Filed 10/24/25

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

IMMIGRANT RIGHTS DEFENSE COUNCIL, LLC, Plaintiff and Respondent, v. AURELIO M. RAMIREZ, Defendant and Appellant.	B342780 (Los Angeles County Super. Ct. No. 22STCV24213)

APPEAL from an order of the Superior Court of Los Angeles County, Rolf M. Treu, Temporary Judge. Reversed and remanded.

Lakhman & Kasamatsu and Ann L. Lakhman for Defendant and Appellant.

Medvei Law Group and Sebastian M. Medvei for Plaintiff and Respondent.

Defendant Aurelio M. Ramirez appeals from the trial court's post-judgment order awarding $83,197.50 in attorney fees to plaintiff Immigrant Rights Defense Council, LLC (IRDC), following a stipulated judgment enjoining Ramirez from further violating the Immigration Consultants Act (Bus. & Prof. Code,[1] §§ 22440–22449) (the ICA). Ramirez contends the trial court erred by failing to consider the factors set out in Code of Civil Procedure[2] section 1021.5, and it awarded excessive fees.

IRDC responds that Ramirez's appeal is barred because the stipulated judgment is not appealable and, consequently, the post-judgment order awarding fees under CCP section 904.1, subdivision (a)(2) also is not appealable. IRDC additionally asserts the appeal was untimely, CCP section 1021.5 does not apply to awards of fees under BP section 22446.5, and the fees awarded were not excessive.

We conclude the appeal is properly before us. The stipulated judgment expressly reserved the issue of attorney fees for judicial determination, rendering the post-judgment order appealable as a matter separate and distinct from the injunctive relief, and the appeal was timely under California Rules of

---

[1] Subsequent references to the Business and Professions Code are abbreviated as "BP."

[2] Subsequent statutory references to the Code of Civil Procedure are abbreviated as "CCP."

Court,[3] rule 8.104(a). Further, the court did not err in declining to apply CCP section 1021.5 because the ICA specifically provides for attorney fees without reference to CCP section 1021.5. However, we conclude that the court abused its discretion by awarding excessive fees that are unsupported by the record. Accordingly, we reverse and remand for the trial court to reconsider the attorney fee motion.

FACTUAL AND PROCEDURAL BACKGROUND

I. IRDC's Lawsuit

Ramirez, a retired adjudicator from the Department of Homeland Security, has been a registered immigration consultant with the California Secretary of State since 2008. On July 27, 2022, IRDC, as a non-aggrieved party acting on behalf of the general public, filed a lawsuit against Ramirez alleging a single cause of action for violations of the ICA and seeking injunctive relief. The complaint alleged on information and belief that Ramirez violated each provision of the ICA governing immigration consultants, including that Ramirez had failed to: submit a background check to the Secretary of State; provide receipts and accountings in conformity with the ICA; provide a written, ICA-compliant contract; conspicuously display ICA-required notices; provide written disclosures required by the ICA; conspicuously state in advertisements that he was not an attorney; maintain a client trust account; submit fingerprint images to the Department of Justice for the purposes of a background check; and maintain a bond of $100,000. IRDC

---

[3] All subsequent references to rules are to the California Rules of Court.

further alleged on information and belief that Ramirez provided legal advice, held himself out as an attorney, demanded advance payment for certain services as proscribed by the ICA, made guarantees and promises to clients not supported by fact, and charged a fee for referrals. IRDC sought injunctive relief, costs, and reasonable attorney fees.

Ramirez demurred, arguing that the complaint failed to allege sufficient facts to state a violation of the ICA, and moved to strike verifiably false allegations. In his demurrer, Ramirez argued IRDC's allegations were conclusory because they did not allege how, when, and against whom the alleged violations occurred. Ramirez also moved to strike the following verifiably false allegations: that he operated an illegal business; failed to submit a background check to the Secretary of State; failed to provide fingerprint images to the Department of Justice for a background check; and failed to maintain a $100,000 bond. Ramirez requested the court take judicial notice of his bond history, which required fingerprinting and a background check, and his business license issued by the City of Pomona.

In June 2023, IRDC filed its first amended complaint alleging that Ramirez held himself out as an attorney, provided legal services, and advertised in violation of the ICA, among other things. Ramirez answered, generally denying the allegations.

According to Ramirez's attorney, at some point Ramirez "realized that his receipts were not in compliance with the ICA."[4] On January 17, 2024, Ramirez served IRDC with an offer

---

[4] One violation of the ICA is enough to be subject to an injunction. (BP, § 22446.5, subd. (b).)

pursuant to CCP section 998, proposing a stipulated judgment enjoining further violations of the ICA. Ramirez also offered to pay IRDC's costs incurred from July 27, 2023, to January 17, 2024. The offer stated that attorney fees were "subject to post-judgment motion."

IRDC refused to accept Ramirez's offer unless Ramirez paid $25,000 in attorney fees and costs. Thereafter, IRDC took Ramirez's deposition and filed five motions to compel further discovery responses. On February 15, 2024, IRDC filed an ex parte application to continue trial to permit its motions to compel discovery to be heard. Ramirez opposed the ex parte application, arguing that there was no good cause to continue the trial because he had already consented to the injunction sought by IRDC, and no further discovery was necessary since a single violation was sufficient to establish liability under the ICA. The court denied the trial continuance.

On February 21, 2024, IRDC filed a notice of settlement. Days later, IRDC filed a stipulation for entry of judgment, in which Ramirez agreed to be permanently enjoined from further violations of the ICA. The stipulation stated that IRDC "shall be entitled to reasonable attorney[] fees to be determined by post-judgment motion and costs to be determined by memorandum of costs." The court entered judgment that same day.

II. IRDC'S Motion for Attorney Fees

On March 4, 2024, IRDC filed a memorandum of costs. Ramirez paid the costs within ten days of service of the memorandum of costs by IRDC.

In April 2024, IRDC filed a motion for attorney fees, requesting $83,197.50 for 73.9 hours at $750 per hour plus a 1.5 lodestar multiplier. IRDC argued that, under BP section

22446.5, subdivision (b), it was entitled to reasonable prevailing party attorney fees because it obtained an injunction against Ramirez by stipulation. IRDC also pointed out that Ramirez stipulated to plaintiff's entitlement to attorney fees. In support of its request for a 1.5 lodestar multiplier, IRDC described itself as a private attorney general litigating the case on a contingency basis to benefit the public.

IRDC's attorney, Sebastian M. Medvei, submitted a declaration that included a table reflecting 73.9 hours of work on the case. The declaration indicated, among other things, Medvei spent eight hours for "[p]re-filing investigation"; one hour to prepare and file the complaint; one hour to prepare the first sets of requests for production of documents, requests for admissions, and form interrogatories; and two hours to review Ramirez's discovery responses. The declaration also indicated that after Ramirez's CCP section 988 offer, Medvei spent four additional hours on discovery motions, one hour on a notice to appear at trial, two hours preparing an ex parte application to continue trial, and six hours preparing for trial. The declaration additionally showed that Medvei spent six hours preparing his attorney fee motion, and anticipated he would spend an additional eight hours preparing a reply and two hours preparing for and attending the motion hearing. Medvei described his expertise in litigating ICA cases and stated that over the last five years, he had recovered attorney fees at rates that ranged from $500 to $1,000 per hour. Medvei attested that his direct billing rate on retainer was $1,000 per hour.

III. Ramirez's Opposition to IRDC's Motion for Attorney Fees

In opposition to IRDC's motion for attorney fees, Ramirez contended that even though IRDC sought attorney fees under BP section 22446.5, subdivision (b), the trial court should apply the elements of the private attorney general doctrine because IRDC claimed it was enforcing the ICA for the public benefit. He argued that IRDC's actions did not satisfy those elements, noting that although IRDC had filed over 300 lawsuits to shut down unlawful immigration consultant businesses, it dismissed 44 cases in exchange for confidential settlements and payments without obtaining injunctions to stop the alleged misconduct.[5] Ramirez maintained that these private settlements undermined IRDC's claim of serving the public interest, since IRDC alleged rampant violations and unauthorized practice of law but allowed the defendants to continue operating without remedying their violations of the ICA. He further asserted that IRDC was a shell company controlled by attorney Adrien Medvei through IRDC Holdings, LLC, and that Medvei's financial interests were indistinguishable from IRDC's, making the equitable considerations of CCP section 1021.5 inapplicable. Ramirez argued that the trial court should deny attorney fees given Medvei's personal financial motives in bringing the litigation.

---

[5] The trial court sustained IRDC's objection to counsel's statement that IRDC dismissed 44 cases without obtaining injunctive relief and to news articles she offered to support her claims that Medvei had collected from this litigation "approximately $2.2 million dollars in attorney[] fees as of October 19, 2023." However, the trial court did take judicial notice of the complaints filed in the 44 cases.

Ramirez also objected to the 73.9 hours requested by Medvei. Ramirez argued: "Plaintiff's claims of 8 hours pre-filing investigation of defendant's violations of the ICA is unreasonable and hyperbolic. [Ramirez] is semi-retired and working part-time at a tiny office in Pomona. [Ramirez] has no website or social media advertisement. Had [IRDC] spent time investigating and checking on the website of [the] California Secretary of State, [IRDC] would not falsely allege that defendant has no business license, did not have a bond and failed to pass the background check." Ramirez further explained, "The complaint avers no facts, only a laundry list of twenty provisions of the ICA, and then alleges 'on information and belief' defendant is an immigration consultant and thus has violated each[] and every provision of the ICA. This complaint is an essentially identical complaint with over 300 complaints, []90 cases listed in the Minute Order issued on 1/18/18 (Exhibit 'D'); 44 cases dismissed in exchange for cash (Exhibit 'E'). It would not take 1 hour to change the name of the defendant in the caption and second page of the complaint. It would take a paralegal less than 10 minutes."

Ramirez also identified issues with Medvei's billing for discovery—namely, "Medvei propounded boilerplate discovery demanding defendant to admit violation of each, and every provision of the ICA," and "generic Form Interrogatories, and Request for Production of Documents." Further, "Counsel for this defendant has four cases with Plaintiff and received essentially identical sets of discovery. It would not take 1 hour to change the defendant's name. It would take a paralegal 10 minutes to change the name of the defendant."

Ramirez argued the fees were needlessly exorbitant and "Medvei's scorched earth litigation tactics caused unnecessary meet-and-confer[s]." Further, Medvei was not entitled to a billing rate of $750 because "he is representing his alter ego and therefore self-represented and has ulterior motive to file mass litigation for his own personal gain." Finally, Ramirez argued there was no justification for the lodestar multiplier as the case "is not complicated, and [Medvei] refused to stipulate to judgment and continued to force [Ramirez] to go to trial unless Mr. Ramirez agreed to pay [a settlement] upon receipt [of] the Complaint."

In support, Ramirez submitted a declaration from his counsel, who attested that in addition to her representation of Ramirez, she represented other immigration consultants in cases brought by IRDC. She stated that the complaint filed against Ramirez "is one of more than three hundred (300) boilerplate complaints filed by Sebastian Medvei nam[ing] IRDC, LLC as Plaintiff in California Superior Court." Referring to a news article describing Medvei's lawsuits on behalf of IRDC, she stated that he had "collected approximately $2.2 million dollars in attorney[] fees as of October 19, 2023."

Counsel attached to her declaration, among other things, a Los Angeles Superior Court minute order regarding 90 cases filed by IRDC. She provided a list of 44 cases that Medvei dismissed without obtaining injunctive relief and attached to her declaration the summons, complaints, and requests for dismissal with prejudice for the 44 cases Medvei dismissed. Counsel attested that many of IRDC's cases were dismissed pursuant to confidential settlement agreements, and she attached three confidential settlement and mutual release agreements executed by Medvei on behalf of IRDC. Ramirez requested the court take

judicial notice of the minute order, the filings in the 44 cases, as well as other documents, which we do not discuss as they are not relevant to our analysis.

IV. IRDC's Reply

In reply, IRDC argued it was not seeking to recover discretionary attorney fees under CCP section 1021.5, and that it was entitled to mandatory attorney fees under BP section 22446.5, subdivision (b). IRDC asserted that it was not the alter ego of Medvei Law Group and IRDC was not self-represented. IRDC argued Ramirez's critiques of Medvei's billing were conclusory and not supported. IRDC objected to the trial court taking judicial notice of Ramirez's exhibits and to some of defense counsel's declaration. To the extent Ramirez's counsel provided court records, IRDC asserted the court could not take judicial notice of the truth of the court records.

V. Trial Court's $83,197.50 Attorney Fee Award

On October 11, 2024, the trial court granted IRDC's attorney fees motion and awarded the requested $83,197.50. The trial court found that IRDC was entitled to mandatory attorney fees under the ICA, and therefore the private attorney general fee doctrine codified in CCP section 1021.5 was not applicable. The court also concluded that IRDC was not self-represented. The court took judicial notice of the minute order and court filings, which we discuss below.[6]

In awarding IRDC all its requested fees, the trial court found Medvei's rate was reasonable because "Counsel's declaration sufficiently attests to his experience and the

---

[6] To the extent the trial court sustained objections to defense evidence, we do not rely on such evidence in our analysis below.

reasonableness of the rates." The court also found the number of hours claimed was reasonable, finding: "The Court has reviewed all of the claimed hours. Utilizing a lodestar method, the Court finds that the total amount of reasonable hours spent by Plaintiff's counsel in this matter to date is 73.9 hours. Defendant argues that Plaintiff's 8 hours claimed for pre-filing investigation, 1 hour spent preparing the Complaint, 1 hour spent propounding discovery and 2 hours spent reviewing discovery responses are unreasonable. However, Plaintiff does not put forth sufficient evidence that the claimed hours are unreasonable. Therefore, the lodestar attorney[] fees award is $55,425 (73.9 x $750/hr.). Plaintiff's request for a lodestar enhancement/multiplier of 1.5 is granted. Thus, the Court awards Plaintiff's requested attorney[] fees in the sum of $83,137.50 plus $60 in the filing of the instant Motion."

On November 25, 2024, Ramirez filed his notice of appeal.

DISCUSSION

On appeal, Ramirez contends that the trial court erred in awarding fees without analyzing the three factors in CCP section 1021.5. He further asserts that the court abused its discretion by awarding an excessive amount of fees. IRDC maintains that the fee award is not appealable and, even if it were, Ramirez's appeal was untimely. We begin by explaining why Ramirez's appeal is properly before us and then turn to the merits.

I. The Attorney Fee Award Is Appealable

IRDC argues that because Ramirez stipulated to the judgment, the judgment is not appealable, and thus the post-judgment order awarding fees is likewise not appealable under CCP section 904.1, subdivision (a)(2). IRDC reiterates this

argument in its motion to dismiss and request for sanctions. As we explain below, we deny the motion.

An appealable order or judgment is a jurisdictional requirement, and the right to appeal is purely statutory. (*Sanchez v. Westlake Services, LLC* (2022) 73 Cal.App.5th 1100, 1105.) Under CCP section 904.1, an appeal lies from a judgment (subd. (a)(1)) and from an order "made after a judgment *made appealable by paragraph (1)*" (subd. (a)(2), italics added).

IRDC notes that a consent judgment generally is not appealable because it is entered in accordance with the agreement of the parties.[7] (See *City of Gardena v. Rikuo Corp.* (2011) 192 Cal.App.4th 595, 600 [" 'As a general proposition, a party may not appeal a consent judgment' "].) Accordingly, IRDC suggests, because the consent judgment in this case was not appealable, the attorney fee award also is not appealable as an order following an appealable judgment.

We do not agree. Courts routinely have found attorney fee orders to be appealable as collateral orders even in the absence of underlying appealable judgments. (See, e.g., *Apex LLC v. Korusfood.com* (2013) 222 Cal.App.4th 1010, 1015 [order granting a party appellate attorney fees was an appealable collateral order even though the underlying judgment had been reversed and thus was "deemed [not] have been entered"]; *Hanna v. Mercedes-Benz USA, LLC* (2019) 36 Cal.App.5th 493, 506–507 [order

---

[7] This is not a jurisdictional bar but a rule of waiver: by consenting, a party ordinarily relinquishes objections to the judgment. (*Norgart v. Upjohn Co.* (1999) 21 Cal.4th 383, 400; *Water Replenishment Dist. of Southern California v. City of Cerritos* (2012) 202 Cal.App.4th 1063, 1069.)

awarding attorney fees after dismissal of a lemon law action pursuant to a settlement was an appealable collateral order]; *Los Angeles Times v. Alameda Corridor Transportation Authority* (2001) 88 Cal.App.4th 1381, 1388–1389 [order denying attorney fees held appealable "as a final judgment, even [though] the underlying order or judgment was not appealable"]; *Joyce v. Black* (1990) 217 Cal.App.3d 318, 321–322 [order striking costs appealable even though it followed a nonappealable judgment on a judicial arbitration award because it "has all the earmarks of a final judgment": It "leaves nothing for future consideration" and "is the *only* judicial ruling in the case, and thus there is no other opportunity for review by appeal"].)

The analysis of these cases applies equally here. In the present case, although the parties stipulated to the entry of a consent judgment, they expressly did *not* stipulate to an award of attorney fees, leaving that issue for decision of the trial court. Further, the attorney fee award was final and on the merits, and there is no other opportunity for review by appeal. The attorney fee award, therefore, is appealable.

II. Ramirez's Appeal was Timely

We next address the timeliness of the appeal. " 'An appellate court has no jurisdiction to review an award of attorney fees made after entry of the judgment, unless the order is separately appealed.' (*Allen v. Smith* (2002) 94 Cal.App.4th 1270, 1284.) ' "[W]here several judgments and/or orders occurring close in time are separately appealable (e.g., judgment and order awarding attorney fees), each appealable judgment and order must be expressly specified—in either a single notice of appeal or multiple notices of appeal—in order to be reviewable on appeal." ' " (*Colony Hill v. Ghamaty* (2006) 143 Cal.App.4th 1156,

1171.) "Rule 8.104 provides the relevant deadlines: Unless a statute or court rule provides otherwise, a notice of appeal must be filed on or before the *earlier* of 60 days after service by the superior court clerk of a filed-endorsed copy of the judgment, or 60 days after notice of entry of the judgment is served by a party. (Rule 8.104(a)(1)(A)–(B).) For purposes of this rule, ' "judgment" includes an appealable order.' (Rule 8.104(e).)" (*Marshall v. Webster* (2020) 54 Cal.App.5th 275, 279, fn. omitted.)

Here, the court entered the stipulated judgment on February 27, 2024 and the attorney fee award on October 11, 2024. Ramirez filed his notice of appeal of the attorney fee award on November 25, 2024. His notice of appeal was clearly within the 60-day timeline set forth in Rule 8.104(a)(1).

Citing *Torres v. City of San Diego* (2007) 154 Cal.App.4th 214, 221–222 (*Torres*), IRDC argues the time to appeal ran from the date of entry of judgment, not from the attorney fees order, and thus Ramirez's appeal was untimely and we lack jurisdiction to hear his appeal. IRDC's reliance on *Torres* is misplaced. In *Torres,* at pages 219–220, judgment was entered for the plaintiffs following a successful motion for summary judgment, with attorney fees left blank for later determination. The defendant failed to timely appeal that judgment. The defendant then appealed the postjudgment order fixing attorney fees, raising issues as to both the fee award and the summary judgment. (*Id.* at pp. 220–221.) The *Torres* court dismissed any challenge to the judgment as untimely and considered only the appeal from the fee order. (*Id.* at p. 222.)

Torres is inapt as it involves an appellant seeking to use a timely appeal of an attorney fee award to obtain review of an underlying judgment that was not timely appealed. Here, in

contrast, Ramirez challenges *only* the postjudgment fee award. Because the fee order is separately appealable and was timely challenged, IRDC's timeliness argument fails.

III. Private Attorney General Factors Do Not Apply to Attorney Fee Awards Issued Pursuant to the ICA

Having concluded Ramirez's appeal is properly before us, we turn to the merits of his appeal. Ramirez contends that although BP section 22446.5, subdivision (b), provides for attorney fees, the statute applies only when the private attorney general factors of CCP section 1021.5 are satisfied. He argues, therefore, that the trial court erred in awarding fees without analyzing the three prerequisites set forth in CCP section 1021.5.

Ramirez's contention raises "[i]ssues of statutory interpretation[, which] are pure questions of law that we review de novo." (*People v. Ramos* (2025) 112 Cal.App.5th 174, 182.) When we interpret a statute, our task " 'is to determine the Legislature's intent so as to effectuate the law's purpose. We first examine the statutory language, giving it a plain and commonsense meaning. We do not examine that language in isolation, but in the context of the statutory framework as a whole in order to determine its scope and purpose and to harmonize the various parts of the enactment. If the language is clear, courts must generally follow its plain meaning unless a literal interpretation would result in absurd consequences the Legislature did not intend. If the statutory language permits more than one reasonable interpretation, courts may consider other aids, such as the statute's purpose, legislative history, and public policy.' " (*Sierra Club v. Superior Court* (2013) 57 Cal.4th 157, 165–166.)

We begin with the statutory scheme for attorney fees. Pursuant to CCP section 1021, parties bear their own attorney fees except as specifically provided by statute or contract. The private attorney general doctrine, codified in CCP section 1021.5, is one such statutory exception. (*County of Inyo v. City of Los Angeles* (1978) 78 Cal.App.3d 82, 86–87.) That section says: "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 if: (a) a significant benefit, whether pecuniary or nonpecuniary, has been conferred on the general public or a large class of persons, (b) the necessity and financial burden of private enforcement . . . are such as to make the award appropriate, and (c) such fees should not in the interest of justice be paid out of the recovery, if any." (CCP, §1021.5.) The private attorney general doctrine involves a discretionary award of fees and "is based on the theory that 'privately initiated lawsuits are often essential to the effectuation of the fundamental public policies embodied in constitutional or statutory provisions, and that, without some mechanism authorizing the award of attorney fees, private actions to enforce such important public [policies] will as a practical matter frequently be infeasible.' " (*Abouab v. City and County of San Francisco* (2006) 141 Cal.App.4th 643, 663.)

Here, Ramirez seeks to impose CCP section 1021.5's requirements on IRDC's fee request. However, the ICA has its own fees provision. Specifically, a person claiming to be aggrieved by a violation of the ICA may bring an action for injunctive relief, damages, or both, and may recover treble damages and attorney fees. (BP, § 22446.5.) Alternatively, and

as pertinent here, "[a]ny other party who, upon information and belief, claims a violation of this chapter has been committed by an immigration consultant may bring a civil action for injunctive relief on behalf of the general public and, upon prevailing, shall recover reasonable attorneys' fees and costs." (BP, § 22446.5, subd. (b).) By its plain terms, therefore, the statute mandates a fee award to prevailing parties without reference to the three additional prerequisites of CCP section 1021.5, which apply only to discretionary attorney fee awards under the private attorney general doctrine.

This situation echoes that in *Flannery v. California Highway Patrol* (1998) 61 Cal.App.4th 629, 637 (*Flannery*). There, the court held that the plaintiff, who prevailed on her FEHA claims, did not have to resort to the private attorney general doctrine because FEHA itself provided the applicable fee-shifting mechanism. (*Ibid.*) The court explained: "[T]he private attorney general doctrine codified in section 1021.5 is based on the premise that without some mechanism authorizing a fee award, private actions that effectuate fundamental public policies may be infeasible. [Citation.] Here, plaintiff's action alleged a violation of the FEHA. As that act itself provides such a mechanism, resort to [CCP] section 1021.5 is unnecessary." (*Id.* at pp. 637–638.)

The present case is analogous to *Flannery*. Just as the FEHA fee provision rendered an application of the requirements of CCP section 1021.5 unnecessary in *Flannery*, the ICA's express fee-shifting statute forecloses application of the private attorney general doctrine here. The Legislature's decision to include an explicit, mandatory reasonable fee provision in the ICA reflects its intent to encourage private enforcement of its provisions

without the added hurdle of proving entitlement to fees under CCP section 1021.5. To hold otherwise would nullify the statute's plain language and undermine the very enforcement scheme the Legislature designed. Accordingly, Ramirez's attempt to import CCP section 1021.5's requirements into BP section 22446.5 finds no support in the statutory text or the governing principles of statutory interpretation.[8]

IV. The Trial Court Abused Its Discretion in Awarding $83,197.50 in Attorney Fees

Ramirez asserts, finally, that the court abused its discretion by awarding $83,197.50 in attorney fees. We agree.

Applicable Law. "In statutory fee-shifting cases, in which the prevailing party is statutorily authorized to recover his or her attorney[] fees from the losing party, the lodestar method is the primary method for establishing the amount of recoverable fees. [Citations.] Under the lodestar method, the trial court must first determine the lodestar figure—the reasonable hours spent multiplied by the reasonable hourly rate—based on a careful compilation of the time spent and reasonable hourly compensation of each attorney involved in the presentation of the case." (*Glaviano v. Sacramento City Unified School Dist.* (2018) 22 Cal.App.5th 744, 750–751.) In determining the lodestar, the trial court " ' "may not rubberstamp a request for attorney fees, but must determine the number of hours reasonably

---

[8] Although we conclude that IRDC was not required to demonstrate that it satisfied the CCP section 1021.5 factors in order to be entitled to an award of attorney fees, as we discuss in the next section, those factors nonetheless are relevant to the reasonableness of the fees incurred.

expended." ' " (*Snoeck v. ExakTime Innovations, Inc.* (2023) 96 Cal.App.5th 908, 921 (*Snoeck*); see also *Morris v. Hyundai Motor America* (2019) 41 Cal.App.5th 24, 38 [in considering whether attorney fee request is reasonable, the trial court should consider " ' "how much time the attorneys spent on particular claims, and whether the hours were reasonably expended" '].) Further, the court must determine a reasonable hourly rate—i.e., the "prevailing [rate] for private attorneys in the community conducting non-contingent litigation of the same type." (*Glaviano*, at p. 751.)

The trial court may adjust the lodestar figure with a positive or negative multiplier based on 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, (4) the contingent nature of the fee award. [Citation.] The purpose of such adjustment is to fix a fee at the fair market value for the particular action." (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132; *Snoeck*, *supra*, 96 Cal.App.5th at p. 911.) The court may apply a positive multiplier where, for example, a case raises novel and difficult issues or counsel displays exceptional skill. (E.g., *Edgerton v. State Personnel Bd.* (2000) 83 Cal.App.4th 1350, 1363 [affirming application of positive multiplier in light of " 'the novelty and difficulty of the issues involved, the skill displayed by plaintiff's counsel in overcoming the intransigent opposition of [defendant], the excellent results achieved by plaintiffs, and the importance of the privacy rights that were vindicated by the injunction' "].) Conversely, a negative multiplier may be appropriate where "the prevailing parties' lawyers did little more than duplicate pleadings filed in related

cases" (*Rogel v. Lynwood Redevelopment Agency* (2011) 194 Cal.App.4th 1319, 1330), or the plaintiff achieved limited success, the case did not involve complex issues of law, or the case did not preclude the plaintiff's attorneys from working on other matters (*San Diego Police Officers Assn. v. San Diego Police Department* (1999) 76 Cal.App.4th 19, 24).

"A trial court's determination of reasonable attorney fees is reviewed under the abuse of discretion standard." (*Lealao v. Beneficial California, Inc.* (2000) 82 Cal.App.4th 19, 25.) " ' "The abuse of discretion standard is 'deferential,' but it 'is not empty.' [Citation.] '[I]t asks in substance whether the ruling in question "falls outside the bounds of reason" under the applicable law and the relevant facts [citations].' [Citation.]" ' (*Ibid.*) . . . Further, when, as here, the fee order under review was rendered by a judge other than the trial judge, we may exercise ' "somewhat more latitude in determining whether there has been an abuse of discretion than would be true in the usual case." ' "[9] (*Center for Biological Diversity v. County of San Bernardino* (2010) 188 Cal.App.4th 603, 616, fn. omitted; see *In re Vitamin Cases* (2003) 110 Cal.App.4th 1041, 1052, italics added [rationale behind deferential review is that "the 'experienced trial judge is the best judge of the value of professional services *rendered in his court*"].) " 'When the record is unclear whether the trial court's award of attorney fees is consistent with the applicable legal

---

[9] Judge Timothy Patrick Dillon conducted the July 2023 case management conference, denied IRDC's February 2024 ex parte application to continue trial, conducted the final status conference, and entered judgment in February 2024. However, Judge Rolf M. Treu ruled on IRDC's motion for attorney fees in October 2024.

principles, we may reverse the award and remand the case to the trial court for further consideration and amplification of its reasoning.' (*In re Vitamin Cases*[, *supra*,] 110 Cal.App.4th [at p.] 1052.)" (*Roe v. Halbig* (2018) 29 Cal.App.5th 286, 312.)

Abuse of Discretion. After a thorough review of the record, we conclude the trial court abused its discretion by awarding attorney fees of $83,197 based on 73.9 hours, an hourly rate of $750, and a 1.5 multiplier.

First, the trial court did not explain the basis for its conclusion that a $750 hourly rate was warranted, saying only that "[c]ounsel's declaration sufficiently attests to his experience and the reasonableness of the rates." However, this rate was not supported by the record. In February 2024, Medvei attested to having an hourly rate of $500 when he sought fees for his discovery motions. Medvei offered no explanation as to how his rate increased to $750 less than three months later in April 2024 when he filed the postjudgment motion for fees. The trial court cited Medvei's declaration as support for the $750 rate, but that declaration states only that Medvei had "recovered attorney's fees on requests to courts at rates between $500–$1,000 per hour over the past five years." Medvei indicated that the $1,000 was his "direct billing rate" and that he was awarded that rate in ICA violation cases brought by victim-plaintiffs—not a case like this, filed on behalf of the public, seeking only injunctive relief, and resulting in a perfunctory settlement. Medvei's only mention of the $750 rate was that two years earlier, he was awarded "an average rate of $750 per hour (after lodestar enhancements) in a similar case to this one that went to trial, based on a lower billing rate of $500 [he] claimed for [his] services at that time." Because that figure was reached only after applying a multiplier and in a

case that proceeded through trial, it provides no legitimate support for claiming $750 as a baseline rate here.[10]

Second, the trial court also offered no rationale for applying a 1.5 multiplier. (See *Donahue v. Donahue* (2010) 182 Cal.App.4th 259, 271 ["Besides thwarting meaningful appellate review, the lack of detail and explanation in the orders raises the concern the trial court utilized an overly deferential approach to the fee request. A trial court may not rubberstamp a request for attorney fees, but must determine the number of hours *reasonably* expended."].) While the trial court is not required to issue a statement of decision in connection with a fee award, it must "clearly explain" its reasons for choosing the particular award it chose; if it fails to do so, " 'the reviewing court is unable to determine that the court had valid, specific reasons' " for its award. (*Snoeck*, *supra*, 96 Cal.App.5th at p. 921; see also *Roe v. Halbig*, *supra*, 29 Cal.App.5th at p. 312 [" 'A trial court's award of attorney fees must be able to be rationalized to be affirmed on appeal. . . . When a trial court makes an award that is inscrutable to the parties involved in the case, and there is no apparent reasonable basis for the award in the record, the award itself is evidence that it resulted from an arbitrary determination."].) Here, the trial court gave *no* explanation for its application of a 1.5 multiplier, saying only that "[p]laintiff's

---

[10] IRDC contends that Ramirez does not challenge Medvei's rate or the lodestar multiplier. While Ramirez does not raise specific objections to those items, he consistently contends that the overall award was excessive and broadly challenges the trial court's exercise of discretion in awarding fees. Accordingly, we exercise our discretion to consider the rate and multiplier, as they are integral to the fee award.

request for a lodestar enhancement/multiplier of 1.5 is granted." This is patently insufficient to permit meaningful appellate review. Moreover, a multiplier is intended to account for unusual complexity, risk, or skill, yet the record here demonstrates the opposite. IRDC has filed this same lawsuit dozens, if not hundreds, of times, relying on a recycled seven-page complaint. Far from being novel or complex, this matter is just one of many identical cases filed by this plaintiff. It therefore was incumbent on the trial court to explain why a 1.5 multiplier was appropriate under the circumstances of this case. Its failure to do so was an abuse of discretion.

Third, the attorney fee award did not appear to account for the reasonableness of the total fee award in light of the apparently limited public benefit achieved by the plaintiff in this case. While IRDC correctly notes that the ICA reflects a legislative judgment that private enforcement of the ICA benefits the public, that does not mean that every ICA judgment equally benefits the public or that all hours spent securing an ICA judgment necessarily are reasonably incurred. In the present case, IRDC sought and obtained a judgment enjoining Ramirez from "further violations of the [ICA]" without specifying any particular violations to be remedied. In other words, *all* the judgment required Ramirez to do was to comply with existing law—something Ramirez was bound to do even in the absence of the judgment. (See, e.g., *Howard Jarvis Taxpayers Assn. v. Powell* (2024) 105 Cal.App.5th 955, 966, fn. 5 [rejecting plaintiff's request for a writ of mandate requiring defendants to " 'comply with the mandatory duties under the California Constitution . . . and other applicable laws' " because "a writ of mandate will not issue to grant the same relief already provided by other laws"].)

In awarding attorney fees under the ICA to a member of the public who does not allege it was personally harmed by the alleged statutory violations, the trial court should consider whether the fees sought were reasonable in light of the public benefit the lawsuit achieved.

Finally, the trial court's award of fees did not appear to consider whether IRDC had a reasonable factual basis for bringing this action in the first instance. As Ramirez noted below, IRDC's original complaint was identical to that filed in dozens of other cases, alleging on information and belief that Ramirez violated each provision of the ICA governing immigration consultants. The complaint did not allege any facts particular to Ramirez, and it appears to have included some allegations that were demonstrably false. Although the ICA expressly permits a plaintiff suing on behalf of the general public to allege facts on "information and belief" (BP, § 2246.5, subd. (b)), this standard does not permit a plaintiff to file suit without a reasonable basis for believing the allegations of the complaint to be true. (See, e.g., CCP, § 128.7, subd. (b)(2)–(3) [attorney signing and filing a pleading "certif[ies] that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances," that the claims are "warranted by . . . law" and "allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery"]; Rules Prof. Conduct, rule 3.1 [prohibiting attorney from asserting claims absent probable cause or without a good faith factual or legal basis].) Because the record before the trial court was susceptible to Ramirez's assertion that the complaint was filed

without any reasonable suspicion that a statutory violation had been committed, the trial court should have considered this issue in determining whether IRDC's fees were reasonably incurred.[11]

For all of these reasons, we conclude the trial court abused its discretion by awarding attorney fees of $83,197.50. We therefore reverse the award and remand this matter to the trial court for further consideration of IRDC's motion for attorney fees in light of the factors addressed above.

---

[11] Ramirez also contends that IRDC is an alter ego of Medvei Law Group, and that plaintiff was thus self-represented and is precluded from recovering attorney fees. We decline to reach this issue on appeal, but the trial court may consider it on remand.

We also deny Ramirez's requests for judicial notice filed May 15 and August 18, 2025, as the documents of which judicial notice is sought are not relevant to our determination of the merits of this appeal.

DISPOSITION

IRDC's motion to dismiss and request for sanctions are denied. The attorney fees order is reversed and remanded for the trial court to reconsider the attorney fees motion. Appellant and defendant Aurelio M. Ramirez is awarded his costs on appeal.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

EDMON, P. J.

We concur:

EGERTON, J.

HANASONO, J.