

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Consolidated Actions:

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
County of Los Angeles, Case No. BC 325 201

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 364 553

Richard A. Wood v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 391 869

Judicial Council Coordination
Proceeding No. 4408

Lead Case No. BC 325 201

**DECLARATION OF HON. JACK
KOMAR**

Judge: Honorable Jack Komar, Ret.

1 **This Document Pertains to Add-On Case:**

2 Little Rock Sand and Gravel, Inc., a California
3 corporation v. Granite Construction Company
4 Superior Court of California
County of Los Angeles, Case No. MC026932
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7 I am a retired Judge of the California Superior Court, Santa Clara County;

8 I served as such Superior Court Judge from 1985 until retiring on October 31, 2009;

9 I currently serve as a “private judge,” and act as an independent arbitrator and mediator
10 from time to time for various parties at the request of various lawyers using the administrative
11 services of the Judicial Arbitration and Management Services (JAMS);

12 While an active judge in or about 2005, I was asked by the Judicial Council to accept and
13 did accept an assignment as trial judge in a coordinated case venued in the County of Los
14 Angeles Superior court, Coordinated Case number JCCP4408, known as the “Antelope Valley
15 Groundwater Cases,” which involved overdraft and water allocation issues among thousands of
16 parties.

17 As the coordination trial judge in the “Antelope” cases, I heard and decided multiple
18 motions and related matters, both pre and post-retirement, and entered judgment in 2015
19 pursuant to stipulations by most parties to the litigation and adopted a “physical solution” to the
20 ground water overdraft and allocation issues. Several parties opposed the physical solution and
21 the judgment and appealed to the 5th District Court of Appeal. Post judgment and retirement, I
22 have heard multiple motions relating to after-occurring facts and other equitable issues under the
23 terms of the judgment as the court retained jurisdiction in equity by the terms of the judgment..

24 The judgment was affirmed in all appeals and the Supreme Court denied review as sought
25 by various parties. A post-judgment claim for attorneys’ fees by attorney Michael McLachlan
26 was appealed and was remanded by the appellate court for explanation as to certain findings
27 made regarding attorney’s fees). Mr. McLachlan filed a challenge under the CCP Section 170,
28


1 making certain allegations about unethical behavior post judgment which were unfounded, not
2 supported by any evidence, and untrue.

3 After retirement, as was known by all parties' counsel, have acted as a paid arbitrator and
4 mediator through JAMS for various parties involved in Water related disputes. To my
5 knowledge, none of the parties in those mediations were or are parties in the Antelope Valley
6 cases, although some of the parties in those matters were represented by counsel who are also
7 counsel for various parties in the Antelope matters. I have no agreement with such parties or
8 lawyers; their agreement is with JAMS administrators to whom payment is made.

9 Contrary to the assertion in the "Citizens'" statement, I did not recuse myself in the
10 McLachlan matter but rather than engage in protracted litigation over Mr. McLachlan's
11 allegations, none of which were accurate or true, as I pointed out and posted on the Antelope
12 website, I simply remanded the issues in Mr. McLachlan's attorney fee case to the Los Angeles
13 Superior Court pursuant to the coordinated case rules for remanding parts of cases back to the
14 court where the matter was initiated so that a different judge could hear the issues on remand.
15 I *emphasize* that Mr. McLachlan's assertions of conflict were not true.

16 I declare that the above declaration is true and correct under penalty of perjury to the best
17 of my knowledge.

18
19 Dated: 3-7-2023



Hon. Jack Komar (Ret.)
Judge of the Superior Court