

1 Michael W. Caspino (SBN 171906)
PRICE CASPINO
2 30442 Esperanza
Rancho Santa Margarita, CA 92688
3 Telephone: (949) 899-9188
Email: mcaspino@pricecaspino.com

4
5 Attorneys for Plaintiff
SSGT 12321 WESTERN AVENUE LLC

7 Assigned for All Purposes:
8 Judge Melissa R. McCormick
9 Dept. CX105

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF ORANGE – CIVIL COMPLEX CENTER**
12

13
14 SSGT 12321 WESTERN AVE, LLC, a
Delaware limited liability company,

15 Plaintiff,

16 vs.

17 GKN AEROSPACE TRANSPARENCY
18 SYSTEMS, INC., a Delaware corporation;
GKN AEROSPACE SERVICES
19 STRUCTURES, LLC; GKN AEROSPACE
NORTH AMERICA, INC.; and DOES 1
20 through 50, inclusive,

21 Defendants.

Case No. 30-2026-01581917-CU-TT-CXC

COMPLAINT FOR DAMAGES:

1. NEGLIGENCE;
2. STRICT LIABILITY
3. ULTRAHAZARDOUS ACTIVITY;
4. PRIVATE NUISANCE;
5. PUBLIC NUISANCE;
6. TRESPASS

DEMAND FOR JURY TRIAL

Unlimited Civil Case
(Amount Demanded Exceeds \$25,000)

22
23 **INTRODUCTION**

24 Plaintiff SSGT 12321 Western Ave, LLC ("Plaintiff"), by and through its undersigned
25 counsel, hereby alleges as follows:

26 **PARTIES, JURISDICTION, AND VENUE**

27 1. Plaintiff SSGT 12321 Western Ave, LLC is, and at all times relevant hereto was, a
28 Delaware limited liability company authorized to do business in the State of California. Plaintiff is

1 the owner of real property and improvements located at 12321 Western Avenue, Garden Grove,
2 California 92841, upon which Plaintiff operates a SmartStop self-storage facility (the "Property").

3 2. Plaintiff is informed and believes, and on that basis alleges, that Defendant GKN
4 Aerospace Transparency Systems, Inc. is a Delaware corporation with its principal place of business
5 in Orange County, California, and at all relevant times owned, leased, operated, controlled, and/or
6 occupied the manufacturing facility located at or near 12881 Western Avenue, Garden Grove,
7 California (the "GKN Facility"), which is situated directly across Western Avenue from Plaintiff's
8 Property.

9 3. Plaintiff is informed and believes, and on that basis alleges, that Defendants GKN
10 Aerospace Services Structures, LLC and GKN Aerospace North America, Inc. are corporate affiliates
11 and/or parent entities of GKN Aerospace Transparency Systems, Inc., and that each is and was
12 responsible in some manner for the ownership, operation, maintenance, supervision, and management
13 of the GKN Facility and the hazardous chemical operations conducted therein (collectively with GKN
14 Aerospace Transparency Systems, Inc., "GKN" or "Defendants").

15 4. The true names and capacities, whether individual, corporate, associate, or otherwise,
16 of Defendants DOES 1 through 50, inclusive, are unknown to Plaintiff, who therefore sues said
17 Defendants by such fictitious names. Plaintiff will seek leave of Court to amend this Complaint to
18 allege the true names and capacities of said Defendants when the same have been ascertained. Plaintiff
19 is informed and believes, and on that basis alleges, that each of the fictitiously named Defendants is
20 responsible in some manner for the occurrences alleged herein, and that Plaintiff's damages were
21 proximately caused by their conduct.

22 5. Plaintiff is informed and believes, and on that basis alleges, that at all relevant times
23 each Defendant was the agent, servant, employee, partner, joint venturer, co-conspirator, alter ego,
24 successor-in-interest, and/or representative of each of the remaining Defendants, and was at all
25 relevant times acting within the course, scope, purpose, consent, knowledge, ratification, and
26 authorization of such agency, employment, partnership, joint venture, conspiracy, alter ego
27 relationship, and/or representative capacity.

28 ///

6. This Court has subject matter jurisdiction over this action pursuant to *Code of Civil Procedure* § 410.10. The amount in controversy exceeds the jurisdictional minimum of this Court.

7. Venue is proper in this Court pursuant to *Code of Civil Procedure* §§ 392 and 395 because the real property that is the subject of this action is located in the County of Orange, the injuries to Plaintiff occurred in the County of Orange, and Defendants conduct business and the tortious conduct giving rise to this action occurred in the County of Orange.

GENERAL ALLEGATIONS

A. The GKN Aerospace Facility and Its Hazardous Operations

8. Defendants own and operate the GKN Facility, an aerospace manufacturing plant located at or near 12881 Western Avenue in Garden Grove, California, where Defendants manufacture transparent acrylic components for aerospace applications. As part of those operations, Defendants store and use large quantities of methyl methacrylate ("MMA"), a highly flammable, volatile, and toxic chemical.

9. MMA is a known hazardous substance. It is a clear, colorless liquid that off-gasses readily, polymerizes exothermically, and is capable of undergoing uncontrolled thermal runaway. MMA vapor is flammable, can cause irritation of the eyes, skin, and respiratory tract, and on prolonged exposure may cause lung damage, neurological symptoms, and damage to internal organs. Methyl methacrylate is regulated as a hazardous air pollutant under the *Federal Clean Air Act*.

10. Plaintiff is informed and believes, and on that basis alleges, that Defendants stored MMA at the GKN Facility in at least one above-ground bulk storage tank with a capacity of approximately 34,000 gallons, and that the tank involved in the incident described herein was approximately 22 years old at the time of the incident.

11. Plaintiff is informed and believes, and on that basis alleges, that Defendants knew or in the exercise of reasonable care should have known that aging MMA storage tanks are subject to corrosion, valve failure, and degradation of pressure-relief and temperature-control systems, and that failure of such systems could lead to off-gassing, polymerization, fire, explosion (including a Boiling Liquid Expanding Vapor Explosion or "BLEVE"), and the release of toxic vapors into the surrounding community.

1 **B. The May 21, 2026 Release and Ongoing Emergency**

2 12. On or about Thursday, May 21, 2026, at approximately 3:40 p.m. Pacific Daylight
3 Time, a 34,000-gallon storage tank at the GKN Facility containing MMA began to overheat. Pressure-
4 relief and shut-off valves on the tank failed and/or became inoperable, allowing the tank to off-gas
5 MMA vapor into the ambient air.

6 13. The Orange County Fire Authority ("OCFA") and other emergency responders were
7 summoned to the GKN Facility. OCFA was unable to chemically neutralize or safely drain the
8 contents of the tank due to the failure of the tank's valves. As internal temperatures within the tank
9 continued to climb, public officials warned of the possibility of catastrophic tank failure, an
10 uncontrolled spill of tens of thousands of gallons of MMA, fire, and/or a BLEVE-type explosion.

11 14. On or about Saturday, May 23, 2026, Governor Gavin Newsom declared a state of
12 emergency in connection with the incident at the GKN Facility, authorizing the mobilization of
13 additional state resources.

14 15. Mandatory evacuation orders were issued affecting an area of approximately nine
15 square miles and encompassing approximately 50,000 residents in Garden Grove and portions of
16 Cypress, Buena Park, Stanton, and West Anaheim. Schools, businesses, and other facilities within
17 and adjacent to the evacuation zone were ordered closed.

18 16. On or about Monday, May 25, 2026, internal temperatures within the tank reached or
19 exceeded 100 degrees Fahrenheit, and a crack developed in the tank, releasing built-up pressure.
20 Although emergency responders subsequently announced that the immediate threat of a massive
21 explosion had been eliminated, the incident remains ongoing, the GKN Facility remains the subject
22 of active emergency operations, and the affected area, including Plaintiff's Property, remains under
23 restrictions limiting access, use, and occupancy.

24 **C. Plaintiff's Property and the Harm Caused by the Release**

25 17. Plaintiff's Property is located directly across Western Avenue from the GKN Facility
26 and is well within the evacuation zone and the area affected by the MMA release. Plaintiff operates a
27 SmartStop-branded self-storage facility on the Property, which provides storage units to members of
28

1 the public for the storage of personal property, household goods, business inventory, documents,
2 vehicles, and other items of personal and economic value.

3 18. As a direct and proximate result of the release of MMA from the GKN Facility and
4 the mandatory evacuation and access restrictions that followed, Plaintiff has been forced to close its
5 self-storage operations at the Property. The Property has been closed and inaccessible to Plaintiff and
6 its tenants for nearly one week as of the filing of this Complaint, and the period of closure is
7 continuing.

8 19. During the period of closure, Plaintiff has been wholly unable to use, occupy, lease,
9 or operate the Property in the ordinary course of its business. Plaintiff has lost, and continues to lose,
10 rental income, fees, ancillary revenue, and other economic benefits associated with the operation of
11 the Property. Plaintiff has also incurred and will continue to incur expenses associated with the
12 closure, including but not limited to additional security, inspection, remediation, testing, customer
13 service, communications with existing tenants, and refunds and credits to tenants who have been
14 denied access to their stored property.

15 20. In addition to the immediate business-interruption losses described above, Plaintiff has
16 suffered and will continue to suffer substantial stigma damages and diminution in the value and
17 earning capacity of the Property. The public is now aware that the Property is located directly across
18 the street from a facility that catastrophically released a toxic, flammable chemical and that, but for
19 the efforts of emergency responders, was on the verge of a massive explosion. Existing and
20 prospective tenants of the SmartStop facility will be unwilling to store their personal property,
21 business records, vehicles, and household goods at a location associated in the public mind with the
22 GKN Aerospace chemical release. The Property has been, and will continue to be, materially less
23 attractive to existing and prospective customers, materially less competitive against other self-storage
24 facilities in the region, and materially diminished in its fair market value and its income-generating
25 capacity.

26 21. Plaintiff is informed and believes, and on that basis alleges, that MMA vapor and/or
27 other contaminants released from the GKN Facility have settled upon, infiltrated, or otherwise come
28 into contact with the Property, the structures and improvements thereon, and the personal property

1 stored thereon by Plaintiff's tenants, and that the Property will require inspection, testing, ventilation,
2 cleaning, and/or remediation as a result.

3 22. All of Plaintiff's damages were directly and proximately caused by the acts and
4 omissions of Defendants, and each of them.

5 **FIRST CAUSE OF ACTION**

6 **(Negligence — Against All Defendants)**

7 23. Plaintiff incorporates by reference each and every allegation set forth in the preceding
8 paragraphs as though fully set forth herein.

9 24. Defendants owed a duty of reasonable care to Plaintiff and to other owners and
10 occupiers of real property in the vicinity of the GKN Facility, including a duty to design, construct,
11 inspect, maintain, monitor, repair, replace, and operate the GKN Facility and its storage tanks, valves,
12 pressure-relief systems, temperature-control systems, leak-detection systems, and emergency-
13 response systems in such a manner as to prevent the unintended release of hazardous chemicals,
14 including MMA, into the surrounding community.

15 25. Defendants further owed a duty of reasonable care to refrain from storing tens of
16 thousands of gallons of MMA in aging, deteriorated, or otherwise inadequate storage tanks; to retain
17 and properly train competent personnel; to conduct adequate hazard assessments; to implement and
18 maintain adequate process-safety management programs; to comply with all applicable federal, state,
19 and local statutes, regulations, ordinances, and industry standards governing the storage and handling
20 of hazardous materials; and to warn neighboring property owners and the public of foreseeable
21 hazards arising from the GKN Facility.

22 26. Defendants breached the foregoing duties of care by, without limitation: (a) storing
23 MMA in a 22-year-old storage tank with inadequate, inoperable, and/or defective valves and pressure-
24 relief mechanisms; (b) failing to adequately inspect, maintain, replace, or upgrade the storage tank
25 and its associated components; (c) failing to maintain adequate temperature controls and monitoring
26 systems; (d) failing to implement adequate process-safety management procedures; (e) failing to
27 maintain adequate emergency response and containment systems; (f) failing to comply with
28 applicable regulations, codes, and industry standards governing the storage and handling of MMA

1 and similar hazardous materials; and (g) failing to warn Plaintiff and other neighboring property
2 owners of the foreseeable risk of catastrophic release.

3 27. As a direct and proximate result of Defendants' negligence, the storage tank at the
4 GKN Facility overheated, released MMA vapor into the surrounding area, and threatened a
5 catastrophic explosion and uncontrolled spill, causing the closure of Plaintiff's Property, the loss of
6 use of the Property, and the other harms described herein.

7 28. As a direct and proximate result of Defendants' negligence, Plaintiff has suffered
8 general and special damages, including but not limited to lost business income; lost rental revenue;
9 out-of-pocket costs and expenses; the cost of inspection, testing, cleaning, ventilation, and
10 remediation of the Property; diminution in the fair market value of the Property; loss of goodwill;
11 stigma damages; and other consequential and incidental damages, all in an amount to be proven at
12 trial but in excess of the jurisdictional minimum of this Court.

13 **SECOND CAUSE OF ACTION**

14 **(Strict Liability — Ultrahazardous Activity — Against All Defendants)**

15 29. Plaintiff incorporates by reference each and every allegation set forth in the preceding
16 paragraphs as though fully set forth herein.

17 30. The bulk storage and handling of tens of thousands of gallons of methyl methacrylate
18 — a flammable, volatile, toxic chemical capable of exothermic self-polymerization, off-gassing, and
19 explosion — at the GKN Facility, in close proximity to densely populated residential neighborhoods,
20 commercial properties, and Plaintiff's Property, constitutes an abnormally dangerous and
21 ultrahazardous activity within the meaning of California law.

22 31. The activity carried on by Defendants at the GKN Facility involves a high degree of
23 risk of harm to neighboring persons and property; the gravity of any harm resulting from the activity
24 is likely to be great; the risk cannot be eliminated by the exercise of reasonable care; the activity is
25 not one of common usage; the activity is inappropriate to the location at which it is conducted; and
26 the value of the activity to the community is outweighed by its dangerous attributes.

27 32. Defendants are strictly liable, without regard to fault, for the harm caused by their
28 ultrahazardous activity, including the harm suffered by Plaintiff as alleged herein.

33. As a direct and proximate result of Defendants' ultrahazardous activity, Plaintiff has suffered general and special damages, including but not limited to lost business income; lost rental revenue; out-of-pocket costs and expenses; the cost of inspection, testing, cleaning, ventilation, and remediation of the Property; diminution in the fair market value of the Property; loss of goodwill; stigma damages; and other consequential and incidental damages, all in an amount to be proven at trial but in excess of the jurisdictional minimum of this Court.

THIRD CAUSE OF ACTION

(Private Nuisance — Against All Defendants)

34. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.

35. At all times relevant hereto, Plaintiff has owned and possessed the Property and has had the right to the quiet use and enjoyment of the Property.

36. Defendants, through the acts and omissions described herein, including the release of MMA vapor from the GKN Facility into the surrounding area and the conditions that gave rise to the mandatory evacuation, have created a condition that is harmful to health, indecent or offensive to the senses, and/or an obstruction to the free use of Plaintiff's Property, so as to interfere substantially and unreasonably with Plaintiff's comfortable enjoyment and beneficial use of the Property.

37. The interference caused by Defendants' conduct is substantial and unreasonable. The seriousness of the harm to Plaintiff outweighs the social utility, if any, of Defendants' conduct in creating and maintaining the dangerous conditions at the GKN Facility. Plaintiff has been wholly deprived of the use, possession, and enjoyment of the Property for nearly a week and continuing, and the Property has suffered, and will continue to suffer, a substantial loss of value and earning capacity by reason of stigma associated with its proximity to the GKN Facility.

38. Defendants' conduct was intentional, unreasonable, negligent, reckless, and/or constitutes an abnormally dangerous activity, such that Defendants are liable to Plaintiff for the resulting private nuisance.

/ / /

/ / /

1 39. Plaintiff did not consent to Defendants' conduct or to the interference with Plaintiff's
2 use and enjoyment of the Property. An ordinary person would be reasonably annoyed and disturbed
3 by Defendants' conduct.

4 40. As a direct and proximate result of the nuisance created and maintained by Defendants,
5 Plaintiff has suffered general and special damages, including but not limited to lost business income;
6 lost rental revenue; out-of-pocket costs and expenses; the cost of inspection, testing, cleaning,
7 ventilation, and remediation of the Property; diminution in the fair market value of the Property; loss
8 of goodwill; stigma damages; and other consequential and incidental damages, all in an amount to be
9 proven at trial but in excess of the jurisdictional minimum of this Court.

10 41. Plaintiff is further entitled to injunctive relief abating the nuisance and preventing its
11 recurrence, including without limitation an order requiring Defendants to inspect, repair, replace,
12 upgrade, decommission, and/or remove the hazardous storage tanks and chemicals at the GKN
13 Facility and to take such other measures as are necessary to prevent further releases.

14 **FOURTH CAUSE OF ACTION**

15 **(Public Nuisance — Against All Defendants)**

16 42. Plaintiff incorporates by reference each and every allegation set forth in the preceding
17 paragraphs as though fully set forth herein.

18 43. Defendants' conduct in storing, handling, and releasing MMA at the GKN Facility,
19 and the conditions described herein, are injurious to health, indecent and offensive to the senses,
20 and/or an obstruction to the free use of property in a manner that affects, at the same time, an entire
21 community or neighborhood, or any considerable number of persons, including but not limited to the
22 approximately 50,000 residents who were subject to mandatory evacuation orders and the numerous
23 businesses and property owners situated within the affected area. Defendants' conduct therefore
24 constitutes a public nuisance under *California Civil Code* §§ 3479 and 3480 and applicable common
25 law.

26 44. Plaintiff has suffered harm that is different in kind, and not merely in degree, from the
27 harm suffered by the general public. Plaintiff, as the owner of a commercial self-storage facility
28 located directly across the street from the GKN Facility, has been forced to close its business

1 operations entirely for nearly a week and continuing, has lost the use of its real property and
2 improvements, has suffered the loss of business income and goodwill, and has and will continue to
3 suffer stigma damages and diminution in the value of the Property by reason of the Property's
4 permanent geographic association with the site of a major chemical emergency. This is a special
5 injury distinct from the inconvenience suffered by the general public.

6 45. As a direct and proximate result of the public nuisance created and maintained by
7 Defendants, Plaintiff has suffered general and special damages, including but not limited to lost
8 business income; lost rental revenue; out-of-pocket costs and expenses; the cost of inspection, testing,
9 cleaning, ventilation, and remediation of the Property; diminution in the fair market value of the
10 Property; loss of goodwill; stigma damages; and other consequential and incidental damages, all in
11 an amount to be proven at trial but in excess of the jurisdictional minimum of this Court.

12 46. Plaintiff is further entitled to injunctive relief abating the public nuisance and
13 preventing its recurrence.

14 **FIFTH CAUSE OF ACTION**

15 **(Trespass — Against All Defendants)**

16 47. Plaintiff incorporates by reference each and every allegation set forth in the preceding
17 paragraphs as though fully set forth herein.

18 48. At all times relevant hereto, Plaintiff has owned and possessed the Property and has
19 had the exclusive right of possession of the Property.

20 49. Defendants, through their negligent, reckless, intentional, and/or ultrahazardous
21 conduct, caused MMA vapor and/or other airborne contaminants to migrate from the GKN Facility
22 onto, into, and across Plaintiff's Property without Plaintiff's consent or permission.

23 50. Defendants knew, or in the exercise of reasonable care should have known, that their
24 conduct in storing and handling MMA in the manner described herein would result in the migration
25 of MMA vapor and other contaminants onto neighboring property, including Plaintiff's Property.

26 51. Defendants' physical invasion of Plaintiff's Property by MMA vapor and other
27 contaminants was unauthorized and constitutes a trespass under California law.

28 ///

52. As a direct and proximate result of Defendants' trespass, Plaintiff has suffered general and special damages, including but not limited to lost business income; lost rental revenue; out-of-pocket costs and expenses; the cost of inspection, testing, cleaning, ventilation, and remediation of the Property; diminution in the fair market value of the Property; loss of goodwill; stigma damages; and other consequential and incidental damages, all in an amount to be proven at trial but in excess of the jurisdictional minimum of this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

1. For general and compensatory damages according to proof at trial;
2. For special damages, including lost business income, lost rental revenue, out-of-pocket expenses, remediation costs, diminution in value of the Property, loss of goodwill, and stigma damages, according to proof at trial;
3. For consequential and incidental damages according to proof at trial;
4. For preliminary and permanent injunctive relief abating the nuisance and preventing its recurrence;
5. For prejudgment and post-judgment interest at the maximum rate allowed by law;
6. For costs of suit incurred herein, including reasonable attorneys' fees as allowed by law or contract;
7. For such other and further relief as the Court deems just and proper.

DATED: June 25, 2026

PRICE CASPINO

By:

Michael W. Caspino
Attorneys for Plaintiff, SSGT 12321
WESTERN AVENUE LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

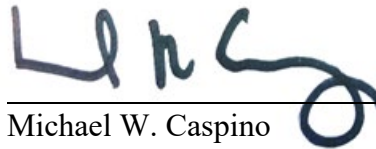
DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all causes of action and issues so triable.

DATED: June 25, 2026

PRICE CASPINO

By:

A handwritten signature in blue ink, appearing to read 'Lnc' followed by a large circular flourish.

Michael W. Caspino
Attorneys for Plaintiff, , SSGT 12321
WESTERN AVENUE LLC