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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF LOS ANGELES – CENTRAL DIVISION**

14 BRIAN CHAMBERS, KATHRYN )  
CHAMBERS, DAGOBERTO HERNANDEZ, )  
15 SERGIO HERNANDEZ, JACQUELINE )  
HERNANDEZ, TERESA LOLLIE, )  
16 LINDSEY LOLLIE, SHELBY EIDSON, and )  
LORETTA PENG, individually and on behalf )  
17 of all others similarly situated, )  
Plaintiffs, )  
18 v. )  
19 SOUTHERN CALIFORNIA EDISON )  
COMPANY and JOHN DOES NOS. 1-100, )  
20 Defendants. )  
21 )  
22 ) x

Case No. **25STCV04246**

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMANDED**

1 Plaintiffs Brian Chambers, Kathryn Chambers, Dagoberto Hernandez, Sergio Hernandez,  
2 Jacqueline Hernandez, Teresa Lollie, Lindsey Lollie, Shelby Eidson, and Loretta Peng,  
3 (“Plaintiffs”), individually and on behalf of all others similarly situated (collectively, the “Class,”  
4 as more fully defined below), bring this class action complaint against Defendant Southern  
5 California Edison Company (“SCE”) and John Does Nos. 1-100 (together, “Defendants”).  
6 Plaintiffs make the following allegations upon personal knowledge as to their own acts,  
7 information and belief, and their attorneys’ investigation as to all other matters, alleging as follows:

8 **I. INTRODUCTION**

9 1. This action seeks to redress injuries caused to Plaintiffs and all other similarly  
10 situated persons and entities for damages arising out of the Eaton Fire caused by SCE’s failure to  
11 adequately maintain its electrical grid and de-energize its power lines during known fire weather  
12 conditions.

13 2. The Eaton Fire began on or around January 7, 2025 at approximately 6:15 p.m. in  
14 the area of Eaton Canyon in the unincorporated census designated location in Los Angeles County,  
15 California, known as Altadena, within one half mile of the intersection of North Altadena Drive  
16 and Midwick Drive in Pasadena, CA 91107 (the “Origin Area”).<sup>1</sup> The blaze has subsequently  
17 ripped through over 13,690 acres of land, and destroyed at least 4,000 residences as of January 10,  
18 2025.<sup>2</sup> At least 16 people have been killed and numerous more injured by the Eaton Fire.<sup>3</sup>

19 3. The blaze began under known fire weather conditions that were reported by the  
20 National Weather Service (“NWS”) Los Angeles, which issued a Fire Weather Watch on January  
21

22 <sup>1</sup> Eaton Fire Incident, CAL. DEPT. OF FORESTRY AND FIRE PROTECTION,  
23 <https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire> (last visited Jan. 14, 2025).

24 <sup>2</sup> See *supra*, n.1; see also *Full Press Conference | LA County fire briefing on Jan. 8*, KCRA 3  
(Jan. 8, 2025), <https://www.yahoo.com/news/full-press-conference-la-county-174713061.html>.

25 <sup>3</sup> Dean Fioresi, Julie Sharp, & Matthew Rodriguez, *Containment of deadly Eaton Fire increases,*  
26 *crews on high alert amid red flag warning*, KCAL NEWS (Jan. 14, 2025),  
27 <https://www.cbsnews.com/losangeles/news/eaton-canyon-altadena-brush-fire-strong-winds/>; see  
28 *also 16 dead, 16 missing as fire crews try to corral Los Angeles blazes before winds return this week*,  
CNBC, (Jan. 12, 2025), <https://www.cnbc.com/2025/01/12/la-county-medical-examiners-office-confirms-wildfire-death-toll-rises-to-16.html>.

1 3, 2025 at 3:17 p.m. effective from January 7 through January 10, 2025 in Los Angeles and Ventura  
2 Counties. The NWS Los Angeles advised of Critical Fire Conditions and stated that “[a]ny fire  
3 [that] starts may grow rapidly in size with extreme fire behavior.”<sup>4</sup>

4 4. On January 5, 2025, Los Angeles County and NWS Los Angeles issued a Red Flag  
5 Warning and High Wind Warning for most of Los Angeles County. In the alert, Ready Los  
6 Angeles County warned of “Widespread damaging wind gusts 50-80 mph, Isolated 80-100 mph  
7 for mountains/foothills.”<sup>5</sup>

8 5. On January 6, 2025, at 6:47 p.m., NWS Los Angeles issued another alert stating,  
9 “HEADS UP!!! A LIFE-THREATENING, DESTRUCTIVE, Widespread Windstorm is expected  
10 Tue afternoon-Weds morning across much of Ventura/LA Co. Areas not typically windy will be  
11 impacted. See graphic for areas of greatest concern. Stay indoors, away from windows, expect  
12 power outages.” The NWS Los Angeles identified the San Gabriel Valley, Pasadena, and Altadena  
13 as its Locations of Greatest Concern.<sup>6</sup> NWS Los Angeles also declared the Red Flag Warning to  
14 be a “Particularly Dangerous Situation,” warning of “[w]idespread damaging wind gusts 50-80  
15 mph, Isolated 80-100 mph for mountains/foothills. Downed Trees and power outages. . . . Use  
16 extreme caution with any potential ignition sources.”<sup>7</sup>

17 6. According to the California Wildfire Coordinating Group’s California Fire Weather  
18 Annual Operating Plan, a “Red Flag Warning Particularly Dangerous Situation” is made to  
19  
20  
21  
22

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23 <sup>4</sup> NWS Los Angeles @NWSLosAngeles, X (Jan. 3, 2025, 3:17 PM),  
24 <https://x.com/NWSLosAngeles/status/1875320550094147720>.

25 <sup>5</sup> Ready Los Angeles County @ReadyLACounty, X (Jan. 5, 2025, 3:34 PM),  
<https://x.com/ReadyLACounty/status/1876049706494972360>.

26 <sup>6</sup> NWS Los Angeles @NWSLosAngeles, X (Jan. 6, 2025, 11:00 AM),  
27 <https://x.com/NWSLosAngeles/status/1876343016526598292>.

28 <sup>7</sup> NWS Los Angeles @NWSLosAngeles, X (Jan. 6, 2025, 6:47 PM),  
<https://x.com/NWSLosAngeles/status/1876460729848782871>.

1 “highlight exceptional fire weather conditions (combination of meteorological and fuels)  
2 considered rare and/or especially impactful to the public and firefighting community.”<sup>8</sup>

3 7. SCE operated high voltage transmission and distribution lines in Eaton Canyon on  
4 circuits that traversed the Origin Area.<sup>9</sup> Despite these Red Flag Warnings and Eaton Canyon’s  
5 location in the mountains of Los Angeles County, SCE chose to keep many parts of its distribution  
6 circuit in and near Eaton Canyon energized.

7 8. On January 7, 2025, at approximately 6:18 p.m., an electrical failure occurred on  
8 energized overhead power lines owned, operated, and controlled by SCE, causing an arc and/or  
9 electrical sparks that ignited susceptible ground vegetation below resulting in the ignition of the  
10 Eaton Fire.

11 9. At or around the time the Eaton Fire first ignited, numerous residents in the area  
12 surrounding the Origin Area reported seeing power lines sparking and a fire igniting in the area  
13 underneath two transmission towers owned and operated by SCE.

14 10. On January 9, 2025, SCE submitted an Electric Safety Incident Report, admitting  
15 that its transmission lines traversing Eaton Canyon were energized at the time of the ignition of  
16 the Eaton Fire.<sup>10</sup> Notably, SCE previously stated that it de-energized its distribution lines to the  
17 west of Easton Canyon “well before the reported start time of the fire, as part of SCE’s Public  
18  
19

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20 <sup>8</sup> California Fire Weather Annual Operating Plan 2024, CALIFORNIA WILDFIRE  
21 COORDINATING GROUP (Apr. 30, 2024),  
22 [https://www.weather.gov/media/wrh/caf/2024\\_CA\\_FIRE\\_AOP.pdf](https://www.weather.gov/media/wrh/caf/2024_CA_FIRE_AOP.pdf).

23 <sup>9</sup> SCE C-GIS Project, Transmission Circuits, SOUTHERN CALIFORNIA EDISON  
24 COMPANY, [https://drpep-](https://drpep-sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about)  
25 [sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about](https://drpep-sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about) (last visited Feb.  
26 12, 2025); *see also* Distributed Resource Planning External Portal, S. CAL. EDISON CO.,  
27 <https://drpep.sce.com/drpep/?page=Page> (last visited Feb. 12, 2025).

28 <sup>10</sup> Electric Safety Incident Report, SOUTHERN CALIFORNIA EDISON COMPANY (Jan. 9,  
2025), [https://download.edison.com/406/files/202501/esir-20250109-eaton-](https://download.edison.com/406/files/202501/esir-20250109-eaton-fire.pdf?Signature=LuSvW3aEaZQpOgejcdxuZJJzOWw%3D&Expires=1736565856&AWSAccessKeyId=AKIAJX7XEOOELCYGIVDQ&versionId=bhKxbjSb3Fr7VUrSNeBM46KOUwbV_RoH&response-content-disposition=attachment)  
[fire.pdf?Signature=LuSvW3aEaZQpOgejcdxuZJJzOWw%3D&Expires=1736565856&AWSAccessKeyId=AKIAJX7XEOOELCYGIVDQ&versionId=bhKxbjSb3Fr7VUrSNeBM46KOUwbV\\_RoH&response-content-disposition=attachment](https://download.edison.com/406/files/202501/esir-20250109-eaton-fire.pdf?Signature=LuSvW3aEaZQpOgejcdxuZJJzOWw%3D&Expires=1736565856&AWSAccessKeyId=AKIAJX7XEOOELCYGIVDQ&versionId=bhKxbjSb3Fr7VUrSNeBM46KOUwbV_RoH&response-content-disposition=attachment).

1 Safety Power Shutoff (PSPS) program.”<sup>11</sup> SCE did not state that it de-energized its distribution  
2 lines in Eaton Canyon or to the east of Eaton Canyon at the time the Eaton Fire ignited.

3 11. SCE has a duty to properly construct, maintain, and operate its electrical  
4 infrastructure and manage surrounding vegetation to ensure its electrical distribution system does  
5 not cause wildfires. SCE violated these duties by knowingly operating aging and improperly  
6 maintained electrical infrastructure. Moreover, SCE knew of the risks of negligently operating its  
7 electrical infrastructure because, according to the California Department of Forestry and Fire  
8 Protection and local firefighting authorities, SCE’s overhead electrical equipment caused the 2017  
9 Thomas Fire, the 2018 Woolsey Fire, the 2019 Easy Fire, and the 2022 Coastal Fire, among  
10 others.<sup>12</sup>

11 12. The Eaton Fire was caused by SCE’s negligence in: (1) failing to de-energize its  
12 overhead distribution and/or transmission power lines traversing Eaton Canyon on the evening the  
13 Eaton Fire started despite a Red Flag PDS warning being issued by the National Weather Service  
14 the day before the ignition of the Eaton Fire; (2) failing to appropriately set and/or change the  
15 mode of operation of its overhead distribution and/or transmission power lines including but not  
16 limited to relay settings, fast trip schemes, and recloser settings; (3) failing to design, operate,  
17 and/or maintain its overhead electrical facilities in a safe manner including but not limited to  
18 adequate clearances, loading, shielding angles, spacing, sagging, splicing, staggering, tensioning,  
19 and grounding of its overhead distribution and/or transmission power lines and equipment; (4)  
20 failing to underground the subject sections of its overhead distribution and/or transmission power  
21 lines; (5) failing to replace its overhead conductor with covered conductor on subject section of its  
22 distribution circuit; (6) failing to identify, inspect, repair and/or replace various electrical

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24 <sup>11</sup> Press Release, Southern California Edison Company, *Edison International Provides Update*  
25 *on Southern California Wildfires and SCE Power Outages* (Jan. 8, 2025),  
<https://newsroom.edison.com/releases/edison-international-provides-update-on-southern-california-wildfires-and-sce-power-outages>.

26 <sup>12</sup> Nathaniel Percy, *‘Electrical event’ involving SCE power line caused destructive 2022 fire in*  
27 *Laguna Niguel, OCFA report claims*, ORANGE COUNTY REGISTER (Oct. 8, 2024),  
28 <https://www.ocregister.com/2024/10/08/electrical-event-involving-sce-power-line-caused-destructive-2022-fire-in-laguna-niguel-report-says/>.

1 equipment on its overhead distribution and/or transmission towers and lines which were at risk of  
2 failing, including but not limited to insulators, insulator pins, tie wires, jumpers and connectors,  
3 nuts and bolts, and hooks; and/or (7) failing to abate and/or remove vegetation around its overhead  
4 distribution and/or transmission towers and electrical equipment in compliance with Public  
5 Resources Code §4292.

6 13. The Eaton Fire has destroyed or negatively impacted countless residences and  
7 businesses, including the residence and/or business of Plaintiffs and the residences and businesses  
8 of the other Class members. Plaintiffs bring this class action for damages, injunctive relief, and  
9 any other available legal or equitable remedies, resulting from the actions and inaction of SCE in  
10 negligently and/or recklessly constructing, maintaining, and operating its electrical distribution  
11 system.

12 **II. PARTIES**

13 **A. Plaintiffs**

14 14. Plaintiff Brian Chambers is a citizen of California, residing in Altadena, California.  
15 Plaintiff Brian Chambers was the owner of a residence located at 349 Marathon Road, Altadena,  
16 California 91001 that was destroyed as a result of the Eaton Fire. Plaintiff Brian Chambers was  
17 also forced to evacuate his home due to the evacuation orders caused by the Eaton Fire. As a direct  
18 result of the Eaton Fire, Plaintiff Brian Chambers has suffered and will continue to suffer  
19 substantial economic losses, including the destruction of his home, the destruction of personal  
20 property, and other consequential losses as the result of having to evacuate his residence.

21 15. Plaintiff Kathryn Chambers is a citizen of California, residing in Altadena,  
22 California. Plaintiff Kathryn Chambers was the owner of a residence located at 349 Marathon  
23 Road, Altadena, California 91001 that was destroyed as a result of the Eaton Fire. Plaintiff  
24 Kathryn Chambers was also forced to evacuate her home due to the evacuation orders caused by  
25 the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Kathryn Chambers has suffered and  
26 will continue to suffer substantial economic losses, including the destruction of her home, the  
27 destruction of personal property, and other consequential losses as the result of having to evacuate  
28 her residence.

1           16. Plaintiff Dagoberto Hernandez is a citizen of California, residing in Altadena,  
2 California. Plaintiff Dagoberto Hernandez was the owner of a residence located at 2639 Marengo  
3 Avenue, Altadena, California 9100 that was destroyed as a result of the Eaton Fire. Plaintiff  
4 Dagoberto Hernandez was also forced to evacuate his home due to the evacuation orders caused  
5 by the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Dagoberto Hernandez has suffered  
6 and will continue to suffer substantial economic losses, including the destruction of his home, the  
7 destruction of personal property, and other consequential losses as the result of having to evacuate  
8 his residence.

9           17. Plaintiff Sergio Hernandez is a citizen of California, residing in Altadena,  
10 California. Plaintiff Sergio Hernandez, who ran his small business at 2639 Marengo Avenue,  
11 Altadena, California 91001. His small business was destroyed as a result of the Eaton Fire.  
12 Plaintiff Sergio Hernandez was also forced to evacuate his home due to the evacuation orders  
13 caused by the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Sergio Hernandez has  
14 suffered and will continue to suffer substantial economic losses, including the disruption of his  
15 business that he operated out of his residence, the destruction of personal property, and other  
16 consequential losses as the result of having to evacuate his residence.

17           18. Plaintiff Jacqueline Hernandez is a citizen of California, residing in Altadena,  
18 California. Plaintiff Jacqueline Hernandez was a resident of a residence located at 2639 Marengo  
19 Avenue, Altadena, California 91001 that was destroyed as a result of the Eaton Fire. Plaintiff  
20 Jacqueline Hernandez was also forced to evacuate her home due to the evacuation orders caused  
21 by the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Jacqueline Hernandez has suffered  
22 and will continue to suffer substantial economic losses, including the destruction of personal  
23 property and other consequential losses as the result of having to evacuate her residence.

24           19. Plaintiff Teresa Lollie is a citizen of California, residing in Altadena, California.  
25 Plaintiff Teresa Lollie was the owner of a residence located at 943 Alta Pine Drive, Altadena,  
26 California 91001, that was destroyed because of the Eaton Fire. Plaintiff Teresa Lollie was also  
27 forced to evacuate her home due to the evacuation orders caused by the Eaton Fire. As a direct  
28 result of the Eaton Fire, Plaintiff Teresa Lollie has suffered and will continue to suffer substantial

1 economic losses, including the destruction of her home, the destruction of personal property, and  
2 other consequential losses as the result of having to evacuate her residence.

3         20. Plaintiff Lindsey Lollie is a citizen of California, residing in Altadena, California.  
4 Plaintiff Lindsey Lollie was a resident of a residence located at 943 Alta Pine Drive, Altadena,  
5 California 91001 that was destroyed as a result of the Eaton Fire. Plaintiff Lindsey Lollie was also  
6 forced to evacuate her home due to the evacuation orders caused by the Eaton Fire. As a direct  
7 result of the Eaton Fire, Plaintiff Lindsey Lollie has suffered and will continue to suffer substantial  
8 economic losses, including the destruction of personal property and other consequential losses as  
9 the result of having to evacuate her residence.

10         21. Plaintiff Shelby Eidson is a citizen of California, residing in Eagle Rock, California.  
11 Plaintiff Shelby Eidson was a resident of a residence located at 6132 Crestwood Way, Los  
12 Angeles, California 90042. Plaintiff Shelby Eidson was forced to evacuate her home due to the  
13 evacuation orders caused by the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Shelby  
14 Eidson has suffered and will continue to suffer substantial economic losses, including  
15 consequential losses as the result of having to evacuate her residence.

16         22. Plaintiff Loretta Peng is a citizen of California, residing in Eagle Rock, California.  
17 Plaintiff Loretta Peng was a resident of a residence located at 6132 Crestwood Way, Los Angeles,  
18 California 90042. Plaintiff Loretta Peng was forced to evacuate her home due to the evacuation  
19 orders caused by the Eaton Fire. As a direct result of the Eaton Fire, Plaintiff Loretta Peng has  
20 suffered and will continue to suffer substantial economic losses, including consequential losses as  
21 the result of having to evacuate her residence.

22             **B. Defendants**

23         23. SCE is a privately-owned public utility organized and existing under the laws of  
24 the State of California that provides electricity to the real property located in or around Los Angeles  
25 County, California.

26         24. SCE is one of the nation's largest electric utilities serving a 50,000 square-mile area  
27 within Central, Coastal, and Southern California. It is wholly owned by Edison International,  
28



1 which has a market capitalization of over \$32 billion.<sup>13</sup> SCE’s assets total approximately \$81.4  
2 billion.<sup>14</sup>

3 25. SCE is both an “Electrical Corporation” and a “Public Utility” pursuant to §§218(a)  
4 and 216(a) of the California Public Utilities Code. SCE is in the business of providing electricity  
5 to more than 14 million residents and businesses in a 50,000 square-mile area of Central, Coastal,  
6 and Southern California cities, including Los Angeles County, through a network of electrical  
7 transmission and distribution lines.

8 26. At all times herein, SCE was the supplier of electricity to members of the public in  
9 Los Angeles County, and elsewhere in Southern California. SCE installed, constructed, built,  
10 maintained, and operated overhead power lines, together with supporting utility poles and attached  
11 electrical equipment, for the purpose of conducting electricity for delivery to members of the  
12 general public. Furthermore, upon information and belief, SCE is responsible for maintaining  
13 vegetation near, around, and in proximity to its electrical equipment in compliance with State  
14 regulations, specifically including, but not limited to, Public Resource Code §4292, California  
15 Public Utilities Commission (“CPUC” or “PUC”) General Order 95, and CPUC General Order  
16 165.

17 27. SCE has at least \$1 billion in wildfire insurance.

18 28. The true names and capacities, whether individual, corporate, associate, or  
19 otherwise of Defendants John Does Nos. 1-100 are unknown to Plaintiffs who sue said Defendants  
20 by the use of fictitious names pursuant to California Code of Civil Procedure Section 474.  
21 Defendants John Does Nos. 1-100 are responsible for the acts and occurrences herein. Plaintiffs  
22

23 \_\_\_\_\_  
24 <sup>13</sup> See Stock Quote, EDISON INTERNATIONAL, <https://www.edison.com/investors/stock-information/stock-quote> (last visited Feb. 13, 2025).

25 <sup>14</sup> See 2023 Financial & Statistical Report, EDISON INTERNATIONAL AND SOUTHERN  
26 CALIFORNIA EDISON COMPANY at 5 (Mar. 18, 2024),  
27 [https://download.edison.com/406/files/202403/2023-financial-statistical-report.pdf?Signature=KZi4K%2B6JTum%2BvTQnJYz%2FMDI%20g2Xs%3D&Expires=1731264374&AWSAccessKeyId=AKIAJX7XEOELCYGIVDQ&versionId=tuMWpxCOrg2LsXM9WQqBIR8J50oEM.Z\\_&response-content-disposition=attachment](https://download.edison.com/406/files/202403/2023-financial-statistical-report.pdf?Signature=KZi4K%2B6JTum%2BvTQnJYz%2FMDI%20g2Xs%3D&Expires=1731264374&AWSAccessKeyId=AKIAJX7XEOELCYGIVDQ&versionId=tuMWpxCOrg2LsXM9WQqBIR8J50oEM.Z_&response-content-disposition=attachment).  
28

1 intend to amend this Complaint to identify their true names and capacities when they are  
2 ascertained, as well as the manner in which each Defendant is responsible for the Eaton Fire.

3 **III. JURISDICTION AND VENUE**

4 29. This Court has subject matter jurisdiction pursuant to California Code of Civil  
5 Procedure §395(a) because Defendants conducted significant business in Los Angeles County,  
6 California and the amount in controversy exceeds the jurisdictional minimum of this Court.

7 30. This Court has personal jurisdiction over Defendants pursuant to California Code  
8 of Civil Procedure §410.10 because they are incorporated and do business in the State of California  
9 and have a principal place of business in the City of Rosemead, County of Los Angeles, State of  
10 California.

11 31. Venue is proper in this County pursuant to California Code of Civil Procedure  
12 §395.5 because Defendants' principal place of business was and is located in Los Angeles County  
13 and/or Defendants' wrongful conduct occurred in Los Angeles County.

14 **IV. FACTUAL ALLEGATIONS**

15 **A. SCE Has a Duty to Safely Maintain Its Electrical Infrastructure**

16 32. SCE had a non-delegable, non-transferable duty to properly construct, inspect,  
17 maintain, repair, manage, and operate its electrical power lines, power poles, transmission towers,  
18 and appurtenant electrical equipment ("Electrical Infrastructure") and to keep vegetation properly  
19 maintained as to prevent the foreseeable risk of igniting a fire by an electrical equipment failure.

20 33. Defendants also owe a duty to maintain, operate, and manage their Electrical  
21 Infrastructure to properly ensure that they do not cause harm to their customers and the public.

22 34. These duties include, but are not limited to, de-energizing power lines during  
23 weather conditions that present a particularly high risk of wildfires as well as conducting adequate  
24 vegetation management practices, including clearing vegetation, trees, and tree limbs that could  
25 come into contact with their power lines and electrical equipment.

26 35. Indeed, as an electric utility, SCE is engaged in dangerous activity and, therefore,  
27 owes a heightened duty of care to the public to avoid foreseeable risks attendant to this activity,  
28 including the risk of wildfires.

1           36.    SCE was required to ensure the safe transmission of electricity over its  
2 infrastructure during high-wind conditions and to monitor weather conditions closely that could  
3 affect its electrical infrastructure and ultimately cause wildfires.

4           37.    While monitoring weather conditions, SCE also owed a duty to assess whether its  
5 power lines could continue to be operated safely and, if not, ensure the safety of the public by de-  
6 energizing its power lines.

7           38.    The practice of de-energizing power lines during fire weather conditions has  
8 become increasingly common in the Western United States to prevent wildfires. Numerous  
9 California utilities have implemented Public Safety Power Shutoffs (“PSPS”) during high wind  
10 conditions for years. SCE knew or should have known that PSPS plans were particularly important  
11 to have in place during fire weather conditions.

12           39.    SCE also has an obligation to comply with numerous statutes, regulations, orders,  
13 and standards, as detailed below, in the construction, inspection, repair, maintenance, ownership,  
14 and operation of its Electrical Infrastructure.

15           40.    SCE is required to comply with numerous design standards for its electrical  
16 equipment, as stated in CPUC General Order 95. In extreme fire areas, like the area surrounding  
17 the Eaton Fire’s Origin Area, SCE must also ensure that its power lines and utility towers can  
18 withstand winds of up to 92 miles per hour. Further, SCE must follow applicable vegetation  
19 management standards to protect the public from fire. Pursuant to Public Resources Code §4292,  
20 SCE is required to “maintain around and adjacent to any pole or tower which supports a switch,  
21 fuse, transformer, lightning arrester, line junction, or dead end or comer pole, a firebreak which  
22 consists of a clearing not less than 10 feet in each direction from the outer circumference of such  
23 pole or tower.”

24           41.    SCE’s own Transmission Inspection and Maintenance Program (“TIMP”) further  
25 requires that it clear vegetation beneath high-voltage transmission lines (ranging from 115 kV to  
26 500 kV) in high fire risk areas not less than 18 feet.<sup>15</sup>

27 \_\_\_\_\_  
28 <sup>15</sup> *Transmission Inspection and Maintenance Program*, SOUTHERN CALIFORNIA EDISON  
COMPANY (June 24, 2022),

1           42.       Additionally, pursuant to CPUC General Order 165, SCE is also required to inspect  
2 its transmission facilities and distribution lines to maintain a safe and reliable electric system.  
3 Specifically, SCE must conduct “patrol” inspections of all of its overhead facilities annually in  
4 Extreme or High Fire areas, which includes Los Angeles County and the Origin Area.<sup>16</sup> SCE is  
5 also required to inspect transmission and distribution facilities in high fire risk areas with detailed  
6 inspections by senior patrolmen.<sup>17</sup>

7           43.       SCE is also required to conduct overhead inspections of its transmission circuits  
8 and distribution circuits to inspect for physical damage to its electrical apparatus, including, but  
9 not limited to, mechanical wear, damage, corrosion, foreign objects, clearances, sagging,  
10 tensioning, and the overall condition of the physical components of the towers, lines, and  
11 connected electrical apparatus.<sup>18</sup>

12           **B.       SCE Was on Notice of the Significant Risk of Wildfires Caused by Its**  
13           **Aging and Overloaded Utility Towers and Poles in the Years Before**  
14           **the Eaton Fire**

15           44.       SCE knew or should have known of the significant risk of wildfires caused by its  
16 aging and overloaded utility towers and power poles prior to the Eaton Fire.

17           45.       In October 2007, the Malibu Canyon Fire burned 3,846 acres of land, destroyed 14  
18 structures and 36 vehicles, and caused damage to 19 other structures. A subsequent investigation  
19 by the PUC’s Safety and Enforcement Division (“SED”) determined that the fire was caused when  
20 three wooden utility poles broke and fell to the ground as a result of strong Santa Ana winds that  
21 reached approximately 50 mph in Malibu Canyon, Los Angeles County. Those utility poles were  
22 owned and operated by, among other entities, SCE. The SED investigated the fire and found SCE

23 [https://www.sce.com/sites/default/files/AEM/Supporting%20Documents/2023-  
2025/Transmission%20Inspection%20and%20Maintenance%20Program%20\(TIMF\).pdf](https://www.sce.com/sites/default/files/AEM/Supporting%20Documents/2023-2025/Transmission%20Inspection%20and%20Maintenance%20Program%20(TIMF).pdf).

24 <sup>16</sup> General Order 165, Table 1, CALIFORNIA PUBLIC UTILITIES COMMISSION,  
25 [https://ia.cpuc.ca.gov/gos/GO165/GO\\_165\\_table.html](https://ia.cpuc.ca.gov/gos/GO165/GO_165_table.html) (last visited Feb. 13,2025).

26 <sup>17</sup> See *supra*, n.15; see also *Distribution Inspection and Maintenance Program*, SOUTHERN  
27 CALIFORNIA EDISON COMPANY (Oct. 28, 2022),  
[https://www.sce.com/sites/default/files/AEM/Supporting%20Documents/2023-  
2025/Distribution%20Inspection%20and%20Maintenance%20Program%20\(DIMP\).pdf](https://www.sce.com/sites/default/files/AEM/Supporting%20Documents/2023-2025/Distribution%20Inspection%20and%20Maintenance%20Program%20(DIMP).pdf).

28 <sup>18</sup> *Id.*

1 in violation of PUC General Order 95, which requires utility poles to be designed and constructed  
2 with a minimum safety factor of 4.0 and to withstand winds up to 92.4 mph. The SED concluded  
3 that SCE and the other owners and operators of the poles and attached facilities were in violation  
4 of Rules 12, 31, 43, and 44 of PUC General Order 95 for failing to properly inspect and maintain  
5 their poles and facilities to prevent the safety factors from falling below the minimum  
6 requirements. SCE agreed to a settlement with the PUC and a \$37 million fine further agreeing to  
7 conduct a safety audit and remediation of its utility poles in the Malibu area.

8         46. In November and December 2011, strong Santa Ana winds swept through SCE's  
9 territory, knocking down utility facilities, uprooting trees, and causing prolonged power outages.  
10 Approximately 248 wooden utility poles and 1,064 overhead electrical lines were affected and a  
11 total of 440,168 customers lost power. SED performed an investigation and concluded that SCE  
12 and other entities that jointly owned the utility poles violated PUC General Order 95 because at  
13 least 21 poles and 17 guy wires were overloaded in violation of the safety factors requirements set  
14 forth in Rule 44.1 of PUC General Order 95.

15         47. In 2012, the CPUC ordered SCE to conduct a statistically-valid sampling of SCE-  
16 owned and jointly-owned utility poles to determine whether the pole loading complied with  
17 minimum legal standards. On May 31, 2013, SCE released its study, finding that 22.3% of the  
18 5,006 poles tested failed to meet appropriate design standards.

19         48. In November 2013, the SED recommended the following changes in policy to the  
20 CPUC Commissioners: (1) SCE should conduct a wind analysis in its service territory,  
21 incorporating actual wind standards into its internal pole loading standards; (2) SCE should  
22 conduct a pole loading analysis of every pole carrying SCE facilities and employ a risk  
23 management approach, considering, at a minimum, fire risk, the presence of communications  
24 facilities, and the number of overloaded poles in the area; and (3) SCE should commence pole  
25 mitigation measures as soon as possible before the pole loading analysis was completed.

26         49. In 2015, SCE proposed a Pole Loading Program to identify and remediate  
27 overloaded poles and prevent poles in its service territory from becoming overloaded in the future.  
28 SCE claimed it started its Pole Loading Program in 2014 but would not complete its assessment

1 in high fire areas until 2017 and would not complete pole remediation of overloaded poles until  
2 2025. SCE claimed that under the Pole Loading Program, a pole would be replaced between 72  
3 hours and 59 months, depending upon the safety factor and its location relative to high fire areas.

4 50. SCE forecasted it would perform an assessment of 205,754 poles in 2015. SCE,  
5 however, only actually performed assessments of 142,382 poles in 2015, or 63,372 (30%) fewer  
6 than SCE claimed it would conduct and, as a result, SCE repaired 14,310 fewer overloaded poles  
7 than it forecasted in 2015.

8 51. SCE's Pole Loading Program has also experienced substantial delays due to  
9 problems with the software program it used to calculate the pole loading safety factors for its poles.  
10 SCE initially estimated that 22% of its utility poles were overloaded. In 2018, however, SCE  
11 disclosed that it modified its software used to calculate pole loading safety factors and that these  
12 revisions reduced the percentage of poles needing remediation to just 9%. Additionally, SCE  
13 disclosed in 2018 that it had failed to meet its 2015 projections to assess and repair overloaded  
14 poles. Specifically, SCE admitted that it had only conducted 142,519 out of the projected 205,000  
15 pole assessments in 2015. As a result, SCE announced in 2018 that it was changing the duration  
16 of its Pole Loading Program from 7 years to 10 years to allow for fewer pole assessments each  
17 year. Out of the 142,519 poles SCE assessed in 2015, it only constructed repairs on 569 under the  
18 Pole Loading Program. SCE claims "repairs may be completed one or two years after the  
19 assessment, depending on whether the pole is in a high fire or non-fire area."<sup>19</sup>

20 **C. SCE Was on Notice of the Foreseeable Fire Risks Posed by Its**  
21 **Electrical Infrastructure**

22 52. Leading up to the Eaton Fire, SCE knew that the State of California had been in a  
23 multi-year period of drought.

24 53. On January 17, 2014, the Governor issued an Executive Order proclaiming a State  
25 of Emergency throughout the State of California due to severe drought conditions which had  
26 existed for four years. On November 13, 2015, the Governor issued Executive Order B-36-15,  
27

28 <sup>19</sup> 2018 General Rate Case, SCE, Transmission & Distribution Volume 9, Poles. (Sept. 1, 2016).

1 which proclaimed “that conditions of extreme peril to the safety of persons and property continue  
2 to exist in California due to water shortage, drought conditions and wildfires.”<sup>20</sup> While the  
3 Governor issued an Executive Order in April 2017 ending the Drought State of Emergency in all  
4 counties except Fresno, Kings, Tulare and Tuolumne, the declaration directed state agencies to  
5 “continue response activities that may be needed to manage the lingering drought impacts to  
6 people and wildlife.”<sup>21</sup>

7 54. According to records maintained by the California Department of Forestry and Fire  
8 Protection, electrical equipment was one of the leading causes of wildfires in California during  
9 2019.<sup>22</sup> Thus, SCE knew of the foreseeable danger of wildfires when its power lines come into  
10 contact with vegetation.

11 55. The CPUC has an online interactive Fire Map designating large swaths of Los  
12 Angeles County as an “Extreme” and “Very High” fire threat zone and the Origin Area as a Tier  
13 3, Extreme Fire Zone.<sup>23</sup>

14 56. SCE knew or should have known of the publication of the CPUC’s Fire Map in  
15 May 2016 and therefore knew in advance of the Eaton Fire of the elevated fire risk in Los Angeles  
16 County, including the Origin Area, for “ignition and rapid spread of powerline fires due to strong  
17 winds, abundant dry vegetation, and other environmental conditions.”<sup>24</sup>

18 57. On November 8, 2017, the CPUC published its “Proposed Decision of  
19 Commissioner Picker,” which adopted the “Decision Adopting Regulations to Enhance Fire Safety  
20 in the High Fire-Threat District.” This Decision adopted new regulations by the CPUC to enhance  
21

22  
23 <sup>20</sup> Exec. Order B-36-15, Office of Gov. Edmund G. Brown, Jr. (Nov. 13, 2015).

24 <sup>21</sup> Exec. Order B-040-17, Office of Gov. Edmund G. Brown, Jr. (Apr. 7, 2017).

25 <sup>22</sup> Redbooks: 2019 Wildfire Activity Statistics, CALIFORNIA DEPARTMENT OF FORESTRY  
AND FIRE PROTECTION (2019), <https://www.fire.ca.gov/our-impact/statistics>.

26 <sup>23</sup> *Fire-Threat Maps and Fire-Safety Rulemaking*, CALIFORNIA PUBLIC UTILITIES  
27 COMMISSION (Aug. 19, 2021), [https://www.cpuc.ca.gov/industries-and-topics/wildfires/fire-  
threat-maps-and-fire-safety-rulemaking](https://www.cpuc.ca.gov/industries-and-topics/wildfires/fire-threat-maps-and-fire-safety-rulemaking).

28 <sup>24</sup> *Id.*

1 fire safety of overhead electrical power lines and communications lines located in high fire-threat  
2 areas following the devastating Northern California fires.

3 **D. SCE Has the Capability and Knowledge to Construct and Operate**  
4 **Underground Transmission Lines**

5 58. In December 2016, SCE completed construction of a 500 kV underground  
6 transmission circuit through Chino Hills, California, a Very High Fire Hazard Severity Zone Area,  
7 that replaced steel transmission towers.<sup>25</sup>

8 59. Underground transmission lines are known to greatly reduce the risk of wildfires in  
9 high fire risk areas.<sup>26</sup>

10 60. SCE thus has the capability and knowledge to construct and operate underground  
11 high voltage transmission lines in high fire risk areas, as it did with the underground transmission  
12 lines traversing Chino Hills.<sup>27</sup>

13 **E. The CPUC Set Aside Funds to Replace Dangerous Overhead Wires**  
14 **and Electrical Poles**

15 61. In 2021, the CPUC adopted SCE's investment in its distribution and transmission  
16 grids, substations, and energy storage to modernize its grid and replace electrical poles to enhance  
17 safety and resiliency.<sup>28</sup>

18  
19  
20 <sup>25</sup> *Transmission Towers in Chino Hills Safely Demolished to Make Way for First 500-Kilovolt*  
21 *Underground Transmission Line in the United States*, SOUTHERN CALIFORNIA EDISON  
22 COMPANY (Nov. 26, 2013), [https://newsroom.edison.com/stories/transmission-towers-in-](https://newsroom.edison.com/stories/transmission-towers-in-chino-hills-safely-demolished-to-make-way-for-first-500-kilovolt-underground-transmission-line-in-the-united-states)  
23 [chino-hills-safely-demolished-to-make-way-for-first-500-kilovolt-underground-transmission-](https://newsroom.edison.com/stories/transmission-towers-in-chino-hills-safely-demolished-to-make-way-for-first-500-kilovolt-underground-transmission-line-in-the-united-states)  
24 [line-in-the-united-states](https://newsroom.edison.com/stories/transmission-towers-in-chino-hills-safely-demolished-to-make-way-for-first-500-kilovolt-underground-transmission-line-in-the-united-states); *see also* Marianne Naples, *Edison wraps up Tehachapi power line in*  
*Chino Hills*, CHINO VALLEY CHAMPION (Dec. 31, 2016),  
[https://www.championnewspapers.com/community\\_news/article\\_59ef32a2-ceda-11e6-91d7-](https://www.championnewspapers.com/community_news/article_59ef32a2-ceda-11e6-91d7-fb470c48319f.html)  
[fb470c48319f.html](https://www.championnewspapers.com/community_news/article_59ef32a2-ceda-11e6-91d7-fb470c48319f.html).

25 <sup>26</sup> *Underground Utility Installation for Wildfire Prevention*, UNDERGROUND DEVICES  
INCORPORATED, <https://udevices.com/wildfire.html> (last visited Feb. 13, 2025).

26 <sup>27</sup> *Id.*

27 <sup>28</sup> Press Release, California Public Utilities Commission, *CPUC Issues Decision in SCE's 2021*  
28 *Rate Case* (Aug. 19, 2021), [https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-issues-](https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-issues-decision-in-sce-2021-rate-case)  
[decision-in-sce-2021-rate-case](https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-issues-decision-in-sce-2021-rate-case).



1           62.     The CPUC also approved \$3.29 billion in spending on SCE’s Wildfire Mitigation  
2 Programs, which included authorizing SCE to replace 4,500 miles of overhead wire with covered  
3 conductor in an effort to reduce ignitions in high fire threat areas.<sup>29</sup>

4           63.     Notwithstanding these allocated funds SCE’s electrical equipment and overhead  
5 power lines in Eaton Canyon failed, starting the Eaton Fire.

6           **F.     SCE Knew or Should Have Known that Weather Conditions**  
7           **Preceding the Eaton Fire Posed a Serious Risk to Its Electrical**  
8           **Infrastructure**

9           64.     In the days preceding the Eaton Fire, SCE knew that dangerous weather conditions  
10 were imminent and that high winds could cause failures to its Electrical Infrastructure, causing  
11 ignition sources to contact surrounding vegetation.

12           65.     On January 3, 2025 at 3:17 p.m., NWS Los Angeles issued a Fire Weather Watch  
13 effective from January 7 through January 10, 2025 in Los Angeles and Ventura Counties. The  
14 NWS Los Angeles advised of Critical Fire Conditions and stated that “[a]ny fire [that] starts may  
15 grow rapidly in size with extreme fire behavior.”<sup>30</sup>

16           66.     On January 5, 2025, Ready Los Angeles County and NWS issued a Red Flag  
17 Warning and High Wind Warning for most of Los Angeles County. In the alert, NWS Los Angeles  
18 warned of “Widespread damaging wind gusts 50-80 mph, Isolated 80-100 mph for  
19 mountains/foothills.”<sup>31</sup>



26 <sup>29</sup> CPUC High Fire Viewer, [https://cpuc\\_firemap2.sig-gis.com/](https://cpuc_firemap2.sig-gis.com/) (last visited Feb. 13, 2025).

27 <sup>30</sup> See *supra*, n.4.

28 <sup>31</sup> See *supra*, n.5.

1           67.     On January 6, 2025, at 6:47 p.m., NWS Los Angeles Issued another alert stating,  
2 “HEADS UP!!! A LIFE-THREATENING, DESTRUCTIVE, Widespread Windstorm is expected  
3 Tue afternoon-Weds morning across much of Ventura/LA Co. Areas not typically windy will be  
4 impacted. See graphic for areas of greatest concern. Stay indoors, away from windows, expect  
5 power outages.” The NWS identified the San Gabriel Valley, Pasadena, and Altadena as its  
6 Locations of Greatest Concern.<sup>32</sup> NWS also declared the Red Flag Warning to be a “Particularly  
7 Dangerous Situation,” warning of “[w]idespread damaging wind gusts 50-80 mph, Isolated 80-  
8 100 mph for mountains/foothills. Downed Trees and power outages. . . . Use extreme caution  
9 with any potential ignition sources.”<sup>33</sup>



20           68.     In its California Fire Weather Annual Operating Plan, the California Wildfire  
21 Coordinating Group defined a “Red Flag Warning Particularly Dangerous Situation” classification  
22 to “highlight exceptional fire weather conditions (combination of meteorological and fuels)  
23 considered rare and/or especially impactful to the public and firefighting community.”<sup>34</sup> These

26 <sup>32</sup> See *supra*, n.6.

27 <sup>33</sup> See *supra*, n.7.

28 <sup>34</sup> See *supra*, n.8.

1 risks are so exceptional that they represent the most severe hazard the National Weather Service  
 2 can designate according to its Red Flag Weather Matrix.

| Red Flag<br>Weather Matrix           |  | Sustained Winds |          |           |           |            |
|--------------------------------------|--|-----------------|----------|-----------|-----------|------------|
|                                      |  | <6 mph          | 6–11 mph | 12-20 mph | 21-29 mph | 30+ mph    |
| H<br>u<br>m<br>i<br>d<br>i<br>t<br>y | Daytime Min <29-42% and/or<br>Night Max 60-80% |                 |          |           |           | RFW        |
|                                      | Daytime Min <19-28% and/or<br>Night Max 46-60% |                 |          |           | RFW       | RFW        |
|                                      | Daytime Min <9-18% and/or<br>Night Max 31-45%  |                 |          | RFW       | RFW       | RFW        |
|                                      | Daytime Min <9% and/or<br>Night Max <31%       |                 | RFW      | RFW       | RFW       | PDS<br>RFW |

13 69. According to the California Department of Forestry and Fire Protection’s map of  
 14 Fire Hazard Severity Zones in Los Angeles County, the Eaton Fire’s Origin Area was located in a  
 15 red zone – also known as a “Very High Fire Hazard Severity Zone” (“Red Zone”).<sup>35</sup> This  
 16 classification, along with the warnings from NWS Los Angeles, put SCE on notice to use  
 17 heightened safety measures and increased precautions when operating its Electrical Infrastructure  
 18 in the Red Zone.

19 70. NWS Los Angeles warnings proved highly accurate. On January 7, it recorded  
 20 wind gusts as high as 99 mph in Altadena.<sup>36</sup> Despite the presence of these extremely dangerous  
 21 fire weather conditions sufficient to justify de-energization of its distribution lines in the area  
 22 surrounding Eaton Canyon, SCE made the deliberate choice to not change the mode of operation  
 23 and/or de-energize its electrical lines traversing Eaton Canyon.

24  
 25 <sup>35</sup> *Fire Hazard Severity Zones*, CAL. DEPT. OF FORESTRY AND FIRE PROTECTION,  
 26 <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones> (last visited Feb. 13, 2025).

27 <sup>36</sup> Renee Straker, *Senior Centers Frantically Evacuated as Eaton Wildfire Closed in on Altadena,*  
 28 *California*, WEATHER CHANNEL (Jan. 9, 2025), <https://weather.com/news/news/2025-01-08-senior-centers-evacuated-amid-eaton-wildfire-altadena-california>.

1           **G.     The Eaton Fire Was Caused by the Failure of SCE’s Electrical**  
2           **Infrastructure**

3           71.     SCE operated and maintained high voltage transmission and distribution lines in  
4     Eaton Canyon on circuits that traversed the Origin Area.<sup>37</sup>

5           72.     On January 7, 2025, at approximately 6:18 p.m., upon information and belief, an  
6     electrical failure occurred on energized overhead power lines owned, operated, and controlled by  
7     SCE, causing an arc and/or electrical sparks that ignited susceptible ground vegetation that SCE  
8     failed to properly maintain, resulting in the ignition of the Eaton Fire.

9           73.     The fire reportedly first ignited near two of SCE’s transmission towers near the  
10    Origin Area.

11          74.     At approximately 6:10 p.m., a Pasadena resident living on Canyon Close Road  
12    adjacent to Eaton Canyon, noticed his power flicker and a few minutes later a neighbor called him  
13    to say there was a fire under the power lines in Eaton Canyon. The resident subsequently observed  
14    ““those towers right up there at the very base of it, right around the bottom there was a fire maybe  
15    knee high starting about there.””<sup>38</sup>

16          75.     Another resident, who owns a home on Lindaloe Lane in the Kinneloa Mesa  
17    neighborhood east of Eaton Canyon, told reporters that his mother told him she saw power lines  
18    sparking. The resident stated he regularly hikes the Eaton Canyon Valley and noticed that the  
19    whole Eaton Wash area has been full of dry debris and dead brush.<sup>39</sup>

20          76.     At approximately 6:15 p.m., two Altadena residents observed the ignition of the  
21    Eaton Fire underneath an electrical tower across from their home. Before evacuating, they took

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23    <sup>37</sup> SCE C-GIS Project, Transmission Circuits, SOUTEHRN CALIFORNIA EDISON  
24    COMPANY, [https://drpep-](https://drpep-sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about)  
25    [sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about](https://drpep-sce2.opendata.arcgis.com/maps/23f48820904b46c38f0d4f2d75c69d23/about) (last visited Feb.  
26    13, 2025); *see also* Distributed Resource Planning External Portal, SOUTEHRN CALIFORNIA  
27    EDISON COMPANY, <https://drpep.sce.com/drpep/?page=Page> (last visited Feb. 13, 2025).

28    <sup>38</sup> Rob Hayes, *Cause of Eaton Fire may be downed power line, witness says*, ABC 7 (Jan. 10,  
29    2025), [https://abc7.com/post/california-wildfire-cause-eaton-fire-may-downed-power-line-](https://abc7.com/post/california-wildfire-cause-eaton-fire-may-downed-power-line-witness-says/15788334/)  
30    [witness-says/15788334/](https://abc7.com/post/california-wildfire-cause-eaton-fire-may-downed-power-line-witness-says/15788334/).

31    <sup>39</sup> *Id.*

1 photographs of the fire underneath what they described as “giant, giant towers” across from the  
2 Origin Area.<sup>40</sup> The photographs they took are depicted below.



14 77. At approximately 6:19 p.m., two additional Altadena residents recorded a video of  
15 the Eaton Fire underneath the same transmission towers in Eaton Canyon from their home on  
16 North Haring Avenue in Altadena.<sup>41</sup>

17 78. At approximately 6:29 p.m., a south-facing camera located at the Mount Wilson  
18 Observatory recorded early images of the Eaton fire in the same area.<sup>42</sup>

19 79. SCE confirmed in its January 8, 2025 press release that “The Eaton Fire began  
20 Tuesday afternoon in SCE’s service area. SCE has transmission facilities on the east side of Eaton  
21 Canyon. SCE’s distribution lines immediately to the west of Eaton Canyon were de-energized  
22  
23

24 <sup>40</sup> James MacPherson, *The Moment the Eaton Fire Ignited*, PASADENA NOW (Jan. 9, 2025),  
25 <https://pasadenanow.com/main/the-moment-the-eaton-fire-ignited>.

26 <sup>41</sup> Jeffrey Ku @jeffrey.ku, INSTAGRAM (Jan. 11, 2025),  
<https://www.instagram.com/reel/DEsUm1wP91S/?igsh=NTc4MTIwNjQ2YQ%3D%3D>.

27 <sup>42</sup> Mount Wilson Observatory – Camera named WILSON-S-MOBO-C, High Performance  
28 Wireless Research & Education Network, UNIVERSITY OF CALIFORNIA SAN DIEGO (Jan.  
7, 2025), <https://www.hpwrn.ucsd.edu/cameras/S/SD/wilson.html>.

1 well before the reported start time of the fire, as part of SCE’s Public Safety Power Shutoff (PSPS)  
2 program. SCE is currently conducting a review of the event.”<sup>43</sup>

3 80. On January 9, 2025, SCE submitted an Electric Safety Incident Report, tacitly  
4 admitting that its transmission lines traversing Eaton Canyon were energized at the time of the  
5 ignition of the Eaton Fire.<sup>44</sup> Notably, SCE previously stated that it de-energized its distribution  
6 lines to the west of Eaton Canyon “well before the reported start time of the fire, as part of SCE’s  
7 Public Safety Power Shutoff (PSPS) program.”<sup>45</sup> SCE did not state that it de-energized its  
8 distribution lines in Eaton Canyon or to the east of Eaton Canyon at the time the Eaton Fire ignited.

9 81. Data from Whisker Labs, a company that uses a sensor network to monitor grids  
10 across the United States, confirmed that some homes in SCE’s service area in Altadena near Eaton  
11 Canyon were still energized around 6:15 p.m., further demonstrating that SCE’s distribution  
12 circuits in Eaton Canyon and to the east of Eaton Canyon likely were energized at the time the  
13 Eaton Fire ignited.<sup>46</sup>

14 82. The severe and catastrophic losses of life, property, and businesses suffered as a  
15 result of the Eaton Fire could have been easily prevented had SCE: (1) upgraded its deteriorated  
16 electric utilities, including power poles; (2) conducted adequate vegetation management practices;  
17 and (3) had a policy in place to monitor weather conditions and implement a PSPS plan to de-  
18 energize its power lines during Red Flag and High Wind Warnings prior to the fire igniting.

19 83. As a direct and proximate result of Defendants’ failure to exercise their duty of  
20 care, at least 11 people have lost their lives, homes have been destroyed, millions of dollars’ worth  
21 of personal and real property has been destroyed, and countless businesses have been decimated.

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23  
24 

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<sup>43</sup> See *supra*, n.11.

25 <sup>44</sup> See *supra*, n.10.

26 <sup>45</sup> See *supra*, n.11

27 <sup>46</sup> See Brianna Sacks, *Did power lines help start the L.A. fires? What we know*, WASHINGTON  
28 POST (Jan. 10, 2025), <https://www.washingtonpost.com/weather/2025/01/10/eaton-fire-southern-california-edison/>.

1 **V. CLASS ACTION ALLEGATIONS**

2 84. Plaintiffs bring this action pursuant to California Code of Civil Procedure §382,  
3 California Civil Code §1781, and all other applicable laws and rules, individually, and on behalf  
4 of all others similarly situated.

5 85. Plaintiffs seek to represent a class defined as:

6 All persons or entities that suffered economic loss or property  
7 damage, including loss or damage to real and personal property and  
8 business losses, as a result of the Eaton Fire.

8 86. Plaintiffs also seek to represent a subclass defined as:

9 All owners and lessees of real property in Los Angeles County and  
10 surrounding communities who were subject to the evacuation and  
11 shelter-in-place orders and advisories issued as a result of the Eaton  
12 Fire.

12 87. Excluded from the Class are Defendants and any of their members, affiliates,  
13 parents, subsidiaries, officers, directors, employees, successors, or assigns; the judicial officers,  
14 and their immediate family members; and Court staff assigned to this case. Plaintiffs reserve the  
15 right to modify or amend the Class definitions, as appropriate, during the course of this litigation.

16 88. This action has been brought and may properly be maintained on behalf of the Class  
17 proposed herein under the criteria of California Code Civil Procedure §382 because there is a well-  
18 defined community of interest in the litigation and the proposed class is easily ascertainable.

19 89. **Numerosity.** The members of the Class are so numerous and geographically  
20 dispersed that individual joinder of all Class members is impracticable. The precise number of  
21 Class members is unknown to Plaintiffs, but may be ascertained from publicly available  
22 information and is presumed to be not less than in the thousands of individuals and entities. Class  
23 members may be notified of the pendency of this action by recognized, Court-approved notice  
24 dissemination methods, which may include U.S. Mail, electronic mail, Internet postings, and/or  
25 published notice.

26 90. **Communities of Interest.** There is a community of interest among the proposed  
27 Class members because there are questions of law and fact common to the Class that relate to and  
28



1 affect the rights of each member of the Class that will drive the resolution of this action. These  
2 questions include, but are not limited to, the following:

3 (a) Whether Defendants owed a duty of care to design, construct, inspect,  
4 repair, and maintain their power poles, power lines, transformers, reclosers, and other electrical  
5 equipment adequately;

6 (b) Whether Defendants owed a duty of care to de-energize their power lines  
7 during Red Flag and/or High Wind Warnings;

8 (c) Whether Defendants failed to exercise reasonable care in the design,  
9 construction, inspection, repair, maintenance, and operation of their power poles, power lines,  
10 transformers, reclosers, and other electrical equipment;

11 (d) Whether Defendants failed to exercise reasonable care by failing to  
12 adequately monitor weather conditions and de-energize their power lines to prevent the Eaton Fire;

13 (e) Whether Defendants actions and/or inactions caused the Eaton Fire;

14 (f) Whether Defendants' conduct rises to the level of gross negligence;

15 (g) Whether Defendants' conduct constitutes a private and/or public nuisance;

16 (h) Whether Defendants are strictly liable for conducting ultra-hazardous  
17 activity;

18 (i) Whether Defendants are liable for inverse condemnation;

19 (j) Whether Defendants' conduct has caused damage to personal and real  
20 property;

21 (k) Whether Defendants' conduct has interfered with the operation of  
22 businesses, causing lost income;

23 (l) Whether Plaintiffs and the other Class members are entitled to injunctive  
24 relief; and

25 (m) Whether Plaintiffs and the other Class members are entitled to punitive  
26 damages.

27 91. **Typicality.** Plaintiffs' claims are typical of the other Class members' claims  
28 because Plaintiffs and the other Class members were damaged as a result of Defendants' conduct



1 in causing the Eaton Fire. Plaintiffs and the other Class members suffered damages as a direct and  
2 proximate result of the same wrongful conduct in which Defendants engaged. Plaintiffs' claims  
3 arise from the same practices and course of conduct that give rise to the other Class members'  
4 claims.

5       **92. Adequacy of Representation.** Plaintiffs are adequate Class representatives  
6 because their interests do not conflict with the interests of the other Class members who they seek  
7 to represent, Plaintiffs have retained counsel competent and experienced in complex class action  
8 litigation, and Plaintiffs intend to prosecute this action vigorously. Class members' interests will  
9 be fairly and adequately protected by Plaintiffs and their counsel.

10       **93. Declaratory and Injunctive Relief.** Defendants have acted or refused to act on  
11 grounds generally applicable to Plaintiffs and the other Class members, thereby making  
12 appropriate final injunctive relief and declaratory relief, as described below, with respect to the  
13 Class members as a whole.

14       **94. Superiority.** A class action is superior to any other available means for the fair  
15 and efficient adjudication of this controversy, and no unusual difficulties are likely to be  
16 encountered in the management of this class action. The damages or other financial detriment  
17 suffered by Plaintiffs and the other Class members are relatively small compared to the burden and  
18 expense that would be required to individually litigate their claims against Defendants, so it would  
19 be impracticable for the Class members to individually seek redress for Defendants' wrongful  
20 conduct. Even if the Class members could afford litigation the court system could not.  
21 Individualized litigation creates a potential for inconsistent or contradictory judgments and  
22 increases the delay and expense to all parties and the court system. By contrast, the class action  
23 device presents far fewer management difficulties, and provides the benefits of single adjudication,  
24 economy of scale, and comprehensive supervision by a single court.

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28

1 **VI. CLAIMS ALLEGED**

2 **FIRST CLAIM FOR RELIEF**  
3 **Negligence**

4 95. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
5 herein.

6 96. At all times relevant herein, Defendants designed, constructed, installed, inspected,  
7 operated, controlled, possessed, and maintained the electrical systems at issue herein.

8 97. Defendants owed a duty to Plaintiffs and the other Class members to design,  
9 construct, inspect, repair, and maintain the electrical systems within their control in a reasonably  
10 safe condition under all the local conditions in their service areas, including, but not limited to,  
11 fire weather conditions.

12 98. Defendants have special knowledge and expertise that they were required to apply  
13 to the design, engineering, construction, use operation, inspection, repair, and maintenance of  
14 electrical lines, infrastructure, equipment, and vegetations in order to ensure safety under all local  
15 conditions in their service areas, including, but not limited to, fire weather conditions.

16 99. At all times relevant herein, Defendants failed to exercise reasonable care in the  
17 design, construction, inspection, repair, maintenance, and operation of their electrical systems, as  
18 described herein, by among other means:

19 (a) Failing to adequately design, construct, inspect, repair, and maintain their  
20 power poles, power lines, transformers, reclosers, and other electrical equipment adequately;

21 (b) Failing to maintain, operate, and inspect their power lines, overhead  
22 electrical infrastructure, and equipment properly to ensure they would not ignite a fire;

23 (c) Failing to repair and/or replace deteriorated power poles and electrical  
24 equipment;

25 (d) Failing to de-energize their power lines during a Red Flag Warning, High  
26 Wind Watch, and/or high fire danger warnings to prevent fires;

1 (e) Failing to conduct adequate vegetation management, such as clearing  
2 vegetation, trees, and tree limbs, that could come into contact with their power lines and  
3 equipment;

4 (f) Failing to implement reasonable policies, procedures, and equipment that  
5 would avoid igniting or spreading fire; and

6 (g) Failing to adjust their operations despite warnings about fire weather  
7 conditions.

8 100. As a direct and proximate result of Defendants' negligence, Plaintiffs and the other  
9 Class members suffered damages, including, but not limited to, property damage, loss of cherished  
10 possessions, loss of business income, emotional distress, annoyance, inconvenience, mental  
11 anguish, and costs.

12 **SECOND CLAIM FOR RELIEF**  
13 **Gross Negligence**

14 101. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
15 herein.

16 102. Defendants knew or should have known of the extremely high risk of fire danger  
17 that the high wind gusts and dry conditions posed to their overhead electrical infrastructure,  
18 particularly during Red Flag and High Wind Warning conditions.

19 103. In particular, Defendants knew that their power poles were at high risk of toppling  
20 over in high wind conditions, which caused a high probability that they would fall to the ground,  
21 ignite vegetation, and cause a wildfire that would spread rapidly.

22 104. Defendants' prior public statements demonstrate their knowledge of these known  
23 risks, including the risk of wildfires associated with powerful wind gusts.

24 105. Despite Defendants' knowledge of these extreme risks, Defendants chose not to  
25 repair and/or replace deteriorating power poles and chose not to de-energize their power lines  
26 during the Red Flag Warning and High Wind Watch Warning conditions for Los Angeles County  
27 immediately preceding the wildfires.  
28

1           106. Defendants consciously ignored the known risks of their actions and/or inactions,  
2 even though they knew that their action and/or failures to act posed a substantial and probable  
3 threat of harm to Plaintiffs and the other Class members.

4           107. As a direct and proximate result of Defendants' gross negligence and/or reckless  
5 conduct, Plaintiffs and the other Class members suffered damages including, but not limited to,  
6 property damage, loss of cherished possessions, loss of business income, emotional distress,  
7 annoyance, inconvenience, mental anguish, and costs.

8           108. Defendants' conduct was reckless and malicious, and in complete disregard to the  
9 rights of Plaintiffs and the other Class members, subjecting Defendants to punitive damages.

10                           **THIRD CLAIM FOR RELIEF**  
11                                   **Private Nuisance**

12           109. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
13 herein.

14           110. Plaintiffs and the other Class members own and/or occupy properties at or near the  
15 site of the Eaton Fire. At all relevant times, Plaintiffs and the other Class members had a right to  
16 occupy, enjoy, and/or use their property without interference by Defendants.

17           111. Defendants, by their acts and omissions set forth above, directly and legally caused  
18 an obstruction to the free use of Plaintiffs' and the other Class members' property, an invasion of  
19 Plaintiffs' and the other Class members' right to use their property, and/or an interference with the  
20 enjoyment of Plaintiffs' and the other Class members' property resulting in Plaintiffs and the other  
21 Class members suffering unreasonable harm and substantial damages constituting a nuisance  
22 pursuant to Civil Code §§3479 and 3481.

23           112. As a direct and proximate result of Defendants' gross negligence and/or reckless  
24 conduct, Plaintiffs and the other Class members suffered damages including, but not limited to,  
25 property damage, loss of cherished possessions, loss of business income, emotional distress,  
26 annoyance, inconvenience, mental anguish, and costs.

27           113. Defendants' conduct was reckless and malicious, and in complete disregard to the  
28 rights of Plaintiffs and the other Class members, subjecting Defendants to punitive damages.

**FOURTH CLAIM FOR RELIEF**  
**Public Nuisance**

1  
2  
3 114. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
4 herein.

5 115. Plaintiffs own and/or occupy property at or near the site of the Eaton Fire. At all  
6 relevant times, Plaintiffs had a right to occupy, enjoy, and/or use their property without  
7 interference by Defendants.

8 116. Defendants owed a duty to the public, including Plaintiffs, to conduct the  
9 maintenance and/or operation of their Electrical Infrastructure in and around Los Angeles County,  
10 in a manner that did not threaten harm or injury to the public welfare, or offend the public or  
11 interfere with public use and enjoyment of their property.

12 117. The Eaton Fire burned over 13,690 acres of land and destroyed at least 4,000  
13 residences, leaving nothing where there were once homes, businesses, farms, meadows, fields, and  
14 forests.

15 118. Defendants created a condition that was harmful to the health of the public,  
16 including Plaintiffs and the other Class members, and that interfered with the comfortable  
17 occupancy, use, and/or enjoyment of Plaintiffs' and the other Class members' property. Plaintiffs  
18 and the other Class members did not consent, expressly or impliedly, to Defendants' wrongful  
19 conduct.

20 119. The hazardous condition that Defendants created and/or permitted to exist affected  
21 a substantial number of people within the general public, including Plaintiffs and the other Class  
22 members, and constituted a public nuisance under Civil Code §§3479 and 3480, and Public  
23 Resources Code §4171. Further, the ensuing uncontrolled wildfire constituted a public nuisance  
24 under Public Resources Code §4170.

25 120. As a result of Defendants' acts and omissions, Plaintiffs and the other Class  
26 members suffered harm that is different from the type of harm suffered by the general public.  
27 Specifically, Plaintiffs and the other Class members have lost occupancy, possession, use, and/or  
28 enjoyment of their land, real, and/or personal property, including, but not limited to: a reasonable

1 and rational fear that the area is still dangerous; a diminution in the fair market value of their  
2 property; an impairment of the salability of their property; soils that have become hydrophobic;  
3 exposure to an array of toxic substances on their land; the presence of “special waste” (as defined  
4 in 22 California Code of Regulations §66261.120) on their property that requires special  
5 management and disposal; a lingering smell of smoke and/or constant soot, ash, and/or dust in the  
6 air; and the traumatic memory of fleeing the area to escape the fire and suffering from severe burns  
7 and injuries.

8           121. As a result of Defendant’s acts and omissions, Plaintiffs and the other Class  
9 members have suffered, and will continue to suffer, discomfort, anxiety, fear, worries, stress, and  
10 trauma attendant to the interference with Plaintiffs’ occupancy, possession, use, and/or enjoyment  
11 of his property, as alleged above.

12           122. A reasonable, ordinary person would be annoyed or disturbed by the conditions  
13 created by Defendants and the resulting fire.

14           123. The conduct of Defendants is unreasonable and the seriousness of the harm to the  
15 public, including Plaintiffs and the other Class members, outweighs the social utility of  
16 Defendants’ conduct.

17           124. The unreasonable conduct of Defendants is a direct and legal cause of the harm,  
18 injury, and/or damage to the public, including Plaintiffs and the other Class members.

19           125. The conduct of Defendants constitutes a public nuisance within the meaning of  
20 California Civil Code §§3479 and 3480, Public Resources Code §§4104 and 4170, and Code of  
21 Civil Procedure §731. Under Civil Code §3493, Plaintiffs and the other Class members have  
22 standing to maintain an action for public nuisance because the nuisance is one that is especially  
23 injurious and/or offensive to the senses of the Plaintiffs and the other Class members, unreasonably  
24 interferes with the comfortable enjoyment of their property, and unlawfully obstructs the free and  
25 customary use of Plaintiffs’ and the other Class members’ property.

26           126. As a direct and proximate result of Defendants’ gross negligence and/or reckless  
27 conduct, Plaintiffs and the other Class members suffered damages including, but not limited to,  
28

1 property damage, loss of cherished possessions, loss of business income, emotional distress,  
2 annoyance, inconvenience, mental anguish, and costs.

3 127. Defendants' conduct was reckless and malicious, and in complete disregard to the  
4 rights of Plaintiffs and the other Class members, subjecting Defendants to punitive damages.

5 **FOURTH CLAIM FOR RELIEF**  
6 **Inverse Condemnation**

7 128. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
8 herein.

9 129. Plaintiffs and the other Class members are property owners or persons claiming an  
10 interest in their property.

11 130. Article 1, §19 of the California Constitution states:

12 Private property may be taken or damaged for public use and only when just  
13 compensation, ascertained by a jury unless waived, has first been paid to,  
14 or into court for, the owner. The Legislature may provide for possession by  
the condemner following commencement of eminent domain proceedings  
upon deposit in court and prompt release to the owner of money determined  
by the court to be the probable amount of just compensation.

15 131. Pursuant to California Public Utilities Code §216(a)(1), Defendants are a public  
16 utility.

17 132. Defendants designed, installed, owned, operated, used, controlled, managed, and/or  
18 maintained overhead electrical infrastructure in California for the purpose of providing electricity  
19 to the public for public use. Thus, Defendants operate as a public utility.

20 133. Defendants intentionally undertook the actions and inaction described above,  
21 including failing to clear vegetation, failing to maintain their equipment, failing to use firesafe  
22 equipment during high-risk fire conditions, failing to plan to de-energize power lines during a High  
23 Wind Watch and/or Red Flag Warning, and failing to shut off the power during those conditions.

24 134. Defendants' negligent and/or reckless operation of its overhead electrical  
25 infrastructure necessarily caused the Eaton Fire, which destroyed and/or otherwise negatively  
26 impacted real and personal property belonging to Plaintiffs and the other Class members.  
27 Defendants also interfered, and substantially interfered, with the use, access, enjoyment, value,  
28 and marketability of Plaintiffs' and the other Class members' property.

1           135. Thus, Defendants have taken private property from Plaintiffs and the other Class  
2 members without adequate or just compensation.

3           136. The damage to Plaintiffs and the other Class members was the necessary, certain,  
4 predictable, and/or inevitable result of Defendants' actions.

5           137. The damage to Plaintiffs and the other Class members outweighs the risk and harm  
6 from the improvements Defendants undertook to provide electricity to the public.

7           138. Justice, fairness, and the California Constitution require that Defendants  
8 compensate Plaintiffs and the other Class members for the taking of their property and their  
9 injuries.

10           139. As a direct and proximate result of Defendants' gross negligence and/or reckless  
11 conduct, Plaintiffs and the other Class members suffered damages including, but not limited to,  
12 property damage, loss of cherished possessions, loss of business income, emotional distress,  
13 annoyance, inconvenience, mental anguish, and costs.

14           140. Defendants' conduct was reckless and malicious, and in complete disregard to the  
15 rights of Plaintiffs and the other Class members, subjecting Defendants to punitive damages.

16                                   **FIFTH CLAIM FOR RELIEF**  
17                                   **Trespass**

18           141. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
19 herein.

20           142. At all relevant times herein, Plaintiff was the owner, tenant, and/or lawful occupier  
21 of property damaged by the Eaton Fire.

22           143. Defendants, in wrongfully acting and/or failing to act in the manner set forth above,  
23 caused the Eaton Fire to ignite and/or spread out of control, causing harm, damage, and/or injury  
24 to Plaintiff, resulting in a trespass upon Plaintiff's property interests.

25           144. Plaintiff did not grant permission for Defendants to wrongfully act in a manner so  
26 as to cause the Eaton Fire that spread and wrongfully entered upon his property, resulting in the  
27 harm, injury, and/or damage alleged above.

28



1           145. As a direct and legal result of the wrongful conduct of Defendants that led to the  
2 trespass, Plaintiff has suffered, and will continue to suffer, damages in an amount according to  
3 proof at trial.

4           146. As a further direct and legal result of the conduct of Defendants, Plaintiff seeks  
5 treble damages for wrongful injuries to timber, trees, or underwood on their property, as allowed  
6 under Civil Code §3346.

7           147. As a direct and proximate result of Defendants' gross negligence and/or reckless  
8 conduct, Plaintiffs and the other Class members suffered damages including, but not limited to,  
9 property damage, loss of cherished possessions, loss of business income, emotional distress,  
10 annoyance, inconvenience, mental anguish, and costs.

11           148. Defendants' conduct was reckless and malicious, and in complete disregard to the  
12 rights of Plaintiffs and the other Class members, subjecting Defendants to punitive damages.

13                                   **SIXTH CLAIM FOR RELIEF**  
14                                   **Violation of Public Utilities Code Section 2106**

15           149. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
16 herein.

17           150. As Public Utilities, Defendant are legally required to comply with the rules and  
18 orders promulgated by the CPUC pursuant to Public Utilities Code §702.

19           151. Public Utilities that perform or fail to perform something required to be done by  
20 the California Constitution, a law of the State, or a regulation or order of the PUC, which leads to  
21 loss or injury, are liable for that loss or injury, pursuant to Public Utilities Code §2106.

22           152. As Public Utilities, Defendants are required to provide and maintain service,  
23 equipment, and facilities in a manner adequate to maintain the safety, health, and convenience of  
24 their customers and the public, pursuant to Public Utilities Code §451.

25           153. Defendants are required to design, engineer, construct, operate, and maintain  
26 electrical supply lines and associated equipment in a manner consonant with their use, taking into  
27 consideration local conditions and other circumstances, so as to provide safe and adequate electric  
28 service, pursuant to Public Utility Commission General Order 95, Rule 33 and General Order 165.

1 154. Defendants are required to maintain vegetation in compliance with California  
2 Public Resources Code §§4293, 4294, and 4435 and Health & Safety Code §13001.

3 155. Through their conduct alleged herein, Defendants violated Public Utilities Code  
4 §§451 and 702 and/or Public Utilities Commission General Order 95, thereby making them liable  
5 for losses, damages, and injury sustained by Plaintiffs and the other Class members, pursuant to  
6 Public Utilities Code §2106.

7 156. Further, the conduct alleged against Defendants herein subjected Plaintiffs and the  
8 other Class members to cruel and unjust hardship in conscious disregard of their safety and rights,  
9 constituting oppression, for which Defendants must be punished by punitive and exemplary  
10 damages in an amount according to proof. The conduct of Defendants evidences a conscious  
11 disregard for the safety of others, including Plaintiffs. Defendants' conduct constitutes malice as  
12 defined by Civil Code §3294. An officer, director, or managing agent of Defendants personally  
13 committed, authorized, and/or ratified the wrongful conduct alleged herein. Plaintiffs and the other  
14 Class members are entitled to an award of punitive damages sufficient to punish and make an  
15 example of Defendants.

16 **SEVENTH CLAIM FOR RELIEF**  
17 **Violation of Health and Safety Code §13007**

18 157. Plaintiffs repeat and allege the allegations in ¶¶1-94, above, as if fully alleged  
19 herein.

20 158. By engaging in the acts and omissions alleged herein, Defendants willfully,  
21 negligently, and in violation of law, set fire to and/or allowed fire to be set to the property of  
22 another in violation of California Health & Safety Code §13007.

23 159. As a legal result of Defendants' violation of California Health & Safety Code  
24 §13007, Plaintiffs suffered recoverable damages to property under California Health & Safety  
25 Code §13007.21.

26 160. As a further legal result of the violation of California Health & Safety Code §13007  
27 by Defendants, Plaintiffs suffered damages that are entitled to reasonable attorneys' fees under  
28 California Code of Civil Procedure §1021.9 for the prosecution of this cause of action.



1 C. That Defendants be permanently enjoined and restrained from operating energized  
2 power lines during Red Flag and/or High Wind Warning weather conditions and be required to  
3 implement appropriate improvements to their electrical grid to mitigate the risk of fire;

4 D. That the Court award Plaintiffs and the Class punitive damages;

5 E. That the Court award Plaintiffs their costs of suit, including reasonable attorneys'  
6 fees and expenses, including expert fees, as provided by law; and

7 F. That the Court direct such other and further relief the Court may deem just and  
8 proper.

9 **VIII. JURY TRIAL DEMANDED**

10 Plaintiffs demand a trial by jury on all causes of action so triable.

11 DATED: February 18, 2025

12   
13 \_\_\_\_\_  
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