

Judgement Summary

On February 26, 2024, a final judgment was issued by the Mendocino County Superior Court in litigation entitled *Moore v. Irish Beach Water District*. The judgment ended this long-standing litigation, which had three phases. Phase One concerned the Moores' inverse condemnation liability claims against the District. Phase Two concerned the damages attributable to the finding of liability in Phase One. Phase Three concerned all remaining claims of the Moores, including issues as to the Proposition 218 assessment, declaratory and injunctive relief, trespass, unjust enrichment, and breach of contract. It also addressed various attorney fees, costs, expert fees, and interest awards.

Regarding Phase One, the Court found in favor of the Moores regarding their inverse condemnation claims. Regarding Phase Two, the damages attributable to the reverse condemnation finding, the judgment awarded the Moores \$25,000 plus some fees and costs. Regarding Phase Three, the parties had partially settled these claims in 2016. As to the remaining claims, the Court reviewed 4 components of the Prop 218 special assessments: System Wide, Mallo Pass, Capital Replacements (aka Greater than 40 year); and loan replacements. The Moores' claims concerned all but the loan replacements. The Court found in favor of the Moores regarding the System Wide and Mallo Pass assessments and in favor of the District regarding the Capital Replacement assessment. The Court also found in the District's favor regarding the Moores claims of trespass, unjust enrichment and breach of contract.

The District anticipates that the Moores will likely make certain post-judgment motions to the court seeking potential additional fees and costs.