



## Hon. Glen M. Reiser (Ret.)

### Case Manager

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## Biography

**Hon. Glen M. Reiser (Ret.)** has vast experience adjudicating and resolving thousands of complex commercial, real property/environmental, trust and family law disputes as a respected trial judge and litigator. Judge Reiser spent more than 20 years on the Ventura County Superior Court, serving as both supervising probate judge and California Environmental Quality Act (CEQA) judge for more than a decade. Prior to his appointment to the bench, he litigated hundreds of civil cases to successful conclusion in trial and appellate courts throughout California.

Judge Reiser regularly teaches California judges trust, probate, and conservatorships through the Judicial Council of California's Center for Judicial Education and Research (CJER).

Judge Reiser is known for using his thoroughness, intellect, attention to detail and breadth of knowledge to develop creative solutions to disputes of all types.

## ADR Experience and Qualifications

- More than a decade of exclusive assignment to trust and estate matters on the bench
- More than a decade serving as the only assigned CEQA judge in Ventura County, following years of land use experience as a private attorney
- Handled large-scale civil and appellate litigation, including environmental and real property, land use, water, complex banking and commercial litigation, real property secured transactions, mass toxic torts, trust litigation, insurance coverage and contract law as a litigator

# Representative Matters

## Estates/Probate/Trusts

- Actively settled the contested probate estate of an iconic actor whose will bequeathed his one-half share of the community property to various charities; worked out the disposition that the Academy Award decedent had refused to claim during his lifetime in favor of the surviving spouse
- Managed through settlement the contested trust estate of a nationally prominent burn physician whose trust amendments had become increasingly less generous to his two children
- Actively settled the contested trust estate of a noted attorney who remarried several months before his death between the new spouse and his two young daughters
- Established and managed for a number of years the contested conservatorship of a young actress dealing with serious personal challenges
- Clarified the trial court's inherent power to order an accounting in trust disputes (*Christie v. Kimball* (2012) 202 Cal.App.4th 1407)
- Rendered the initiating decision permitting "clawback" of trust assets where necessary to subsidize proper trust administration (*Kasperbauer v. Fairfield* (2009) 171 Cal.App.4th 229)
- Compelled surcharge of a trustee who had placed his own financial interests ahead of the interests of a settlor with cognitive challenges (*Conservatorship of Moore* (2015) 240 Cal.App.4th 1101)
- Clarified the most recent legislation where a contested trust amendment incorporated the "no contest" clause of a prior instrument solely by reference (*Aviles v. Swearingen* (2017) 16 Cal.App.4th 1101)
- As an attorney, successfully enforced a "no contest" clause through the California Supreme Court, where settlor's fifth wife received a cornucopia of assets by electing not to litigate

## Environmental Law

- Adjudicated to final resolution the consolidated 2017 environmental cases brought by cities and residents against the City of Los Angeles involving on-site and off-site modernization plans at Los Angeles International Airport
- Rendered environmental decisions involving coastal and residential and industrial development, including climate change and sea level rise
- Managed and adjudicated a lengthy inverse condemnation case where homeowners' yards cascaded down a bluff due to flood control improvements
- Served as general counsel on multiple diverse matters for a member agency of the Metropolitan Water District, including groundwater injection (water quantity), cryptosporidium issues (water quality), pipeline easement (land use) and pipeline rupture (tort) issues
- Served as environmental counsel for a municipal water district, including the removal of silt and debris from behind a dam, lake land use matters, and steelhead trout (endangered species) issues in a river
- Served as environmental counsel for a large land and farming company, including endangered species issues (least bell's video and stickleback) in and around the Santa Clara River, federal 404 permits, and 1603 permits arbitrations
- Represented a variety of clients on numerous state and federal subsurface and airborne regulatory contamination issues, including petroleum hydrocarbon removal, stripping of toxic solvents from groundwater, and elimination of airborne contaminants from manufacturing operations, including Clean Air Act, Clean Water Act and CERCLA compliance
- Represented numerous clients seeking land use entitlements through the entire CEQA process, including local administrative planning, consultation with prospective project opponents and scientific subject matter experts, scoping, EIR preparation, and public hearing
- Represented numerous clients in CEQA litigation at all trial and appellate levels, involving the full panoply of biota, air quality, hydrological, geological and archaeological and land use compatibility issues
- Successfully represented litigants challenging CEQA compliance and the associated environmental documents
- Appointed by the Superior Court for a number of years as lead counsel in mass toxic tort litigation (landowner group) where a residential subdivision was built upon an oil field waste dump (BTX and

solvents), balancing multiple client interests and multiple CGL insurer concerns, including environmental coverage; successfully drafted and advocated for the initial "Cottle" motion in California

- Appointed by the district attorney as Special Prosecutor and successfully prosecuted an independent oil company for criminal negligence resulting in a catastrophic oil spill resulting in significant environmental damage to coastal wetlands, including substantial loss of avian wildlife
- Served as Ventura County's only designated CEQA judge for more than a decade, resolving numerous statewide matters involving, inter alia, air quality including greenhouse gas emissions, wetlands, surface water quality/quantity/hydrology, groundwater quality/quantity/hydrology, climate change and coastal sea level rise, migratory fowl, endangered fauna and flora, historic preservation, jet aircraft safety, noise and traffic impacts, land subsidence, agricultural impacts, and numerous other litigated environmental concerns
- Stipulated judge for various California cities, counties and special districts on a variety of CEQA project challenges including multiple cases involving the Kern River delta, the current Los Angeles International Airport modernization, and a January 2019 decision involving water banking of San Joaquin River resources through the Central Valley Project. Issues in the latter case included dilution of Sierra snow melt to lesser Prop 65 drinking water standards, and associated impacts to crops with greater sensitivity thresholds
- Trial judge on a lengthy inverse condemnation matter involving hydrologic scouring of the banks of the Ventura River due to a combination of flood control projects redirecting surface waters

## Family Law

- Rendered the initiating decision allowing child support to become an exception in California to trustee discretion under a spendthrift trust (*Ventura County Dept. of Child Support Services v. Brown* (2004) 117 Cal.App.4th 144)

## Business & Commercial Law

- Arbitrated the emergency relief petition between two Silicon Valley AI start-ups over access to and use of alleged confidential information including Python source code
- Arbitrated the emergency relief petition of a popular entertainer alleging violation of a non-disparagement contract
- As a civil motion and trial judge, managed and adjudicated dozens of contract and transactional litigation matters at every level of complexity, including purchase and sale of business assets, construction disputes and debt collection
- Successfully litigated a months-long arbitration of non-conforming goods under a requirements contract for Air Force bomb castings
- Successfully litigated an action against a Korean manufacturer importing contaminated aloe vera intended for human consumption

## Real Property

- Handled numerous financing transactions including the following: securing loans, construction financing, guaranty and indemnity agreements, performance bonds and subordination agreements - handled these matters using negotiation, document preparation and litigation, including in appellate courts
- Shepherded land use planning including Subdivision Map Act/Subdivided Lands Act compliance, general plan and specific plan amendments, development agreements and CEQA planning through administrative planning levels, scoping, full environmental review, governing board hearings and numerous related litigation cases through and including the appellate courts
- Handled real property leasing transactions including long-term ground leases, multiple varieties of

commercial and industrial leasing, agricultural leases and oil and gas leases/royalty contracts, including negotiation, drafting, performance, breach and associated litigation

- Directly assisted in the preparation of California Revenue and Taxation Code legislation exempting certain transaction types from ad valorem real property tax reassessment
- Represented the largest American title insurance company for the better part of two decades, plus its national 1031 exchange entity, including many coverage issues, title defense and elimination of covered defects of record through any variety of means, including all manner of real property litigation
- Represented various real property owners, contractors, subcontractors and materialmen on a number of mechanic's lien matters, principally on commercial and industrial projects

## Agricultural Business

- Began legal career negotiating and drafting agricultural leases, predominantly row crop
- Tried successfully through judgment an easement dispute between adjoining lemon ranch owners
- Represented several thousand crates of concentrated orange juice belonging to a major beverage company that were confiscated by the Department of Agriculture for alleged regulatory "second squeezing" violation promulgated by the Florida orange lobby
- Represented a major sod farm and other row crop farmers seeking inverse condemnation recourse from upstream entities for massive flood damage exacerbated by upstream development approvals, through trial and appellate review
- Represented for many years the farming side of a, then-publicly traded, major farming company on a variety of regulatory and land use issues, including Clean Water Act, federally endangered species and statutory streambed alteration arbitrations
- Represented a large San Francisco/San Mateo greenhouse flower grower in challenging regulatory watercourse drainage maintenance restrictions
- Represented agricultural interests with historic pesticide/herbicide practices challenged by homeowners buying in neighboring residential developments
- Represented a farmer adjacent to the Ventura River whose operations became adversely impacted by newly-imposed local regulatory limitations
- Successfully represented a citrus grower in an eminent domain action brought by a large public water agency wanting to develop on site aquifer recharge facilities and appurtenant rights [subsequently hired as general counsel for the public water agency]
- Litigated water rights for private agricultural water companies
- Represented a large provider of orchard maintenance/harvesting/co-op contracting services
- Successfully prosecuted injunctive action brought to protect an avocado orchard from further root rot damage
- As a judge, managed for many years several iterations of litigation, predominantly CEQA, involving appropriative rights issues to receive irrigation water from the Kern River, interpretation of Tulare County forfeiture rulings, and impacts to the associated subsurface aquifers, involving many tens of thousands of acres of farmland along the Kern Delta
- As a judge, managed for many years through jury trial and a multi-year injunctive phase, litigation arising from flood damage after a protective levee erected by a watercress farmer on the north bank redirected storm flows across a tangerine ranch on the south bank
- Last case as a judge was adjudicated between various San Joaquin Valley agricultural interests, in which a large water banking project sought Friant-Kern Canal rights from the Bureau of Reclamation, proposed exercise of eminent domain rights to build spreading ponds across many acres of farm land, in exchange for return irrigation water to be stored within the highly contaminated and heavily subsidized Tulare Basin
- As a judge, managed many large family trusts in which ranch lands needed interim operation and management as ownership interests passed to the successive generations
- As a judge, operated and managed vineyards in Northern California pending delayed resolution of legal issues with the assistance of a receiver in Sonoma County
- As a judge, required to value avocado acreage through conflicting experts pursuant to trust distribution litigation
- As a judge, required to instruct on the economic wisdom of maintaining viticulture operations in trust management litigation

## Personal Injury/Torts

- Tried and managed through verdict a major design defect case against an automobile manufacturer brought by a physician whose legs were severed after his vehicle hydroplaned and crashed
- Managed the lengthy jury trial brought against a litany of asbestos manufacturers by a man who suffered and ultimately died of mesothelioma
- Tried and managed through verdict the wrongful death case of a woman killed in a rear-end collision along the Pacific Coast Highway
- As an attorney serving as lead counsel in a mass toxic tort case, successfully drafted and advanced the first *Cottle* motion, allowing procedural creativity in complex civil cases

## Honors, Memberships, and Professional Activities

- Judge of the Year, Ventura County Trial Lawyers Association, 2016
- Frequent lecturer in a wide variety of civil litigation and ADR topics, including CEQA, trusts, probate, conservatorships, family law and case management
- Member, Probate Law Curriculum Committee, Center for Judicial Education and Research, Judicial Council of California, 2015–2019
- Member, Emerging Technologies Ad Hoc Working Group, Governing Committee of the Center for Judicial Education and Research, Judicial Council of California, 2015–2016
- Vice-Chair, Court Technology Advisory Committee; Chair, Projects Subcommittee; Judicial Council of California; 2012–2014
- Member, Technology Planning Task Force, Judicial Council Technology Committee, 2012–2014
- Chairman, Technology Committee, Ventura County Superior Court, 2005–2016
- Member, Court Technology Advisory Committee, Judicial Council of California, Administrative Office of the Courts, 2005–2012
- Member; Technology Services Subcommittee, Outreach Subcommittee and Appellate e-Filing Subcommittee; Judicial Council of California; Administrative Office of the Courts; 2005–2012
- Co-Sponsor, Judicial Branch Technology Initiatives Working Group, “Statewide Technology Vision,” Judicial Council Technology Committee, 2012–2013
- Member, AB 2073 Mandatory E-Filing Working Group, Administrative Office of the Courts, 2012–2013
- Member; Ad Hoc Advisory Committee on Court Efficiencies, Cost Savings and New Revenue; Administrative Office of the Courts, 2012–2014
- Chairman, California Case Management System (CCMS) Operational Advisory Committee, Administrative Office of the Courts, 2010–2012
- Member; Judicial Review/Testing Group; California Case System Software; “V4” Criminal, Juvenile, Family Applications; 2007–2011
- Member; Judicial Review/Testing Group; California Case System Software; “V3” Civil, Probate, Small Claims Applications; 2004–2006

## Background and Education

- Judge, Ventura County Superior Court, 1998–2019
  - 2010–2019: Probate, conservatorships, trusts, guardianships, CEQA
  - 2008–2010: Civil trials and motions, CEQA
  - 2004–2008: Criminal trials, arraignments, motions, preliminary hearings
  - 2002–2004: Probate, conservatorships, trusts, guardianships, family law
  - 2000–2002: Criminal trials, arraignments, motions, preliminary hearings (Superior Court Appellate Division)
  - 1998–2000: Civil trials and motions
- Of Counsel; Ferguson, Case, Orr, Paterson & Cunningham, LLP; 1997–1998
- Principal, Law Office of Glen M. Reiser, 1992–1997

- Partner; Nordman, Cormany, Hair & Compton; 1978–1992
- Graduate, National Institute for Trial Advocacy, National Session, 1981
- J.D., University of California, Los Angeles, 1978
- B.A., High Honors, University of California, Santa Barbara, 1975
- United States Military Academy, 1971–1972

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