

Orchid Law PC
31007 San Martinez Rd., Val Verde, CA 91384
Telephone: (855) 588-7664

Oshea Orchid (SBN 298375)
oo@somlawyers.com
sf@somlawyers.com
Shelby Miner (SBN 318338)
sm@somlawyers.com

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31007 San Martinez Rd.
Val Verde, CA 91384
Tel: (855) 588-7664

Attorneys for Plaintiffs, ANDREW GURWELL, et al.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE COUNTY
UNLIMITED JURISDICTION

ANDREW GURWELL, COREY
GURWELL, V.W.G., S.R.G., and L.M.G.,
minors, by and through ANDREW
GURWELL, as their Guardian *ad litem*,
PATRICIA GUTIERREZ, MARTIN
GUTIERREZ, MARTIN FRANCISCO
NATHANIEL GUTIERREZ, M.M.G.,
A.X.G., M.E.G., M.A.S., and M.E.P., minors,
by and through PATRICIA GUTIERREZ, as
their Guardian *ad Litem*, MELINDA HOUSE,
JASON GARDINER, CHAD WEIL, L.W., a
minor, by and through CHAD WEIL, as his
Guardian *ad Litem*, PHOEBE SMITH,
RHONDA AUGUSTINE, BRIANNA N.
DICKISON, JONATHON D. DICKISON,
KATHERINE SADEGHIAN, CATHY T.
RICHART, A.R. and M.R., minors, by and
through CATHY T. RICHART, as their
Guardian *ad Litem*, ERIC BRIAN
ESTRELLA, RYAN CANTRELL,
VALERIE HUNT-PARRISH, DANA
TRAVIGLIA, NICOLE CALDWELL, LOC
HO, BAONGOC LE NGUYEN, RICHARD
HO, ROBIN STEVENSON, WENDY
ANDREU, WALTER C. PEDERSON II,

Case No. 30-2026-01572262-CU-TT-CXC

Complaint Filed: May 26, 2026
Assigned To: Hon. Melissa R. McCormick, Dept.
CX105

FIRST AMENDED COMPLAINT FOR:

- 1. PRIVATE NUISANCE**
- 2. PUBLIC NUISANCE**
- 3. NEGLIGENCE/GROSS NEGLIGENCE**
- 4. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**
- 5. ULTRAHAZARDOUS ACTIVITY**

DEMAND FOR JURY TRIAL

1 ANGELA L. PEDERSON, JASON
2 MACARAEG, and JENNY LE;

3 Plaintiffs,

4 v.

5 GKN AEROSPACE TRANSPARENCY
6 SYSTEMS, INC.; GKN AEROSPACE
7 CAMARILLO, INC.; GKN AEROSPACE
8 CHEMTRONICS, INC.; and DOES 1
through 100, Inclusive;

9 Defendants.

10
11
12 COMES NOW, Plaintiffs ANDREW GURWELL, COREY GURWELL, V.W.G., S.R.G.,
13 and L.M.G., minors, by and through ANDREW GURWELL, as their Guardian *ad litem*, PATRICIA
14 GUTIERREZ, MARTIN GUTIERREZ, MARTIN FRANCISCO NATHANIEL GUTIERREZ,
15 M.M.G., A.X.G., M.E.G., M.A.S., and M.E.P., minors, by and through PATRICIA GUTIERREZ, as
16 their Guardian *ad Litem*, MELINDA HOUSE, JASON GARDINER, CHAD WEIL, L.W., a minor,
17 by and through CHAD WEIL, as his Guardian *ad Litem*, PHOEBE SMITH, RHONDA
18 AUGUSTINE, BRIANNA N. DICKISON, JONATHON D. DICKISON, KATHERINE
19 SADEGHIAN, CATHY T. RICHART, A.R. and M.R., minors, by and through CATHY T.
20 RICHART, as their Guardian *ad Litem*, ERIC BRIAN ESTRELLA, RYAN CANTRELL, VALERIE
21 HUNT-PARRISH, DANA TRAVIGLIA, NICOLE CALDWELL, LOC HO, BAONGOC LE
22 NGUYEN, RICHARD HO, ROBIN STEVENSON, WENDY ANDREU, WALTER C. PEDERSON
23 II, ANGELA L. PEDERSON, JASON MACARAEG, and JENNY LE to allege:

24
25 **INTRODUCTION**

26 1. Plaintiffs Andrew Gurwell, Corey Gurwell, V.W.G., S.R.G., and L.M.G., minors, by
27 and through Andrew Gurwell, as their Guardian *ad litem*, Patricia Gutierrez, Martin Gutierrez,
28

1 Martin Francisco Nathaniel Gutierrez, M.M.G., A.X.G., M.E.G., M.A.S., and M.E.P., minors, by
2 and through Patricia Gutierrez, as their Guardian ad Litem, Melinda House, Jason Gardiner, Chad
3 Weil, L.W., a minor, by and through Chad Weil, as his Guardian *ad Litem*, Phoebe Smith, Rhonda
4 Augustine, Brianna N. Dickison, Jonathon D. Dickison, Katherine Sadeghian, Cathy T. Richart,
5 A.R. and M.R., minors, by and through Cathy T. Richart, as their Guardian *ad Litem*, Eric Brian
6 Estrella, Ryan Cantrell, Valerie Hunt-Parrish, Dana Traviglia, Nicole Caldwell, Loc Ho, Baongoc
7 Le Nguyen, Richard Ho, Robin Stevenson, Wendy Andreu, Walter C. Pederson II, Angela L.
8 Pederson, Jason Macaraeg, and Jenny Le (hereinafter "Plaintiffs") bring this action against GKN
9 Aerospace Defendants, GKN Aerospace Transparency Systems, INC.; Gkn Aerospace Camarillo,
10 Inc.; Gkn Aerospace Chemtronics, Inc.; and Does 1 through 100. (hereinafter "Defendants"). GKN
11 Aerospace's Garden Grove facility, which sits on 15.5 acres on Western Avenue, designs, analyzes,
12 tests and certifies military canopies, cockpit windows and passenger windows. Defendants' negligent
13 operation and maintenance of the facility has caused extremely unsafe conditions including causing
14 a failing tank of methyl methacrylate, or MMA, to become a serious danger to the surrounding
15 community, that has now been forced to evacuate from their homes, schools, workplaces and
16 businesses.

18 JURISDICTION AND VENUE

19 2. This action is brought pursuant to the California Code of Civil Procedure section 382.
20 The monetary damages and restitution sought by Plaintiffs exceed the minimal jurisdiction limits of
21 the Superior Court and will be established according to proof at trial.

22 3. This Court has jurisdiction over this action pursuant to the California Constitution,
23 Article VI, Section 10, which grants the superior court "original jurisdiction in all other causes"
24 except those given by statute to other courts. The statutes under which this action is brought do not
25 specify any other basis for jurisdiction.

26 4. This Court has jurisdiction over Defendants because, upon information and belief,
27 Defendants are citizens of California, have sufficient minimum contacts in California, or otherwise
28 intentionally avail themselves of the California market so as to render the exercise of jurisdiction

1 over them by the California courts consistent with traditional notions of fair play and substantial
2 justice.

3 5. Venue is proper in this Court because, upon information and belief, Defendants
4 maintain offices, have agents, and/or transact business in the State of California, including the
5 County of Orange. The majority of the acts and omissions alleged herein relating to Plaintiffs took
6 place in the State of California, County of Orange.

7 **THE PARTIES**

8 6. Plaintiffs are residents and homeowners living around the Garden Grove Facility, who
9 have been evacuated, and otherwise harmed by the chemical leak and failing tank.

10 7. Upon information and belief Defendants, their subsidiaries and predecessors did and
11 do business in Garden Grove, California.

12 8. There is a unity of interest and ownership between Defendants, such that any
13 individuality and separateness between them has ceased, and each such entity is the alter ego of each
14 other entity.

15 9. The names of the other Defendants and/or their involvement in Plaintiffs' situation are
16 unknown to Plaintiffs, who therefore sue such Defendant in this action by fictitious names,
17 identified as DOES 1-100. Each of the Defendants designated as a Doe is legally responsible in
18 some manner for the unlawful acts described above. Plaintiffs will seek leave of the Court to amend
19 this complaint to reflect the true names and capacities of the Defendants designated as Does 1-100
20 when their identities and/or involvement become known.

21 10. Each Defendant (including Does 1-100) was at all relevant times the co-conspirator,
22 employee, servant, partner, joint venturer, successor, assign, aider, and/or abettor of each other
23 Defendant with respect to the wrongful conduct alleged. Each was acting within the course and
24 scope of said conspiracy, agency, employment, unity of interest, and/or joint venture and with the
25 permission, knowledge, approval, ratification, and consent of each other, and each is responsible and
26 liable in some manner for the damages or injuries sustained or threatened to be sustained by
27 Plaintiffs.
28

1 11. Whenever this complaint references acts of any Defendant or one of its unnamed
2 agents or co-conspirators, such allegation shall be deemed to mean the act of all other Defendants,
3 unless the reference is in a particular cause of action, and each of them acting, individually, jointly,
4 and severally.

5 12. Defendants aided and abetted each other in accomplishing the wrongful acts. In doing
6 so, Defendants acted with an awareness of their wrongdoing and realized that their conduct would
7 substantially assist the accomplishment of the wrongful schemes.

8 13. Each Defendant committed, conspired to commit, and/or ratified each of the acts and
9 omissions alleged in this complaint.

10 **STATEMENT OF FACTS**

11 14. The GKN Aerospace Defendants have been operating the Garden Grove facility since
12 1993. GKN Aerospace's Garden Grove facility, designs, analyzes, tests and certifies military
13 canopies, cockpit windows and passenger windows.

14 15. Defendants' Garden Grove facility has undergone four inspections by the
15 Occupational Safety and Health Administration since 2018, which resulted in 10 violations of safe
16 workplace standards. In 2019, the California Department of Industrial Relations found that
17 Defendants failed to ensure that all machinery and equipment in service were inspected or
18 maintained as recommended by the manufacturer.

19 20 16. South Coast Air Quality Management District (hereinafter "AQMD") inspected the
21 facility in November 2020 and cited Defendants in 2021 for failing to maintain required emission
22 records for volatile organic compounds, which included gases emitted from paints, coatings and
23 solvents.

24 17. The inspection also found that Defendants had operated new equipment without
25 obtaining a permit, operated existing equipment that did not match the description in a permit, and
26 modified permitted equipment without applying for a permit change, as required by the AQMD.

27 18. At that time Defendants were using materials containing hexavalent chrome, a
28 dangerous carcinogen; used coatings containing toxic air contaminants; and exceeded facility-wide

1 volatile organic compound emissions. The plant also was found to have failed to conduct portable
2 analyzer tests, which are required to determine emissions of nitrogen oxides from combustion
3 equipment.

4 19. Defendants paid approximately \$900,000 as part of the settlement for the 2021
5 violations.

6 20. In or around March 2025, AQMD issued additional notices to try and bring the facility
7 into legal compliance with AQMD's orders.

8 21. On May 21, 2026, a chemical leak was detected at the GKN Aerospace Garden Grove
9 facility due to a failing tank. The tank contains approximately seven thousand gallons of Methyl
10 Methacrylate (or "MMA") a highly toxic substance that can impact the respiratory system, and cause
11 skin and eye irritation. Methyl Methacrylate (or "MMA") is also highly flammable.

12 22. Starting on May 21, 2026, the temperature was rising about a degree per hour and it
13 reached over 90 degrees. Authorities initially indicated with increased pressure the tank would
14 either fail or explode.

15 23. Plaintiffs were evacuated from their homes because of the imminent threat of
16 hazardous chemical exposure, or an explosion.

17 24. Orange County Fire Authority indicated that Firefighters were put in harms way.
18 Plaintiff's contends the Defendant unreasonably and negligently impacted first responders and the
19 services they provide to the community by creating a HAZMAT emergency.

20 25. Plaintiffs evacuated from their homes, were traumatized - fearing for their safety.

21 26. Plaintiff children were abruptly evacuated from their schools and relocation has
22 caused them to miss school.

23 27. Working Plaintiffs have missed work and lost wages because of the evacuation.

24 28. Plaintiffs access to medical care, emergency services, and other basic services has
25 been disrupted.
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27
28

FIRST CAUSE OF ACTION

**PRIVATE NUISANCE
(Against All Defendants)**

29. Plaintiffs restate the allegations set forth in the preceding paragraphs.

30. The failing tank currently leaking that created the threat of an explosion was constructed, maintained, and/or operated by Defendants.

31. Defendant's actions have obstructed Plaintiffs the free use of their property so as to interfere with the comfortable enjoyment of life and/or property, including in but not limited to the causing Plaintiffs to evacuate, spend money and time to relocate, and negatively impacting Plaintiffs' asset values.

32. Defendant owed and continues to owe a duty to Plaintiffs to take positive action to prevent and/or abate the interference with the public interest and/or the invasion of the private interests of the Plaintiffs.

33. By constructing, managing, and then failing to repair and/or maintain its facility reasonably, Defendants have negligently created an unreasonable risk of foreseeable harm to Plaintiffs.

34. As a foreseeable, direct, and proximate result of the foregoing conduct of Defendants, Plaintiffs suffered injuries and damages to their property as alleged herein.

35. The injuries and damages suffered by Plaintiffs are specially injurious to themselves as compared with the general public.

36. Defendants' substantial and unreasonable interference with Plaintiffs' use, and enjoyment of their property constitutes a nuisance for which Defendants are liable to Plaintiffs for all damages arising from such nuisance, including compensatory, exemplary, injunctive, and punitive relief such Defendants' actions were, and continue to be, intentional, willful, malicious and made with a conscious disregard for the rights of Plaintiffs, entitling Plaintiffs to compensatory and punitive damages, injunctive relief, and reasonable attorneys' fees.

SECOND CAUSE OF ACTION

PUBLIC NUISANCE

(Against All Defendants)

37. Plaintiffs restate the allegations set forth in the preceding paragraphs.

38. The failing tank currently leaking that created the threat of an explosion was constructed, maintained, and/or operated by Defendants.

39. Defendant's actions have obstructed Plaintiffs the free use of their property so as to interfere with the comfortable enjoyment of life and/or property, including in but not limited to the causing Plaintiffs to evacuate, spend money and time to relocate, and negatively impacting Plaintiffs' asset values.

40. Defendant owed and continues to owe a duty to Plaintiffs to take positive action to prevent and/or abate the interference with the public interest and/or the invasion of the private interests of the Plaintiffs.

41. By constructing, managing, and then failing to repair and/or maintain its facility reasonably, Defendants have negligently created an unreasonable risk of foreseeable harm to Plaintiffs.

42. As a foreseeable, direct, and proximate result of the foregoing conduct of Defendants, Plaintiffs suffered injuries and damages to their property as alleged herein.

43. The injuries and damages suffered by Plaintiffs are specially injurious to themselves as compared with the general public.

44. Defendants' substantial and unreasonable interference with Plaintiffs' use and enjoyment of their property constitutes a nuisance for which Defendants are liable to Plaintiffs for all damages arising from such nuisance, including compensatory, exemplary, injunctive, and punitive relief. Such Defendants' actions were; and continue to be, intentional, willful, malicious and made with a conscious disregard for the rights of Plaintiffs, entitling Plaintiffs to compensatory and punitive damages, injunctive relief, and reasonable attorneys' fees.

THIRD CAUSE OF ACTION
NEGLIGENCE/GROSS NEGLIGENCE
(Against All Defendants)

45. Plaintiffs restate the allegations set forth in the preceding paragraphs.

46. Defendants negligently and improperly constructed, maintained and/or operated the Garden Grove facility causing the emission of noxious pollutants, and air contaminants. After numerous citations from AQMD and other regulatory agencies Defendants failed to comply with environmental regulations and industry standards.

47. As a direct and proximate result of Defendants' negligence and gross negligence in constructing, maintaining and/or operating the Garden Grove facility, Plaintiffs have had to evacuate from their homes, workplaces, and schools.

48. As further direct and proximate result of the foregoing conduct of Defendants, Plaintiffs suffered damages to their property values as alleged herein.

49. The damages suffered by the Plaintiffs were reasonably foreseeable by Defendants.

50. By failing to properly construct, maintain and/or operate the Garden Grove facility, Defendants failed to exercise their duty of ordinary care and diligence.

51. By failing to construct, maintain and/or operate the Garden Grove facility, Defendants have intentionally caused unsafe conditions in Garden Grove necessitating the evacuation of Plaintiffs.

52. As a direct and proximate result of the failure of Defendant to exercise ordinary care, Plaintiffs' have been evacuated from their residences.

53. The conduct of Defendants in knowingly allowing conditions to exist which caused Plaintiffs' to be forced to evacuate from their property constitutes gross negligence as it demonstrated a substantial lack of concern for whether an injury resulted to Plaintiffs.

54. Defendants' gross negligence was malicious and made with a conscious disregard for the rights and safety of Plaintiffs, which entitles Plaintiffs to an award of compensatory, exemplary, and punitive relief, along with reasonable attorneys' fees.

FOURTH CAUSE OF ACTION

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

(Against All Defendants)

55. Plaintiffs restate the allegations set forth in the preceding paragraphs.

56. Defendants negligently and improperly constructed, maintained and/or operated the Garden Grove facility causing the emission of noxious pollutants, and air contaminants. After numerous citations from AQMD and other regulatory agencies Defendants failed to comply with environmental regulations and industry standards.

57. As a direct and proximate result of Defendants' negligence and gross negligence in constructing, maintaining and/or operating the Garden Grove facility, Plaintiffs have had to evacuate from their homes, workplaces, and schools.

58. As further direct and proximate result of the foregoing conduct of Defendants, Plaintiffs suffered damages to their property values as alleged herein.

59. The damages suffered by the Plaintiffs were reasonably foreseeable by Defendants.

60. By failing to properly construct, maintain and/or operate the Garden Grove facility, Defendants failed to exercise their duty of ordinary care and diligence.

61. By failing to construct, maintain and/or operate the Garden Grove facility, Defendants have intentionally caused unsafe conditions in Garden Grove necessitating the evacuation of Plaintiffs.

62. As a direct and proximate result of the failure of Defendant to exercise ordinary care, Plaintiffs' have been evacuated from their residences.

63. As a result of Defendants' negligent conduct residents were not safe in their homes, schools, workplaces and community in general, causing them fear, anxiety, and stress.

64. As a result of Defendants' negligent conduct Plaintiffs also experienced fear, anxiety, and stress in trying to locate and assure the safety of their families.

FIFTH CAUSE OF ACTION
ULTRAHAZARDOUS ACTIVITY
(Against All Defendants)

65. Plaintiffs restate the allegations set forth in the preceding paragraphs.

66. Defendants' conduct including the storage and use of methyl methacrylate and dangerous chemicals at their Garden Grove facility constituted an ultrahazardous activity for which Defendants should be strictly liable.

67. Because of the nature of methyl methacrylate and other chemicals used at the facility, their storage and use creates a high degree of risk of harm to the people who live in the area of the Garden Grove facility and their homes and property.

68. Due to the nature of these chemicals if released into the environment as well as the risk of explosion if the storage tanks fail, the likelihood that harm will result from their use and storage at this facility is great.

69. Plaintiffs allege that even if Defendants exercised reasonable care, the risk from the storage and use of these inherently dangerous chemicals cannot be mitigated. The actual and potential leak of these chemicals created a crisis and the Governor of California had to declare a state of emergency.

70. The storage and use of these chemicals is not a common or everyday activity, as these are used in specialized manufacturing. Methyl methacrylate is not a chemical that is easily accessible to the public nor is its storage a common activity.

71. The Defendants' Garden Grove facility is located in a densely populated suburb in Orange County, with schools, businesses and recreation areas. Thousands of people live and work in very close proximity to the facility.

72. The storage of Methyl methacrylate and other dangerous chemicals in close proximity to thousands of people is unnecessary and irresponsible. The company does not serve the surrounding community and could do its manufacturing at a safer location.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, pray for judgment against Defendants as follows:

1. Judgment in favor of Plaintiffs and against Defendants on all claims;
2. Injunctive relief against Defendants to prevent further harm to Plaintiffs, including provisions for Defendants' remediation of the nuisance, ongoing monitoring of Plaintiffs' homes;
3. Compensatory and general damages to be proven at trial
4. An award of punitive and exemplary damages against Defendants;
5. An award of attorneys' fees, pursuant to California Code of Civil Procedure § 1021.5 and any other appropriate source, and all other costs of suit;
6. An award of pre-judgment and post-interest; and
7. Any further relief the Court deems just and proper.

DATED: June 25, 2026

Orchid Law PC

By: 
Oshea Orchid
Shelby Miner
Attorneys for Plaintiffs, Andrew Gurwell, et al.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial.

DATED: June 25, 2026

Orchid Law PC

By: 
Oshea Orchid
Shelby Miner
Attorneys for Plaintiffs, Andrew Gurwell, et al.