

"An LADBS representative testified despite BOE's initial e-mails to the contrary, 'after further evaluation, it was agreed that this clearance was not issued in error.' No further explanation was provided; no one from BOE testified.

"BBSC's deliberations suggest at least one commissioner believed LADBS had no authority to override a determination by a different City agency, namely BOE. Another commissioner echoed the LADBS staff member's argument that LADBS did not err by granting permits based on the BOE clearance, which was never canceled or withdrawn.

"On July 31, 2020, BBSC issued a letter of determination that 'LADBS properly complied with all regulations and policies.' BBSC later denied Friends's motion for reconsideration." (*Friends of Westwanda Drive,* 2024 WL 220447, at *1-2, footnote omitted.)

C. Procedural History

On October 22, 2020, petitioner filed a Verified Petition for Writ of Mandate, asserting a first cause of action for traditional mandate based on LADBS's issuance of building permits and a second cause of action for administrative mandate based on BBSC's denial of petitioner's appeal. (*See* Pet. ¶¶ 23, 32.) The City[1] and real parties filed separate oppositions to petitioner's opening brief.

On November 9, 2021, the Court[2] tentatively denied the City's defense of exhaustion of administrative remedies, subject to further argument concerning the standard of review and whether petitioner had an adequate remedy under the Los Angeles Municipal Code ("LAMC"). (11/9/21 Minute Order at 11-12.)

On January 4, 2022, the Court conducted a further hearing on the writ petition. The Court ordered the parties to file simultaneous briefs on the interpretation of LAMC section 12.21.C.10(i)(3) and the City's position in prior litigation about the subject property. (1/4/22 Minute Order at 1.) On January 25, 2022, petitioner, the City, and real parties filed supplemental briefs, as ordered.

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[1] In the answer to the Petition, the City alleged that LADBS, which was separately named as a respondent, is not a separate entity from the City. (City Answer at 2, fn. 1.) Accordingly, reference to the City hereinafter includes LADBS.

[2] Prior to the instant motion, the matter was heard by the Honorable Mary H. Strobel. All references to the Court in discussing the procedural history refer to Judge Strobel.

On February 7, 2022, the Court granted the petition as to both causes of action, finding that no substantial evidence supported LADBS's determination that Westwanda Drive is 20 feet in width in all locations, as required under LAMC § 12.21.C.10(i)(3). (2/7/22 Minute Order at 13, 19.) The Court set a further hearing to discuss the appropriate remedy and allowed the parties to file supplemental briefs. (*Id.* at 19.) On February 22, 2022, petitioner, the City, and real parties filed supplemental briefs concerning the remedy.

On March 9, 2022, real parties filed declarations indicating that they obtained a new BOE clearance and that a supplemental permit, which added the BOE clearance to the original permit, was issued. (3/9/22 Shahin Decl. ¶¶ 2, 3 & Ex. 2; 3/9/22 Melkonians Decl. ¶ 2.) The Clearance Summary Worksheet from LADBS indicated that a building permit was obtained to widen Westwanda Drive to comply with the minimum 20-foot roadway width requirement. (3/9/22 Shahin Decl. ¶ 2 & Ex. 1.) A bond had been posted, and the street was to be widened before a certificate of occupancy would be issued. (*Ibid.*)

On March 10, 2022, the Court issued a ruling indicating that the Court "will issue a writ directing LADBS to rescind the Building Permits; directing BBSC to set aside its decision affirming LADBS's issuance of the Building Permits." (3/10/22 Minute Order at 1.) The Court indicated that its decision was based on the BBSC decision that was challenged, not the new evidence provided by real parties on March 9, 2022, as petitioner did not have the opportunity to consider the new evidence and the record had not been augmented. (*Ibid.*)

On May 12, 2022, the Court entered judgment in favor of petitioner and issued a peremptory writ of mandate directing LADBS to revoke the building permits and BBSC to set aside its denial of petitioner's appeal challenging the issuance of the permits.

On June 6, 2022, real parties filed a motion for new trial based on the new BOE clearance and issuance of a supplemental permit, which purportedly rendered petitioner's challenge to the City's actions moot. (6/6/22 Motion at 3:3-14.) The City joined the motion. On July 14, 2022, the Court denied the motion for new trial.

On August 30, 2022, the Court denied petitioner's motion to determine the City's compliance with the writ.

Real parties, but not the City, filed an appeal with the Court of Appeal. On January 22, 2024, the Court of Appeal affirmed the judgment. On April 2, 2024, remittitur was issued.

II. Analysis

Petitioner seeks an award of attorney fees pursuant to Code of Civil Procedure § 1021.5. "Upon motion, a court may award attorneys' fees to a successful party against one or more opposing parties in any action which has resulted in the enforcement of an important right affecting the public interest...." (CCP § 1021.5.) "[E]ligibility for section 1021.5 attorney fees is established when '(1) plaintiffs' action "has resulted in the enforcement of an important right affecting the public interest," (2) "a significant benefit, whether pecuniary or nonpecuniary has been conferred on the general public or a large class of persons" and (3) "the necessity and financial burden of private enforcement are such as to make the award appropriate."'" (*Conservatorship of Whitley* (2010) 50 Cal.4th 1206, 1214.)

A. Preliminary Matters

Petitioner's request to take judicial notice of Exhiibit 1, LAMC § 12.02, is GRANTED, pursuant to Evidence Code § 452(b).

Petitioner's supplemental request to take judicial notice of Exhibit 2, Class (B) Permit BR403143, is GRANTED, pursuant to Evidence Code § 452(c). (*Julian Volunteer Fire Co. Assn. v. Julian-Cuyamaca Fire Protection Dist.* (2021) 62 Cal.App.5th 583, 599 [judicial notice taken of official acts of local agencies].)

The City's objection to petitioner's use of single-spacing on pages 7 through 9 of the motion for attorney fees is OVERRULED. To the extent that use of double spacing pursuant to Rule of Court 2.108(a) would have caused the motion to exceed the 15-page limit set forth in Rule of Court 3.1113(d), thereby rendering the motion a late-filed paper under Rule of Court 3.1113(g), the Court would exercise its discretion to consider the opposition in its totality. (Rule of Court 3.1300(d) ["No paper may be rejected for filing on the ground that it was untimely submitted for filing. If the court, in its discretion, refuses to consider a late filed paper, the minutes or order must so indicate"].) Pages 7 through 9 substantially repeat the averments in counsel for petitioner's declaration. (*Compare* Mot. at 7-9 with Hal Decl. ¶ 17(a-m).) Accordingly, the single-spaced narrative of counsel for petitioner's work on this case does not constitute the type of overlength that would warrant a wholesale refusal to consider the motion.

The City's objection to petitioner's 11/14/24 errata is OVERRULED. In the supplemental declaration of counsel for petitioner filed on October 17, 2024, counsel sought to include a response to the City's objections to petitioner's fee entries. (Supp. Hall Decl. ¶ 9.) Counsel did not include the responses. Petitioner corrected this mistake in the notice of errata filed on November 14, 2024. (*See* 11/14/24 Notice of Errata at Supp. Hall Decl. ¶ 9 & Ex. 12.) Petitioner is not attempting to file an unauthorized sur-reply.

B. Entitlement to Fees

1. Successful Party

A party "may be considered successful if they succeed on any significant issue in the litigation that achieves some of the benefit they sought in bringing suit." (*Ebbetts Pass Forest Watch v. Department of Forestry & Fire Protection* (2010) 187 Cal.App.4th 376, 382.) In determining whether the issue upon which a party prevailed is significant, "the court must critically analyze the surrounding circumstances of the litigation and pragmatically assess the gains achieved by the action." (*Ibid.*)

Here, petitioner's main contention was that LADBS issued building permits for real parties' property in error because the property did not have a continuous paved roadway ("CPR") of at least 20 feet in width from the driveway apron to the boundary of the hillside area, as required by LAMC § 12.21.C.10.(i)(3). (Pet. ¶¶ 10, 11.) The Court (Judge Strobel) agreed. (2/7/22 Minute Order at 12 ["Since LADBS was presented with undisputed evidence that the 20-foot requirement was not met...it was arbitrary and capricious for LADBS to issue the permits simply because another city agency declined to rescind a clearance"].) Petitioner succeeded in obtaining a judgment in its favor and issuance of a writ of mandate ordering the revocation of the building permits and the vacating the affirmance of the issuance of the permits. This is the same relief sought in the writ petition. (Pet. Prayer for Relief ¶¶ 1(a), 2.) The Court of Appeal affirmed the judgment. (*Friends of Westwanda Drive,* 2024 WL 220447, at *6.)

The City argues that petitioner was not successful because real parties obtained an alternative clearance, which purportedly places petitioner in the same position as if this lawsuit had never been filed. The City ignores the reason why real parties obtained the alternative clearance – the fact that petitioner had won on its writ petition. (*See* 3/9/22 Melkonians Decl. ¶ 2 ["In order to cure the clearance and building permit found by this Court to have been issued in error, I have prepared, submitted and processed a street widening map for Westwanda Drive...resulting in a new, updated BOE clearance and a Supplemental Building Permit....]; *see also* 3/9/22 Shahin Decl. ¶ 2.) The City also fails to acknowledge that the alternative clearance obtained by real parties addresses petitioner's main contention in this action – that building permits for the subject property should not have been issued due to lack of a minimum 20-foot-wide CPR.

The City cites *Karuk Tribe of Northern California v. California Regional Water Quality Control Bd., North Coast Region* (2010) 183 Cal.App.4th 330 and *Center for Biological Diversity v. California Fish & Game Com.* (2011) 195 Cal.App.4th 128 and for the assertion that petitioner merely achieved a "do-over" and did not vindicate any important right. "In determining whether a plaintiff is a successful party for purposes of section 1021.5, '[t]he critical fact is the impact of the action, not the

manner of its resolution.' The trial court in its discretion 'must realistically assess the litigation and determine, from a practical perspective, whether or not the action served to vindicate an important right so as to justify an attorney fee award' under section 1021.5." (*Karuk*, 183 Cal.App.4th at 362, internal citations omitted.) *Karuk* and *Center for Biological Diversity* are both inapposite. In both cases, the plaintiffs obtained a remand to the administrative agencies, which reconsidered the matters and maintained their positions. (*See Center for Biological Diversity*, 195 Cal.App.4th at 131.) In both cases, the remand resulted in the agencies providing fuller explanations for their decisions. (*See Karuk*, 183 Cal.App.4th at 366; *Center for Biological Diversity*, 195 Cal.App.4th at 140.) By contrast, the Court here did not order any remand. Rather, petitioner obtained the relief sought – enforcement of LAMC § 12.21.C.10.(i)(3) through the revocation of the building permits and vacating of the denial of petitioner's appeal before the BBSC.

The City also argues that, because the clearance has not been completed, the success of plaintiff's suit cannot be evaluated. However, real parties have committed to the widening of Westwanda Drive by posting a bond. (Hall Decl. ¶ 21 & Ex. 10 [LADBS clearance summary worksheet indicates that bond for building permit posted; *Friends of Westwanda Drive*, 2024 WL 220447 at *2.)

The City also contends that petitioner has not challenged other parcels on Westwanda Drive that do not comply with the 20-foot roadway width requirement. However, the instant lawsuit pertained only to the property owned by real parties and their compliance with LAMC § 12.21.C.10.(i)(3). The compliance of other parcels with the LAMC does not dictate whether petitioner is entitled to fees under CCP § 1021.5.

Because petitioner prevailed on the essential issue in the litigation, petitioner is a successful party under section 1021.5.

2. Enforcement of Important Right Affecting the Public Interest

"In assessing whether an action has enforced an important right, courts should generally realistically assess the significance of that right in terms of its relationship to the achievement of fundamental legislative goals. As to the benefit, it may be conceptual or doctrinal and need not be actual and concrete; further, the effectuation of a statutory or constitutional purpose may be sufficient ... [However,] [t]he benefit must inure primarily to the public. Thus, the statute directs the judiciary to exercise judgment in attempting to ascertain the 'strength' or 'societal importance' of the right involved." (*Sandlin v. McLaughlin* (2020) 50 Cal.App.5th 805, 829, quoting *Choi v. Orange County Great Park Corp.* (2009) 175 Cal.App.4th 524, 531, internal quotations and citations omitted.)

"Where...the nonpecuniary benefit to the public is the proper enforcement of the law, the successful party must show that the law being enforced furthers a

significant policy." (*La Mirada Avenue Neighborhood Assn. of Hollywood v. City of Los Angeles* (2018) 22 Cal.App.5th 1149, 1158.)

As petitioner argues, the public interest vindicated in this action was the enforcement of zoning laws, specifically the 20-foot minimum CPR requirement under LAMC § 12.21.C.10.(i)(3). "[L]itigation brought to enforce...compliance with planning and zoning laws has been held to involve important rights affecting the public interest, and the private attorney general theory as codified in Code of Civil Procedure section 1021.5 applies to such suits." (*San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 753.)

LAMC § 12.21.C.10.(i)(3) is contained in Article 2 of the LAMC, which is known as the "Comprehensive Zoning Plan of the City of Los Angeles." (LAMC § 12.00.) LAMC § 12.02 declares that the regulations set forth in Article 2 are "necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air, and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewerage, schools, parks and other public requirements; and to promote health, safety, and the general welfare all in accordance with the comprehensive plan." Ensuring a minimum 20-foot-wide CPR promotes the general welfare, particularly facilitating the evacuation of residents during fires and access for fire trucks to put out the fires in a hillside neighborhood which may spread to the larger community. (Evans Decl. ¶¶ 4, 5; Grey Decl. ¶¶ 4, 5; Kadin Decl. ¶¶ 4, 5; Mims Decl. ¶¶ 4, 5; Rosen Decl. ¶¶ 4, 5.)

The City maintains that petitioner did not enforce an important right because real parties responded to the granting of the writ petition by obtaining a different clearance. As stated above, however, real parties obtained the alternative clearance in response to the Court's ruling on the writ petition, and the alternative clearance addresses petitioner's main contention in this case. The City cannot claim that real parties' response to the ruling on the writ petition did not implicate an important public right.

For the foregoing reasons, by obtaining a writ of mandate and affirmance on appeal, petitioner enforced an important right affecting the public interest, namely, the enforcement of zoning law.

3. Significant Benefit Conferred on General Public or Large Class of Persons

"Whether a successful party's lawsuit confers a 'significant benefit' on the general public or a large class of persons is a function of (1) 'the significance of the benefit,' and (2) 'the size of the class receiving [the] benefit.' [Citation.] In evaluating these factors, courts are to 'realistic[ally] assess[ ]' the lawsuit's 'gains' 'in light of all the pertinent circumstances.' [Citation.]" (*La Mirada,* 22 Cal.App.5th at 1158.) "A

benefit need not be monetary to be significant. (§ 1021.5 [defining "a significant benefit" as either "pecuniary or nonpecuinary"].) Where, as here, the nonpecuniary benefit to the public is the proper enforcement of the law, the successful party must show that the law being enforced furthers a significant policy. [Citation.]" (*La Mirada,* 22 Cal.App.5th at 1158.)

"[T]he significant benefit requirement of section 1021.5 requires more than a mere statutory violation." (*Burgess v. Coronado Unified School District* (2020) 59 Cal.App.5th 1, 9.) However, a significant benefit can be found "simply from the effectuation of a fundamental constitutional or statutory policy" "from a realistic assessment, in light of all the pertinent circumstances, of the gains which have resulted in a particular case." (*Woodland Hills Residents Assn., Inc. v. City Council* (1979) 23 Cal.3d 917, 939-40.)

For the reasons stated above with respect to enforcement of an important right, petitioner demonstrates that a significant benefit was conferred on the general public. (*La Mirada,* 22 Cal.App.5th at 1158 [finding when proper enforcement of law is the public benefit, "the significant benefit and important right requirements of section 1021.5 to some extent dovetail"].)

The City attempts to frame the result of this case as benefitting only Veronica and Francesco Di Ianni, the sole members of petitioner who lived next door to real parties, or at most, a small portion of Westwanda Drive. According to the City, the Di Iannis used the roadway width as a pretext to stop real parties' construction of a single-family home and were not concerned about the width of Westwanda Lane. The City points to email communications indicating that petitioner's main concern was stopping real parties' construction of a single-family home. (*See* Atwood Decl. ¶ 9 & Ex. B at 54 ["There are many grave issues regarding safety, parking, fire access etc. I believe every neighbor adjoining this parcel wants to fight to stop this project aggressively. Dozens (at least) of other neighbors on Westwanda and Reeevesbury strongly oppose a house on this tiny vertical lot."], 74 ["So now we all need to get together as a group and plan out actions effectively. [Melkonians] won this round and cut down the trees but we can't let him build here for sure"], 148 ["I am so enraged by this whole situation and my incapability to stop this guy from moving forward. I'd love to hear a ruling where they accept their mistake and restore the nature of this hill"].) After neighbors indicated that they preferred to allow the construction of real parties' home so that it would be completed faster, Ms. Di Ianni responded: "As you may recall the Hillside Ordinance limits the type of work that is possible on roads that have less than 20 feet of width and so we want to make sure that there has not been an agreement to widen the road (post construction for example) which would penalize the neighbors who live on those choke points on Westwanda." (Atwood Decl. ¶ 9 & Ex. B at 39.)

In a separate opposition, real parties argue that petitioner was solely concerned with personal benefits. Real parties point to a settlement offer from

petitioner indicating that petitioner sought concessions that would only benefit the Di Iannis, including the planting of trees for their privacy, temporary relocation costs, sound proofing of their residence, power washing, and installation of an air filtration system at their residence. (Real Parties Decl. ¶ 4 & Ex. A.)[3]

From the contemporaneous communications presented by the City, it appears that petitioner's main goal was to stop the construction of the home on the neighboring property, not to enforce the CPR requirement. Petitioner's attempts to claim otherwise through their deposition testimony, which took place on May 13, 2024 – after the issuance of the Court of Appeal's opinion – ring hollow. (*See* Supp. Hall Decl. ¶ 3 & Ex. 11 at 17:19-21 ["MRS. DI IANNI: Yeah. I mean -- yeah, the first one -- first and foremost was the safety, you know, to build on a hillside. And, yeah, that's, right."], 93:24-94:2 ["MR. DI IANNI:...As I stated earlier, our goal was very clear around insuring safety and security and insuring compliance with the hillside ordinance and not sending incorrect precedent for not only Westwanda as a community but other similar communities"].)

Nevertheless, "fees may not be denied merely because the primary effect of the litigation was to benefit the individual rather than the public." (*Indio Police Command Unit Assn. v. City of Indio* (2014) 230 Cal.App.4th 521, 543.) Petitioner's "personal economic interest and subjective motivation is irrelevant to the 'significant benefit' inquiry." (*Friends of Spring Street v. Nevada City* (2019) 33 Cal.App.5th 1092, 1110.) What matters is whether enforcement of the law at issue furthered a significant policy. (*La Mirada,* 22 Cal.App.5th at 1158.)

Here, the statutory policy behind the CPR requirement was the promotion of health, safety, and the general welfare, including the prevention and fighting of fires. (LAMC § 12.02.) The widening of Westwanda Drive will facilitate evacuation of residents and access for the Fire Department to prevent the spread of any fires. (Evans Decl. ¶¶ 4, 5; Grey Decl. ¶¶ 4, 5; Kadin Decl. ¶¶ 4, 5; Mims Decl. ¶¶ 4, 5; Rosen Decl. ¶¶ 4, 5.)

For the foregoing reasons, the Court finds that a significant benefit was bestowed on the general public or a large class of persons.

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[3] The settlement offer was presented in a different case, *Friends of Westwanda Drive v. City of Los Angeles et al.,* LASC Case No. 19STCP04113, which concerned whether a tree removal permit and construction of real parties' home were exempt from environmental review under the California Environmental Quality Act. (*Friends of Westwanda Drive v. City of Los Angeles* (2024) 2024 WL 220448 at *1.)

4. Necessity and Financial Burden of Private Enforcement

"[T]he necessity and financial burden requirement really examines two issues: whether private enforcement was necessary and whether the financial burden of private enforcement warrants subsidizing the successful party's attorneys." (*Whitley,* 50 Cal.4th at 1214.)

"The 'necessity' of private enforcement looks to the adequacy of public enforcement." (*Whitley*, 50 Cal.4th at 1215, citing *Lyons v. Chinese Hosp. Assn.* (2006) 136 Cal.App.4th 1331, 1348.) Here, as the City acted contrary to the LAMC in issuing the building permits for the subject property, private enforcement, *i.e.*, petitioner's commencement of this case, was necessary to enforce the LAMC. (*See Woodland Hills Residents Assn., Inc. v. City Council* (1979) 23 Cal.3d 917, 941 ["Inasmuch as the present action proceeded against the only governmental agencies that bear responsibility for the subdivision approval process, the necessity of private, as compared to public, enforcement becomes clear"].)

In evaluating the "financial burden of private enforcement," the Court evaluates the "costs of the litigation" as compared to "any offsetting financial benefits that the litigation yields or reasonably could have been expected to yield." (*Whitley*, 50 Cal.4th at 1215.) The Court engages in a "cost-benefit analysis" by "compar[ing] the estimated value of the case to the actual cost and mak[ing] a value judgment whether it is desirable to encourage litigation of that sort" by awarding fees. (*Robinson v. City of Chowchilla* (2011) 202 Cal.App.4th 382, 402.) An award of fees "is 'appropriate except where the expected value of the litigant's own monetary reward exceeds by a substantial margin the actual litigation costs.'" (*Ibid.*, quoting *Whitley*, 50 Cal.4th at 1216.)

The City argues that petitioner was concerned with the price at which real parties could sell their property, which purportedly tied into the value of the Di Iannis' property. (City Opp. at 16:3-9, citing Atwood Decl. ¶ 9 & Ex. B at 74 ["He may live in this house for 2 years and then sell it. It is an excellent flip as he bought the land for $75 000 and will be putting in $6-800 000 to build and he will have a home that he can sell it for at least 2M"].) Petitioner also expressed concern that real parties would sue their neighbors to correct the width of Westwanda Drive. (Atwood Decl. ¶ 9 & Ex. B at 178.) The City also contends that parking and privacy has monetary value. (*Hurwitz v. City of Orange* (2004) 122 Cal.App.4th 835, 856 [parking]; *Kallis v. Sones* (2012) 208 Cal.App.4th 1274, 1278-80 [trees].)

However, petitioner did not seek any particular pecuniary gain in the litigation. (*See Whitley,* 50 Cal.4th at at 1217 ["As a logical matter, a strong nonfinancial motivation does not change or alleviate the 'financial burden' that a litigant bears"].) Petitioner merely sought the revocation of the building permits and the vacating of the denial of petitioner's BBSC appeal. (Pet. Prayer for Relief ¶¶ 1, 2.)

The City's assertion of potential financial benefit to petitioner is entirely speculative. (*See Boatworks, LLC v. City of Alameda* (2019) 35 Cal.App.5th 290, 310, quoting *People v. Investco Management & Development LLC* (2018) 22 Cal.App.5th 443, 470 ["Where personal benefits are a step removed from the results of the litigation, the potential financial benefit is indirect and speculative," allowing trial court to conclude that financial burden requirement under section 1021.5 satisfied].) Indeed, it is difficult to quantify what, if any, financial gain petitioner has realized or reasonably could have expected to realize at the outset, including from preservation of parking and privacy, as well as prevention from any lawsuit from real parties for payment to compensate Westwanda Drive. With respect to property values, it is also unclear what financial benefit petitioner would have gained had real parties not been allowed to construct, and subsequently sell, a home on their property.

To the extent that petitioner sought personal benefits through this case, the Court notes "the purpose of section 1021.5 is not to compensate with attorney fees only those litigants who have altruistic or lofty motives, but rather all litigants and attorneys who step forward to engage in public interest litigation when there are insufficient financial incentives to justify the litigation in economic terms." (*Whitley,* 50 Cal.4th at 1211.)

For the foregoing reasons, the litigation costs exceeded any monetary reward that petitioner obtained or could have reasonably expected to obtain from the instant litigation. Petitioner has met its burden of "establishing that its litigation costs transcend its personal interest." (*See Beach Colony II v. California Coastal Com.* (1985) 166 Cal.App.3d 106, 113.) The Court finds that the necessity and financial burden of private enforcement by petitioner warrants a fee award under CCP § 1021.5.

C. Reasonableness of Fees Requested

Petitioner moves for $629,813.50 in fees. The amount is based on the sum of (1) the lodestar of $287,622.50 for the case on the merits with a 2.0 multiplier, (2) $52,587.50 for work on the motion for attorney fees, and (3) costs in the amount of $1,981.00.

1. *Reasonableness of Hourly Rates*

The City argues that attorney Jamie T. Hall's hourly rate should be reduced from $650 to $400 because he quoted a $400 hourly rate to petitioner. (Atwood Decl. ¶ 9 & Ex. B at 19, 26.) Counsel is entitled to fees based on the market rate. (*PLCM Group v. Drexler* (2000) 22 Cal.4th 1084, 1095 ["reasonable hourly rate is that prevailing in the community for similar work"].) Based on petitioner's 18 years of litigation experience, an hourly rate of $650 is reasonable. (Hall Decl. ¶ 10.)

The Court finds that the hourly rates for all of petitioner's counsel and legal assistants, including $650 for Jamie T. Hall, $850 for Julian K. Quattlebaum, $350 for Robert Christensen, as well as an hourly rate of $195 for the work provided by paralegals Jennifer Burnett, Veronica Lebron and Christopher Rodriguez, are reasonable. (Hall Decl. ¶¶ 10, 14; Quattlebaum Decl. ¶ 11; Christensen Decl. ¶¶ 3, 4.)

2. *Duplicative Billing*

The City next argues that the fee request should be reduced because three attorneys worked on this case. Counsel for petitioner responds by stating that each of the attorneys wrote discrete sections on briefs in this case. (Supp. Hall Decl. ¶ 4.) The Court declines to reduce the fees due to purported duplicative billing. It was not unreasonable for more than one attorney to have spent time on this matter.

3. *Block Billing*

The City objects to block billing of multiple tasks, as opposed to setting forth the time spent on each task. (*See Bell v. Vista Unified School Dist.* (2000) 82 Cal.App.4th 672, 689 ["If counsel cannot further define his billing entries so as to meaningfully enlighten the court . . . then the trial court should exercise its discretion in assigning a reasonable percentage to the entries, or simply cast them aside"].) Block billing is not "objectionable per se." (*Christian Research Institute v. Alnor* (2008) 165 Cal.App.4th 1315, 1325.) Courts may penalize block billing " 'when the practice prevents them from discerning which tasks are compensable and which are not.' [Citations.]" (*In re Marriage of Nassimi* (2016) 3 Cal.App.5th 667, 695.)

Having reviewed counsel for petitioner's time sheets, the Court determines that the asserted tasks are compensable. Although counsel routinely combines several tasks into individual billing entries (Hall Decl. ¶ 16 & Ex. 7), the Court can sufficiently determine whether the hours claimed for combined tasks is reasonable.

4. *Pre-Litigation Administrative Proceedings*

The City contends that fees for pre-litigation administrative proceedings are not recoverable. The citation to *Beach Colony II v. California Coastal Com.* (1985) 166 Cal.App.3d 106 is unavailing. In *Beach Colony II*, the Court of Appeal compared CCP § 1021.5 with CCP § 1028.5 and noted that the "absence of any reference to administrative proceedings in section 1021.5 suggests, at least, the section was not meant to apply to non-judicial aspects of an administrative proceeding." (*Beach Colony II,* 166 Cal.App.3d at 116.) The Court of Appeal did not reach the issue of whether CCP § 1021.5 allows for the recovery of fees "incurred during the quasi-judicial portion of administrative proceedings from which judicial review is taken through writ procedures." (*Ibid.*; *see also Best v. California Apprenticeship Council* (1987) 193 Cal.App.3d 1448, 1456 ["our holding in *Beach Colony II* left open the

possibility that section 1021.5 allows attorney's fees arising from quasi-judicial, as opposed to quasi-legislative, administrative proceedings"].)

Attorney fees incurred in an administrative proceeding are compensable under CCP § 1021.5 if the administrative proceeding is "useful and necessary to the public interest litigation." (*Best,* 193 Cal.App.3d at 1461; *Edna Valley Watch v. County of San Luis Obispo* (2011) 197 Cal.App.4th 1312, 1318-20.) Here, petitioner was required to exhaust its administrative remedies by filing an appeal with the BBSC and create an administrative record. (11/9/21 Minute Order at 8-9.) The City maintains that petitioner sought the "wrong type of administrative appeal." (City Opp. at 18:28.) The City does not explain what type of appeal petitioner should have filed, but it appears that Judge Strobel previously rejected this argument. (11/9/21 Minute Order at 11.)

It thus appears that the administrative proceeding was useful and necessary to this action. (*See Best,* 193 Cal.App.3d at 1461 ["Since the administrative proceedings here were the first step in the litigation leading to the mandamus proceeding (§ 1094.5), by their very nature they were useful and of a type ordinarily necessary to the public interest litigation"].) Fees may be awarded for the administrative proceeding to the extent they were reasonably incurred. The City does not argue that the fees incurred during the administrative proceeding were not reasonably incurred; its opposition to such fees is limited to the argument that they are not recoverable at all. The Court thus finds that petitioner may recover fees for hours spent in the administrative proceeding.

5. *Miscellaneous Arguments*

The City argues several other arguments: (1) the Court should reduce fees for "administrative work, clerical work, travel time, internal and client conferencing, and non-legal work" and (2) work claimed for "Review and/or respond to emails with opposing counsel" is vague and should be cut. (Atwood Decl. ¶ 13.)

With respect to the first argument, the City relies on *In re Marriage of Nassimi* (2016) 3 Cal.App.5th 667, 695-96. (City Opp. at 19:3-5.) *Nassimi* does not contain any support for the City's proposition. Indeed, paralegal time is compensable under CCP § 1021.5. (*Guinn v. Dotson* (1994) 23 Cal.App.4th 262, 269.) Counsel also declares that the non-legal work was related to the administrative building permit appeal, which the Court deems compensable for the reasons stated above. (Supp. Hall Decl. ¶ 5.) Moreover, internal and client conferencing is not unreasonable per se, because "collaboration does not necessarily amount to duplication." (*Premier Medical Management Systems, Inc. v. California Ins. Guarantee Assn.* (2008) 163 Cal.App.4th 550, 562.) The Court exercises its discretion to award the reasonable value of professional services, including for non-legal work. (*Collins v. City of Los Angeles* (2012) 205 Cal.App.4th 140, 159, citing *PLCM Group,* 22 Cal.4th at 1095-96.)

With respect to the second argument, the City maintains that attorney Hall does not state the subject of the emails, whom the emails are from, or whether he is reviewing or responding to emails. (City Opp. at 19:13-18.) This does not mean that the fees were not reasonably incurred. Considering that counsel claims 0.1 hours for the vast majority of the "review/respond" billing entries, the Court finds that the entries are reasonable on their face.

6. *Discovery*

The City asserts that 42.5 hours claimed for discovery should be reduced because petitioner did not respond to discovery propounded by the City in 2022 until two years later on a Friday night before a Monday deposition. (City Opp. at 19:25-20:2; Atwood Decl. ¶ 13.) The City maintains that, if petitioner produced documents, it would not need to take depositions. (Atwood Decl. ¶ 13.) However, if the City needed the discovery earlier, it could have moved to compel responses or further responses pursuant to CCP §§ 2031.300 or 2031.310. (*See* Supp. Hall Decl. ¶ 6 ["The discovery was obviously not a priority for the City because it did not diligently pursue discovery during the course of the appeal"].) The Court will not reduce fees due to delayed production.

7. *Real Parties' Liability*

Real parties argue that they should not be held liable for fees because they were merely protecting property rights without any authority to grant or revoke the permits. "[A]ttorney fees should not be imposed on...an individual who has only engaged in litigation to adjudicate private rights...but has otherwise done nothing to compromise the rights of the public or a significant class of people." (*Adoption of Joshua S.* (2008) 42 Cal.4th 945, 954.)

In *Joshua S.*, the same-sex partner of a birth mother sought an order of adoption for a child after the relationship between the partner and mother had deteriorated. (*Joshua S.*, 42 Cal.4th at 949-50.) The birth mother argued that a "second parent" adoption was unlawful. (*Id.* at 950.) The Supreme Court validated the second parent adoption. (*Id.* at 949.) The partner sought attorney fees from the mother under CCP § 1021.5. (*Id.* at 949.) The Supreme Court found that the mother was not liable for fees, holding that the mother "was a private litigant with no institutional interest in the litigation, and the judgment she sought in the present case would have settled only her private rights and those of her children and [the partner]." (*Id.* at 957.) The high court held that the mother had "done nothing to adversely affect the public interest other than being on the losing side of an important appellate case." (*Id.* at 958.)

Real parties' involvement here is not like the mother in *Joshua S.* Real parties own the subject property and applied for the building permits. (*Friends of*

Westwanda Drive, 2024 WL 220447 at *1.)[4] Further, real parties actively participated in the litigation, including by opposing the writ petition, filing supplemental briefing, filing new evidence the day before the final hearing on the writ petition, filing a motion for new trial, and appealing the judgment. "[R]eal parties in interest that had a direct interest in the litigation, the furtherance of which was generally at least partly responsible for the policy or practice that gave rise to the litigation" can be held liable for attorney fees under CCP § 1021.5. (*Connerly v. State Personnel Bd.* (2006) 37 Cal.4th 1169, 1181.) Further, "a real party in interest in a mandamus proceeding that has a direct interest in the litigation, more than merely an ideological or policy interest, and actively participates in the litigation is an opposing party within the meaning of Code of Civil Procedure section 1021.5 and can be liable for attorney fees under the statute." (*Mejia v. City of Los Angeles* (2007) 156 Cal.App.4th 151, 161.) Real parties did more than just defend their private rights; unlike the defensive posture of the mother in *Joshua S.*, real parties affirmatively sought building permits and sought to uphold their issuance, despite the lack of compliance with LAMC § 12.21.C.10(i)(3). Real parties shall be liable for the entirety of petitioner's fee award.

8. *Reduction of Fee Award for Appeal*

The City argues that they should not be liable for hours relating to the appeal, as they did not participate. (*See also Friends of Westwanda Drive*, 2024 WL 220447 at *4 [City is not party to appeal].) The Court agrees. Petitioner argues that the City's issuance of the permits prompted the entire case. The City's actions prompted the commencement of the case, but the City did not prompt the appeal of the case. Real parties appealed the judgment. Petitioner's work defending against the appeal was due to real parties, not the City.

Adding up the billing entries to which the City objected with "City not a party to the appeal" or "City not party to building permit appeal" (Atwood Decl. ¶ 13 & Ex. F [Jamie Hall – 7/8/22, 8/14/22, 8/15/22, 9/27/22, 11/14/22, 11/15/22,, 12/19/22, 12/20/22, 1/3/23, 1/5/23, 1/18/23, 2/2/23, 4/14/23, 4/27/23, 5/5/23, 5/19/23, 5/22/23, 8/15/23, 9/1/23, 9/3/23, 9/4/23, 9/5/23, 9/6/23, 9/7/23, 9/8/23, 9/11/23, 9/28/23, 10/17/23, 12/15/23, 12/17/23, 12/19/23, 1/8/24, 1/9/24, 1/13/24, 1/14/24, 1/15/24, 1/16/24, 1/17/24, 1/18/24, 1/19/24, 1/22/24; Julian Quattlebaum – 9/1/23, 9/3/23, 9/4/23, 9/5/23, 9/6/23,

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[4] The Court notes petitioner's reference to pages 6 through 10 of the opening brief to demonstrate real parties' involvement during the administrative proceedings. (Reply to Real Party Opp. at 6:4-21.) "An attorney's argument in pleadings is not evidence." (*Hebberd-Kulow Enterprises, Inc. v. Kelomar, Inc.* (2013) 218 Cal.App.4th 272, 283.) Further, the Court does not have the administrative record cited in the opening brief filed on September 10, 2021. The Court nevertheless finds that real parties' direct interest and active participation in the litigation warrant an award of fees against them.

9/7/23, 9/8/23, 1/14/24, 1/15/24, 1/16/24, 1/17/24; Robert Christensen – 9/4/23, 9/5/23, 9/6/23, 9/7/23; Veronica Lebron – 4/2/24), petitioner's fee request against the City is reduced by $57,934.50.[5]

9. *Fee Motion*

Petitioner seeks $52,587.50 for work on the motion for attorney fees. As the instant motion is a routine motion, there is no plausible reason why petitioner should be compensated in an amount similar to the amount petitioner claims for the work on the appeal, which is not routine. The Court finds that a 50 percent reduction is appropriate. Accordingly, petitioner may recover $26,293.75 for the fee motion.

10. *Costs*

Absent any direct opposition to the costs, the Court finds that the claimed costs of $1,981.00 is reasonable.

11. *Multiplier*

The Court declines to apply a positive multiplier. Courts look to, among other factors, the "novelty and difficulty of the questions involved, and the skill displayed in presenting them." (*Serrano v. Priest* (1977) 20 Cal.3d 25, 48.) This case was not novel or complex. Petitioner's petition for writ of mandate ultimately involved a straightforward review of whether LADBS erroneously issued building permits in violation of LAMC § 12.21.C.10(i)(3) due to the inadequate width of Westwanda Drive. (2/7/22 Minute Order at 11-13.) Even though the instant case involved supplemental briefing, multiple hearings on the writ petition, and a motion for new trial, the Court finds that an award based on the lodestar would sufficiently compensate counsel for their efforts. (*Weeks v. Baker & McKenzie* (1998) 63 Cal.App.4th 1128, 1176.)

However, the Court exercises its discretion to apply a negative multiplier. In determining whether to apply a positive or negative multiplier, the Court considers all relevant factors including "'(1) the novelty and difficulty of the questions involved, (2) the skill displayed in presenting them, (3) the extent to which the nature of the litigation precluded other employment by the attorneys, [and] (4) the contingent nature of the fee award.' [Citation.]" (*Cates v. Chiang* (2013) 213 Cal.App.4th 791, 822, quoting *Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132.) "Any one factor may be sufficient to apply a positive or negative multiplier." (*Cates,* 213 Cal.App.4th at 822.)

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[5] For the 1/22/24 billing entry for Jamie Hall, the Court reduces the 0.4 hours claimed by 0.1 hour because the 0.4 hours included "research deadline to file Motion for Attorneys Fees and Costs," which is not part of the appeal. (*See* Atwood Decl. ¶ 13 & Ex. F at 234.)

At its core, this case involved a straightforward analysis of whether the record reflected that Westwanda Drive was at least 20 feet wide. (2/7/22 Minute Order at 11-13.) While the case also involved the consideration of whether administrative remedies were exhausted (11/9/21 Minute Order), the proper remedy (3/10/22 Minute Order), and the statutory interpretation of LAMC § 12.21.C.10(i)(3) (*Friends of Westwanda Drive*, 2024 WL 220447 at *3), upon review of the relevant orders and opinions, the Court finds that the difficulty of the case does not warrant a lodestar of $287,622.50. The Court does recognize, however, the multiple hearings, supplemental briefing, and the motion for new trial, which petitioner successfully navigated to obtain an affirmance of the judgment. Accordingly, the Court applies a relatively modest negative multiplier of 0.2 to the lodestar.[6]

1. *Calculation of Award*

With respect to respondents City of Los Angeles and Los Angeles Department of Building and Safety, the award of **$212,025.15** is calculated as follows:

- $287,622.50 total claimed lodestar – $57,934.50 appeal = $229,688.00
- $229,688.00 x 0.8 = $183,750.40 (negative multiplier of 0.2)
- $183,750.40 + $26,293.75 fee motion + $1,981.00 costs = $212,025.15

With respect to real parties Karla Shahin and Armen Melkonians, the award of **$258,372.75** is calculated as follows:

- $287,622.50 total claimed lodestar x 0.8 = $230,098.00 (negative multiplier of 0.2)
- $230,098.00 + $26,293.75 fee motion + $1,981.00 costs = $258,372.75

Of the $258,372.75 for which real parties are liable, respondents City of Los Angeles and Los Angeles Department of Building and Safety are jointly and severally liable for $212,025.15.

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6 The City seeks to reduce the lodestar by the hours that petitioner spent on its motion to determine compliance with the writ, which was denied. (Atwood Decl. ¶ 13; 8/30/22 Minute Order.) Petitioner was entitled to file that motion. (*Greene v. Dillingham Construction, N.A., Inc.* (2002) 101 Cal.App.4th 418, 424, quoting *Sokolow v. County of San Mateo* (1989) 213 Cal.App.3d 231, 250 ["Attorneys generally must pursue all available legal avenues and theories in pursuit of their clients' objectives; it is impossible, as a practical matter, for an attorney to know in advance whether or not his or her work on a potentially meritorious legal theory will ultimately prevail."].) However, the Court determines that petitioner's lack of success on that motion is appropriately accounted for with a negative multiplier.

III. Conclusion

The motion is GRANTED IN PART. Using the appropriate lodestar approach, and based on the foregoing findings and in view of the totality of the circumstances, the total and reasonable amount of attorney fees incurred for the work performed in connection with the writ petition and costs is **$258,372.75** to be awarded to petitioner Friends of Westwanda Drive.

Respondents City of Los Angeles and Los Angeles Department of Building and Safety and real parties Karla Shahin and Armen Melkonians are jointly and severally liable for **$212,025.15**. Real parties Karla Shahin and Armen Melkonians are solely liable for the remainder of **$46,347.60**.

Date: January 16, 2025

HON. CURTIS A. KIN

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Beverly Hills, CA 90211

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8383 Wilshire Blvd., Suite 750, Beverly Hills, CA 90211.

On January 22, 2025, I served a copy of the within document described as **NOTICE OF RULING ON MOTION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS** as follows:

[X] BY MAIL: I placed true copies of the foregoing document in sealed envelopes addressed as stated on the below/attached service list. I placed such envelope, with postage thereon fully prepaid, for collection and mailing at Beverly Hills, California. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice the mail would be deposited with the U. S. Postal Service on that same day with postage thereon fully prepaid at Beverly Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[X] BY E-MAIL: I transmitted true copies of the foregoing document to the persons identified below at the e-mail addresses identified below.

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Self-Represented Real Parties in Interest

Executed on January 22, 2025 in Beverly Hills, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Hannah Simon
HANNAH SIMON