

December 22, 2021

VIA OVERNIGHT MAIL

Hon. Tani G. Cantil-Sakauye
Chair, Judicial Council of California
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordinator)
455 Golden Gate Avenue
San Francisco, CA 94102

**Re: *Antelope Valley Groundwater Litigation, JCCP 4408*
Wood v. Los Angeles County Waterworks District No. 40
*Hon. Jack Komar Replacement***

Dear Chief Justice Cantil-Sakauye:

I am co-counsel for Richard Wood, plaintiff and appellant in the above-reference class action. I write to request that the Judicial Council appoint a replacement judge following the Honorable Jack Komar's October 4, 2021, letter to you requesting his replacement. (Exhibit 1.)

On December 6, 2021, the Fifth District Court of Appeal issued remitter in *Wood v. Los Angeles County Waterworks District No. 40* on its reversal of various trial court attorneys' fee-related rulings. That opinion requires further trial court analysis of various rulings, as well as a motion for attorneys' fees for appellate work. We are now well into the statutory time for filing those motions, but at present have no trial judge to hear these matters.

By way of background, Wood filed his Statement of Disqualification Pursuant to C.C.P. section 170.3 on September 29, 2021. (Exhibit 2.) The statutory scheme requires the judicial officer to either consent or to file a verified answer within ten days. (C.C.P. § 107.3(c)(3)-(4).) Judge Komar did not answer and instead opted to consent to the disqualification. (Exhibit 1.) Consequently, Judge Komar has lost jurisdiction to hear substantive matters in this proceeding. We ask that the Judicial Council appoint a replacement judge as soon as possible so that post-appeal hearings may be timely filed and scheduled.

Very truly yours,



Michael D. McLachlan

cc: All Counsel (*via electronic service*)