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**SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
**COUNTY OF LOS ANGELES**

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

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**RICHARD A. WOOD**, an individual, on  
behalf of himself and all others similarly  
situated,

Plaintiff,

v.

**LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40; et  
al.**

Defendants.

Judicial Council Coordination  
Proceeding No. 4408

Lead Case No. BC 325201

Case No.: BC 391869

**[proposed] ORDER RE-  
ASSIGNING WOOD CASE**

1 On June 17, 2005, a series of pending groundwater lawsuits were ordered  
2 coordinated as Judicial Council Coordination Proceeding 4408, which was  
3 assigned to Los Angeles County Superior Court, Complex Litigation division. The  
4 Judicial Council assigned Judge Jack Komar to sit on assignment and preside  
5 over JCCP 4408, which was given the title “Antelope Valley Groundwater Cases.”

6 On or about June 3, 2008, Richard Wood filed a class action complaint in  
7 the Los Angeles County Superior Court and was assigned case Number BC391869  
8 (*Wood v. Los Angeles County Waterworks District 40 et al.*). Thereafter, the  
9 *Wood* case was transferred and coordinated with JCCP 4408. On or about  
10 February 19, 2010, the Antelope Valley Groundwater Cases, including the *Wood*  
11 case, were consolidated for trial.

12 On December 28, 2015, a judgment was entered in the coordinated cases.  
13 After Judgment was entered, class counsel, Law Offices of Daniel M. O’Leary and  
14 McLachlan Law, APC (the firm’s current name), filed two motions to recover  
15 attorneys’ fees and costs from the defendants, including Los Angeles County  
16 Waterworks District 40. The Court entered orders on the fee motions, granting  
17 certain fees and costs.

18 Thereafter, both the Wood Class and Los Angeles County Water District 40  
19 filed a series of cross-appeals relating to the post-judgment orders on attorneys’  
20 fees and costs, and issues directly related thereto, e.g. a Government Code  
21 election for periodic payments. The Court of Appeal for the Fifth Appellate  
22 District affirmed in part and reversed in part the attorneys’ fee and cost orders  
23 and remanded for further proceedings. Los Angeles County Waterworks District  
24 40 sought review of the Court of Appeal decision on the issues of the attorneys’  
25 fees and costs and the Supreme Court denied review. On December 6, 2021, the  
26 Court of Appeal issued remittitur.

27 On September 29, 2021, the Wood Class filed a Statement of  
28 Disqualification pursuant to C.C.P. section 170.3. On October 4, 2021, Judge

1 Komar responded by serving a declaration and a written request that the Chief  
2 Justice of the Supreme Court appoint another judge to handle the *Wood* case. To  
3 date, the Judicial Council has not responded to the re-assignment request.

4 In lieu of re-assignment from the Judicial Council, it is ordered as follows:  
5

6 Pursuant to California Rule of Court 3.542, the *Wood* case is hereby  
7 remanded to the Los Angeles Superior Court Assistant Supervising Judge for  
8 Civil/Complex for re-assignment for hearing(s) limited to the issues specified by  
9 the Court of Appeal related to the to the remanded issues of attorneys' fees, costs,  
10 costs and attorneys' fees on appeal, and all matters related thereto (such as post-  
11 judgment interest and Government Code elections).

12 Further, the filing date for the motions for attorneys' fees and for  
13 District 40 to file a motion to tax costs on appeal is extended to 15 days  
14 after notice of the assignment to the judge who will handle these motions.  
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18 Dated: \_\_\_\_\_

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Judge of the Superior Court  
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