

Joseph Lavi, Esq. (SBN 209776)
Vincent C. Granberry, Esq. (SBN 276483)
Brett D. Szmanda, Esq. (SBN 288688)
Michael L. Huggins, Esq. (SBN 305562)
LAVI & EBRAHIMIAN, LLP
8889 W. Olympic Boulevard, Suite 200
Beverly Hills, California 90211
Telephone: (310) 432-0000
Facsimile: (310) 432-0001
Email: jlavi@lelawfirm.com
vgranberry@lelawfirm.com
bszmanda@lelawfirm.com
mhuggins@lelawfirm.com

Assigned for all purposes

Judge David A. Hoffer

CX-103

Attorneys for Plaintiffs LAM DANG and JASMINE DANG,
on behalf of themselves and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

LAM DANG and JASMINE DANG, on behalf of
themselves and others similarly situated,

Plaintiff,

vs.

GKN AEROSPACE TRANSPARENCY
SYSTEMS INC.; GKN AEROSPACE CHEM-
TRONICS INC.; and DOES 1 to 100, inclusive,

Defendants.

Case No.: 30-2026-01572292-CU-TT-CXC

CLASS ACTION

**COMPLAINT FOR DAMAGES AND
RESTITUTION FOR:**

1. NEGLIGENCE
2. STRICT LIABILITY –
ULTRAHAZARDOUS
ACTIVITY
3. PRIVATE NUISANCE
4. PUBLIC NUISANCE
5. TRESPASS
6. INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS
7. NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS
8. UNFAIR BUSINESS PRACTICES,
IN VIOLATION OF BUSINESS
AND PROFESSIONS CODE
SECTIONS 17200, ET SEQ.

DEMAND FOR JURY TRIAL

COMES NOW Plaintiffs LAM DANG, JASMINE DANG, and DUY DANG (“Plaintiffs”), who allege and complain on information and belief, except as to those allegations relating to Plaintiffs themselves, which are asserted on personal knowledge, against Defendants GKN AEROSPACE TRANSPARENCY SYSTEMS INC. (“GKN Transparency”), GKN AEROSPACE CHEM-TRONICS INC. (“GKN Chem-tronics” and referred to collectively with GKN Transparency herein as “GKN Aerospace”), and DOES 1 to 100, inclusive (referred to collectively with GKN Transparency and GKN Chem-tronics herein as “Defendants”), as follows:

I. INTRODUCTION

1. This is a class action lawsuit brought by and on behalf of the residents and neighbors of the City of Garden Grove, seeking damages they sustained as a result of dangerous conditions emanating from a tank containing an ultrahazardous chemical on the premises located at 12122 Western Avenue, Garden Grove, CA 92841 (the “GKN Facility”), which is owned, controlled, and/or operated by Defendants.

2. On May 21, 2026, local authorities issued emergency evacuation orders to a nine-square-mile area surrounding the GKN Facility (the “Evacuation Area”) – impacting more than 40,000 residents – after a chemical tank at the GKN Facility containing the toxic and flammable chemical methyl methacrylate (referred to commonly and herein as “MMA”) had increased in

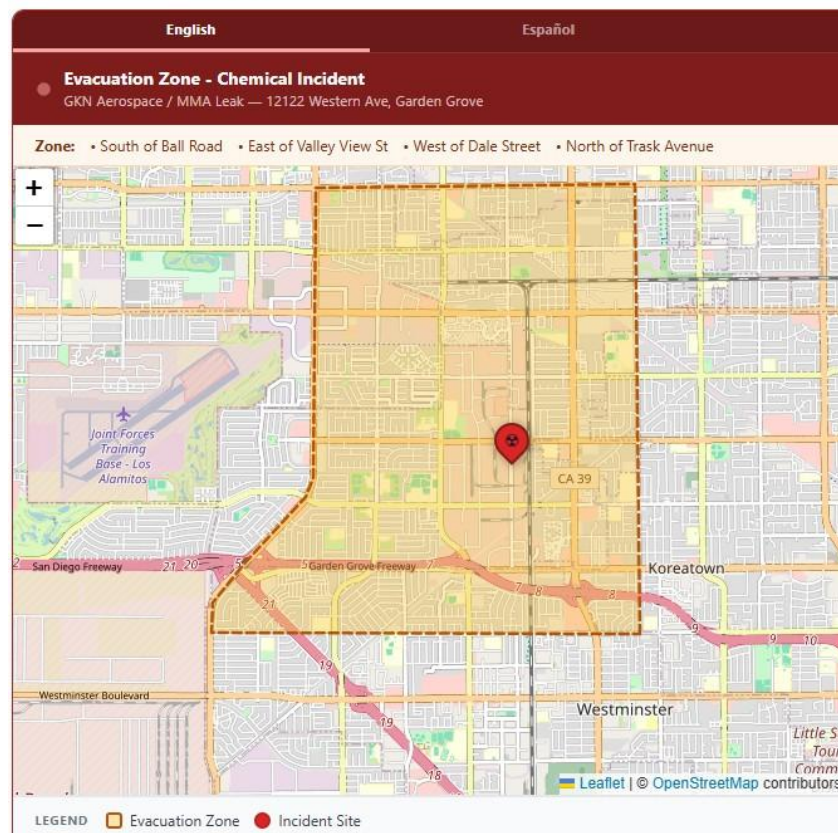


temperature and activated a relief valve and overhead sprinklers to try to cool the tank, to avoid

the risk of leak or explosion. MMA is used to manufacture resins and plastics and can be fatal to humans, causing major respiratory issues; significant irritation of the lungs, skin, eyes, and nasal passageways; liver damage; pregnancy issues; and even death. As a highly flammable, volatile, and reactive chemical vapor, MMA can also seep into and damage tangible property, requiring extensive, costly, and specialized remedial measures.

3. The same night, on May 21, 2026, after the vapor conditions improved, the evacuation orders were briefly lifted. However, as crews tried to remove and contain the MMA from the tank, they discovered that the tank had a damaged valve and that the MMA thus could not be removed. Local authorities therefore reinstated the evacuation orders.

Evacuation Map



(Evacuation Map, available at <https://ggcity.org/emergency> (last visited May 23, 2026).

4. On May 22, 2026, local police made a reverse 911 call to tell people to evacuate and posted on social media about the evacuations. According to public statements made by Garden Grove Police Chief Amir El-Farra, approximately 6,000 residents in the Evacuation Area had sheltered in place. Thirteen schools and two facilities within the Garden Grove Unified School

District were also evacuated on the morning of May 22, 2026, and the number of residents evacuated had climbed to more than 50,000, applying to residents in the communities of Garden Grove, Buena Park, Anaheim, Stanton, Westminster and Cypress. The GKN Facility is located approximately five miles from Disneyland and four miles from Knott's Berry Farm.

5. Orange County Fire Authority ("OCFA") Division Chief Craig Covey publicly stated as follows: "There are literally two options left remaining: One, the tank fails and spills a total of about [6,000] to 7,000 gallons of very bad chemicals into the parking lot and that area. ... Or two, the tank goes into a thermal runaway and blows up, affecting the tanks that are around it that have fuel or chemicals in them as well."; "This thing is gonna [sic] fail. We don't know when."; and "I've been in the fire service for 32 years and it's the most significantly dangerous event I've ever been a part of." Similarly, Orange County Health Officer Dr. Regina Chinsio-Kwong has characterized these events as an unprecedented emergency. While authorities have more recently stated that the threat of explosion have been mitigated, in whole or in part, the circumstances at the GKN Facility are continuing to develop as of the date of this filing.

II. JURISDICTION AND VENUE

6. This Court has jurisdiction over, and venue is proper in the County of Orange regarding, Plaintiff's and putative class members' claims for negligence; strict liability – ultrahazardous activity; private nuisance; public nuisance; trespass; intentional infliction of emotional distress; negligent infliction of emotional distress; and claims for injunctive relief and restitution under California Business and Professions Code sections 17200, *et seq.*, for the following reasons: Defendant owns, controls, and/or operates the GKN Facility; Defendant's ultrahazardous activities at the GKN Facility, which is located at 12122 Western Avenue, Garden Grove, CA 92841, has resulted in a toxic chemical release which has significantly harmed Plaintiff and putative class members in the surrounding areas; more than two-thirds of putative class members are California residents; the principal violations of California law occurred in California; no other class action has been filed against Defendants regarding the events alleged herein; Defendant's conduct forms a significant basis for Plaintiff's and putative class members' claims; and Plaintiff and putative class members seek significant relief from Defendant.

1 7. These events regarding the MMA storage tank located at the GKN Facility,
2 beginning on or about May 21, 2026 – which include, but are not limited to, any potential or actual
3 chemical leak, potential or actual explosion, or other related circumstances that presented a real
4 and imminent threat of danger to residents and occupants of the surrounding communities,
5 resulting in the issuance of mandatory evacuation orders – are herein referred to as the “Incident.”

6 **III. PARTIES**

7 8. Plaintiffs bring this action on behalf of themselves and other members of the
8 general public similarly situated. The named Plaintiffs and the class of persons on whose behalf
9 this action is filed are current, former, and/or future residents of Orange County, California who
10 were placed under mandatory evacuation orders and have incurred damages as a result of the
11 Incident. At all times mentioned herein, Plaintiffs were and are residents of Anaheim, California
12 and were placed under mandatory evacuation orders as a result of the Incident.

13 9. Defendant GKN Transparency is a California corporation with its principal place of
14 business located in Garden Grove, California. GKN Transparency is authorized to do business,
15 and is doing business, in the State of California. According to the website of GKN Transparency’s
16 parent company, “GKN Aerospace’s site at Garden Grove is the world’s leading provider of
17 military transparency systems and commercial aircraft transparencies. The site offers a full range
18 of capabilities for design, analysis, testing and certification of military canopies, cockpit windows
19 and passenger windows. GKN Transparency manufactures the world-leading F-35 canopy from its
20 Garden Grove facility, as well as transparencies for the Boeing 787 Dreamliner and 737, the
21 Airbus A350, HondaJet and Bombardier C-Series.”

22 10. Defendant GKN Chem-tronics is a California corporation with its principal place of
23 business located in El Cajon, California. GKN Chem-tronics is authorized to do business, and is
24 doing business, in the State of California.

25 11. Defendants DOES 1-100 are, and at all times relevant hereto were persons acting
26 on behalf of, at the direction of, or with the consent of GKN Aerospace in the establishment of, or
27 ratification of, the wrongful acts alleged herein and whose identities are unknown to Plaintiffs at
28 this time. Each of the DOES 1-100 is sued individually in his or her capacity as an agent,

shareholder, owner, representative, supervisor, independent contractor and/or employee of GKN Aerospace and willful or knowing participant in the establishment of, or ratification of, the unlawful conduct alleged herein. As Plaintiffs are unaware of the true names of DOES 1-100, Plaintiffs sue those Defendants by said fictitious names and will amend this Complaint when the true names and capacities are ascertained, or as otherwise permitted by law or by the Court.

IV. METHYL METHACRYLATE IS A TOXIC FLAMMABLE CHEMICAL

12. The chemical methyl methacrylate, or MMA, is a highly volatile and flammable substance used to make resins and plastic, including Plexiglass.

13. As OCFA Division Chief Nick Freeman has acknowledged in public statements concerning these events, “[MMA] is a highly toxic substance,” is “extremely flammable and, in its current state, very reactive and can cause [an] explosion.” Similarly, OCFA Division Chief Covey has stated that MMA “is highly volatile, it’s highly toxic and it’s highly flammable.”

14. Orange County Health Officer Dr. Chinsio-Kwong has stated that MMA vapor, if released, could be harmful to human health, and that anyone who can smell MMA’s fruity and “heavy” odor may be exposed to health risks.

15. According to the U.S. Environmental Protection Agency (“EPA”), MMA can cause lung and skin irritation, headaches, coughing and wheezing, and has been suggested but not proven as a possible cause of colon and rectal cancers. One EPA study reported the following regarding the affect of MMA on human health: “Respiratory symptoms observed following acute exposures [to MMA] include chest tightness, dyspnea, coughing, wheezing, and reduced peak flow. Neurological symptoms have also been reported in humans following acute exposure to methyl methacrylate. Fetal abnormalities have been reported in animals exposed to methyl methacrylate by injection and inhalation.”

16. A report by the California Department of Health Services has stated that, in addition to other negative health effects, “[o]verexposure to MMA can affect your brain the way drinking alcohol does. Symptoms may include headache, drowsiness, nausea, weakness, fatigue, irritability, dizziness, and loss of appetite. Overexposure to MMA may also cause sleeplessness.”

17. MMA, whether in liquid or vapor form, can also physically damage tangible

property by seeping into and contaminating fabrics, wood, and other materials with which residents' homes and/or objects within their homes are constructed; seeping into and contaminating the ground and water supply; exploding or combusting into flames, damaging nearby objects; and by circulating through outdoor and indoor air, creating an unsafe environment.

V. AUTHORITIES ISSUED MANDATORY EVACUATIONS

18. On May 21, 2026, at or about 3:22 p.m., authorities first responded to the GKN Facility after one of three tanks at the GKN Facility, containing the toxic and flammable chemical MMA, had increased in temperature and activated a relief valve and overhead sprinklers to try to cool the tank. Authorities issued evacuation orders for the Evacuation Area, which extended from South of Ball Road, to East of Valley View Street, to West of Dale Street, to North of Trask Avenue – an area affecting more than 40,000 residents.

19. The evacuation orders were briefly lifted same night, on May 21, 2026, after the vapor conditions improved. However, as crews tried to remove and contain the MMA from the tank, they discovered that the tank had a damaged valve and that the MMA therefore could not be removed. Local authorities therefore reinstated the evacuation orders. OCFA Division Chief Covey has warned that “[p]eople need to get out of their houses and get into a safe space because when this thing goes, depending on the wind direction it’s going, we cannot control the weather.”

20. On the morning of May 23, 2026, Chief Covey stated that the subject tank’s internal temperature – which could not be measured by drone – had climbed from 77 degrees to 90 degrees overnight and was continuing to rise by roughly 1 degree per hour. Chief Covey previously stated that the “happy place” for MMA is at 50 degrees. As the interior temperature rises, methyl methacrylate converts from a liquid to a gas and increases the pressure. As of May 24, 2026, the tank’s interior temperature reportedly had reached 100 degrees.

21. Also on May 23, 2026, Governor Gavin Newsom declared a state of emergency in Orange County in response to the crisis, directing state agencies to support responders and making state-owned properties and fairgrounds available as potential shelters. The Proclamation of A State of Emergency issued by Governor Newsom states, in part, that “beginning on May 21, 2026, a chemical storage tank containing approximately 5,000 to 7,000 gallons of methyl methacrylate, a

1 volatile and highly flammable liquid, began heating up and emitting toxic fumes at a GKN
2 Aerospace facility in the City of Garden Grove within Orange County (“Orange County Chemical
3 Incident”)” and that “the area surrounding the Orange County Chemical Incident is under an
4 evacuation order, to which approximately 50,000 local residents are subject, and additional shelter
5 space for some residents is needed....” The Proclamation further states that the California National
6 Guard may be mobilized to support disaster response and relief efforts.

7 22. Evacuation orders also have been extended to certain residents of five other Orange
8 County cities - Cypress, Stanton, Anaheim, Buena Park, and Westminster.

9 **VI. PLAINTIFFS AND PUTATIVE CLASS MEMBERS HAVE INCURRED**
10 **SUBSTANTIAL DAMAGES AS A RESULT OF THE INCIDENT**

11 23. As a result of Defendants’ ultrahazardous activity and intentional, knowing,
12 reckless, or negligent failure to appropriately design, construct, inspect, test, and/or maintain its
13 equipment and facilities at the GKN Facility, which caused the Incident – including a real and
14 imminent threat of the tank leaking or exploding – Plaintiffs and others similarly situated have
15 sustained substantial damages, including, in part, as follows.

16 24. **Evacuation Costs:** As a direct result of the Incident, more than 50,000 residents in
17 Orange County – which include Plaintiff and putative class members – have been evacuated from
18 their homes, under evacuation orders effective beginning on May 21, 2026 and, in whole or in
19 part, remaining in effect as of the date of this filing. As a result of such evacuation orders,
20 Plaintiffs and putative class members have incurred substantial alternative living costs, such as for
21 travel, lodging, food, clothing, and other similar increased living expenses.

22 25. **Loss of Use and Enjoyment of Property:** As a direct result of the Incident,
23 Plaintiffs and putative class members have suffered the physical loss of use of their property, both,
24 during effective evacuation periods and sometimes longer, where home hardening and other safety
25 measures were required to protect life and property against the risk of chemical leak or explosion.
26 Defendants’ conduct which caused the Incident has substantially impaired Plaintiffs’ and putative
27 class members’ use and enjoyment of their property.

28 26. **Loss of Income:** As a direct result of the Incident, Plaintiffs and putative class

1 members were evacuated from their homes and, during that period, could not work or had to limit
2 their work on account of their evacuation, such that they suffered substantial loss of income.

3 27. **Home Hardening / PPE:** As a direct result of the Incident, Plaintiffs and putative
4 class members have incurred costs for home hardening, such as to install HEPA filtration systems,
5 and to purchase personal protective equipment (“PPE”), to protect themselves and their in-home
6 environment from potential contamination.

7 28. **Physical Property Damage:** As a direct result of the Incident, Plaintiffs and
8 putative class members have incurred damage to real property and/or personal property, which has
9 resulted in substantial costs to repair and/or replace such property. For example, to the extent
10 MMA vapors infiltrated Plaintiffs’ and putative class members’ homes, they were or may be
11 required to professionally clean carpets, fabrics, and HVAC systems and replace air filters
12 damaged by the chemical vapors. And where cleaning could not remediate carpets or fabrics, those
13 objects had to be or may have to be replaced.

14 29. **Medical Expense:** As a direct result of the Incident, Plaintiffs and putative class
15 members have been exposed to dangerous MMA chemical vapors and suffered negative physical
16 health effects from such exposure, thus requiring medical attention and/or the purchase of
17 necessary and appropriate medical supplies. For example, certain residents have reported that they
18 forgot to close their window during the night of May 21, 2026, when the first release of MMA
19 occurred, and as a result, have already begun to experience symptoms of exposure to dangerous
20 levels of MMA, such as soreness of the throat and nose as well as dizziness. Plaintiffs and putative
21 class members have therefore incurred substantial medical expenses for doctor’s visits and to
22 purchase necessary and appropriate medical supplies.

23 30. **Medical Monitoring:** As a direct result of the Incident, Plaintiffs and putative class
24 members have been exposed to dangerous MMA chemical vapors and suffered negative physical
25 health effects from such exposure, thus requiring the cost of regular health screenings required to
26 detect disease or illness caused by such exposure.

27 31. **Emotional Distress:** As a direct result of the Incident, which has caused Plaintiffs
28 and putative class members to be evacuated from their homes, exposure to toxic MMA vapors,

1 and/or damage to their real property and/or personal property, Plaintiffs and putative class
2 members have suffered severe emotional distress.

3 **V. CLASS DEFINITIONS AND CLASS ALLEGATIONS**

4 32. Plaintiffs bring this action on behalf of themselves, on behalf of others similarly
5 situated, on behalf of the general public, and as members of an “Evacuation Orders Class,” defined
6 as follows: All persons who, from May 21, 2026 through the date upon which all mandatory
7 evacuation orders are lifted, resided in, owned, rented, leased, or lawfully occupied residential real
8 property located within any mandatory evacuation zone established in connection with the
9 chemical release at the GKN Facility.

10 33. There is a well-defined community of interest in this litigation, and the classes are
11 ascertainable, including as follows:

12 (a) **Numerosity:** While the exact number of class members is presently
13 unknown to Plaintiffs, the Evacuation Orders Class is so numerous that the individual joinder of
14 all members is impractical under the circumstances of this case. For example, more than 50,000
15 residents were placed under mandatory evacuation.

16 (b) **Common Questions Predominate:** Common questions of law and fact
17 exist as to all members of the Evacuation Orders Class and predominate over any questions that
18 affect only individual members of each class. The common questions of law and fact include, but
19 are not limited to, as follows:

20 i. Whether Defendants acted intentionally and unreasonably in causing
21 the chemical release alleged herein;

22 ii. Whether Defendants acted unintentionally but recklessly or
23 negligently in causing the chemical release alleged herein;

24 iii. Whether the condition that Defendants created or permitted to exist,
25 as alleged herein, was the result of an abnormally dangerous activity;

26 iv. Whether an ordinary person would reasonably be annoyed or
27 disturbed by Defendants’ conduct in causing the chemical release alleged herein;

28 v. Whether the social utility or public benefit, if any, of Defendants’

conduct that caused the chemical release alleged herein is outweighed by the seriousness of the harms that such conduct created;

vi. Whether Defendants were engaged in ultrahazardous activity in connection with the chemical release alleged herein;

vii. Whether Defendants' conduct was a substantial factor in causing the types of harms alleged herein in connection with the chemical release at the GKN Facility;

viii. Whether Defendants' conduct in connection with the chemical release alleged herein was outrageous;

ix. Whether Defendants' conduct in connection with the chemical release alleged herein intentionally, recklessly, or negligently caused emotional distress of the types experienced by Plaintiffs and putative class members;

x. Whether Defendants committed unlawful business acts or practice within the meaning of Business and Professions Code sections 17200, *et seq.*, in connection with the chemical release alleged herein;

xi. Whether the Evacuation Orders Class members are entitled to restitution, and/or equitable relief as a result of Defendants' unlawful conduct in connection with the chemical release alleged herein; and

xii. Whether Defendants' affirmative defenses, if any, raise any common issues of law or fact as to Plaintiffs and as to the Evacuation Orders Class members as a whole.

A. **Typicality:** Plaintiff's claims are typical of the claims of the Evacuation Orders Class members, including because Plaintiffs claim that Defendants should be found liable on each of the causes of action asserted here for damages that include, but are not limited to, as follows: evacuation expenses; loss of use and enjoyment of property; loss of income; home hardening and/or PPE; damage to real and/or personal property; medical expenses; medical monitoring; and emotional distress.

D. **Adequacy of Representation:** Plaintiffs will fairly and adequately protect the interests of the members of each class. Plaintiff has no interest that is adverse to the interests of the other class members.

E. **Superiority:** A class action is superior to other available means for the fair and efficient adjudication of this controversy. Because individual joinder of all members of each class is impractical, class action treatment will permit a large number of similarly situated persons to prosecute their common claims in a single forum simultaneously, efficiently, and without the unnecessary duplication of effort and expense that numerous individual actions would engender. The expenses and burdens of individual litigation would make it difficult or impossible for individual members of each class to redress the wrongs done to them, while important public interests will be served by addressing the matter as a class action. The cost to and burden on the court system of adjudication of individualized litigation would be substantial, and substantially more than the costs and burdens of a class action. Individualized litigation would also present the potential for inconsistent or contradictory judgments.

F. **Public Policy Consideration:** Manufacturers and other businesses throughout California handle toxic chemicals that are harmful to human life and property, at facilities that in close proximity to schools, residences, and public places, where the release of toxic chemicals can cause severe and widespread issues in communities. Such manufacturers must be held accountable for taking appropriate measures to ensure that toxic chemicals are handled with appropriate care and safety, for the protection of the people in surrounding communities. Certain individuals who have been affected by Defendant's release of toxic chemicals at the GKN Facility may not have the financial means or ability to bring a lawsuit to enforce their rights against a large manufacturer such as Defendant. Class actions provide those class members with the opportunity to nevertheless have their rights enforced in court.

FIRST CAUSE OF ACTION

NEGLIGENCE

(Against All Defendants and DOES 1 through 100, Inclusive)

34. Plaintiffs incorporate by reference and re-allege each and every allegation contained in this pleading as though fully set forth herein.

35. Plaintiffs and the Evacuation Orders Class are individuals who live or work near the GKN Facility and sustained damages as a result of the Incident.

36. Defendants own, control, or operate the GKN Facility. Defendants thus have a duty to use reasonable care in the design, construction, maintenance, repair, operation, and abandonment of the GKN Facility, including all equipment, facilities, operations, and materials (e.g., toxic chemicals) at such premises. Defendants possessed a significant duty due to the serious danger posed by Defendants' activities at the GKN Facility, including as to the handling and storage of toxic chemicals.

37. Defendants breached that duty by negligently and carelessly designing, engineering, using, repairing, constructing, operating, and/or maintaining toxic chemicals at the GKN Facility. This negligence directly and foreseeably caused the threat of explosion and potential or actual leaks/emissions of chemicals into the air and environment within and outside of the land, home, and/or person of Plaintiffs and the Evacuation Orders Class, resulting in mandatory evacuations of Plaintiffs and the Evacuation Orders Class.

38. Defendants knew or should have known that their operations would result in circumstances like the Incident.

39. Defendants' breach of duty to Plaintiffs and the Evacuation Orders Class directly caused Plaintiffs and the Evacuation Orders Class have suffered health effects, incurred substantial costs and/or loss of income, experienced a decrease in property value, and/or been deprived of quiet use and enjoyment of their property.

40. Defendants' conduct which caused the Incident violated well-established California law, including, but not limited to, laws governing ultrahazardous activity, and thus constitutes negligence *per se*.

41. The breach of duty by Defendants was the legal and proximate cause of the injuries and damages suffered by Plaintiff and the California Class.

SECOND CAUSE OF ACTION

STRICT LIABILITY – ULTRAHAZARDOUS ACTIVITY

(Against All Defendants and DOES 1 through 100, Inclusive)

42. Plaintiffs incorporate by reference and re-allege each and every allegation contained in this pleading as though fully set forth herein.

1 43. Defendants, in owning, controlling, maintaining, and/or operating the GKN
2 Facility, which stores and handles toxic chemicals, noxious odors, hazardous gases, pollutants and
3 other contaminants in close proximity to residences and businesses, were engaged in an
4 ultrahazardous activity, which makes Defendants strictly liable to Plaintiff and the Evacuation
5 Orders Class for the harms caused to them as a result of Defendants' ultrahazardous activity.

6 44. Defendants are engaged in a business that is inherently and unavoidably dangerous
7 is that the GKN Facility engages with materials that are highly flammable and toxic. Even where
8 due care is exercised, the risk associated with owning, operating, controlling, and/or maintaining
9 such a facility – especially near homes and businesses – persists.

10 45. Defendants' ultrahazardous activity caused the Incident, which included the threat of
11 explosion and/or the real or potential spread the toxic and flammable chemical MMA, noxious
12 odors, hazardous gases, chemicals, pollutants or other contaminants on or around the land, home,
13 and/or person of Plaintiff and the Evacuation Orders Class, resulting in substantial injury and
14 adverse health effects, property damage, other expense, and/or interference with their use and
15 enjoyment of their property.

16 46. Such harms are the kind of harms that would be anticipated as a result of the risk
17 inherent in Defendants' operations at the GKN Facility.

18 **THIRD CAUSE OF ACTION**

19 **PRIVATE NUISANCE**

20 **(Against All Defendants and DOES 1 through 100, Inclusive)**

21 47. Plaintiffs incorporate by reference and re-allege each and every allegation
22 contained in this pleading as though fully set forth herein.

23 48. Defendants intentionally and unreasonably, or negligently or recklessly, failed to
24 act with reasonable care in owning, constructing, operating, and/or maintaining the GKN Facility,
25 causing or potentially causing an explosion and/or noxious odors, hazardous gases, chemicals,
26 pollutants, or other contaminants to escape into the home and/or land and air surrounding the
27 home of Plaintiff and the Evacuation Orders Class.

28 49. Defendants created a condition that is damaging or potentially damaging to the

1 health and indecent or offensive to the senses of Plaintiff and the Evacuation Orders Class and that
2 substantially interfered with the ability of Plaintiff and the Evacuation Orders Class to use and
3 enjoy their life and property without experiencing adverse health effects or breathing noxious
4 odors and/or toxic chemicals.

5 50. An ordinary person would reasonably be annoyed or disturbed by Defendants'
6 conduct alleged above.

7 51. Plaintiff and the Evacuation Orders Class did not consent or authorize such conduct
8 by Defendants.

9 52. Defendants' conduct was a substantial factor in causing these harms to Plaintiffs
10 and the Evacuation Orders Class.

11 53. The seriousness of these harms to Plaintiffs and the California Class outweighs the
12 public benefit, if any, of Defendants' conduct. In fact, Plaintiff and the Evacuation Orders Class
13 were evacuated due to the severity of the effects of the Incident.

14 **FOURTH CAUSE OF ACTION**

15 **PUBLIC NUISANCE**

16 **(Against All Defendants and DOES 1 through 100, Inclusive)**

17 54. Plaintiffs incorporate by reference and re-allege each and every allegation
18 contained in this pleading as though fully set forth herein.

19 55. Defendants failed to act with reasonable care in owning, constructing, operating,
20 and/or maintaining the GKN Facility, causing or potentially causing an explosion and/or noxious
21 odors, hazardous gases, chemicals, pollutants, or other contaminants to escape into the home
22 and/or land and air surrounding the home of Plaintiff and the Evacuation Orders Class.

23 56. Defendant created a condition that is damaging or potentially damaging to the
24 health and indecent or offensive to the senses of Plaintiff and the Evacuation Orders Class and that
25 substantially interfered with the ability of Plaintiff and the Evacuation Orders Class to use and
26 enjoy their life and property without experiencing adverse health effects or breathing noxious
27 odors and/or toxic chemicals.

28 57. That condition affected a substantial number of people at the same time. In fact,

1 more than 50,000 residents have been evacuated as a result of the Incident.

2 58. An ordinary person would reasonably be annoyed or disturbed by Defendants'
3 conduct alleged above.

4 59. Plaintiffs and the Evacuation Orders Class did not consent or authorize such
5 conduct by Defendants.

6 60. Defendants' conduct was a substantial factor in causing these harms to Plaintiffs
7 and the Evacuation Orders Class.

8 61. The seriousness of these harms to Plaintiffs and the Evacuation Orders Class
9 outweighs the public benefit, if any, of Defendants' conduct. In fact, Plaintiffs and the Evacuation
10 Orders Class were evacuated due to the severity of the effects of the Incident.

11 62. Plaintiffs and the Evacuation Orders Class suffered harm that was different from
12 the type of harm suffered by the general public as a result of Incident, including because they were
13 placed under mandatory evacuation.

14 **FIFTH CAUSE OF ACTION**

15 **TRESPASS**

16 **(Against All Defendants and DOES 1 through 100, Inclusive)**

17 63. Plaintiffs incorporate by reference and re-allege each and every allegation
18 contained in this pleading as though fully set forth herein.

19 64. In the operation and/or maintenance of the GKN Facility, Defendant intentionally,
20 recklessly, willfully and/or negligently caused or potentially caused noxious odors, hazardous
21 gases, chemicals, pollutants, or other contaminants to enter the property of Plaintiffs and the
22 Evacuation Orders Class.

23 65. Plaintiffs and the Evacuation Orders Class did not permit or authorize such entry
24 onto their property.

25 66. Plaintiffs and the Evacuation Orders Class suffered harm from Defendants'
26 conduct, including, but not limited to loss of use and enjoyment of their home, decrease in
27 property value, and exposure to harmful contaminants.

28 67. Defendants' actions were a substantial factor in causing these harms to Plaintiffs

1 and the Evacuation Orders Class because there were no other trespasses on their property that
2 caused the damage alleged herein.

3 **SIXTH CAUSE OF ACTION**

4 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

5 **(Against All Defendants and DOES 1 through 100, Inclusive)**

6 68. Plaintiffs incorporate by reference and re-allege each and every allegation
7 contained in this pleading as though fully set forth herein.

8 69. Defendants engaged in outrageous conduct by carelessly and dangerously
9 constructing, operating, and/or maintaining the GKN Facility, including, but not limited to, the
10 storage tank at the GKN Facility which contains the highly toxic and flammable chemical MMA,
11 directly and foreseeably causing actual or potential explosion and/or leaks/emissions of hazardous
12 gas and chemicals into the home and/or the land and air surrounding the home of Plaintiff and the
13 Evacuation Orders Class.

14 70. Defendants acted with reckless disregard of the probability that Plaintiffs and the
15 Evacuation Orders Class would suffer emotional distress, knowing that their homes and businesses
16 were located in close proximity to the GKN Facility when Defendants caused the Incident.

17 71. As a result of these events, Plaintiffs and the Evacuation Orders Class suffered
18 severe emotional distress, including, but not limited to, suffering, anguish, fright, horror,
19 nervousness, grief, anxiety, worry, shock, humiliation, or shame.

20 72. Defendants' reckless and dangerous construction, operation, and/or maintenance of
21 the GKN Facility and storage tank containing the toxic and flammable chemical MMA, which
22 directly and foreseeably caused the actual or potential explosion and/or leaks/emissions of
23 hazardous gas, chemicals, and/or noxious odors alleged herein, was a substantial factor in causing
24 the severe emotional distress suffered by Plaintiffs and the Evacuation Orders Class.

25 73. Defendants' actions that caused the Incident, which has caused Plaintiff and the
26 Evacuation Orders Class severe emotional distress, were done with a willful and conscious
27 disregard for the health and safety of Plaintiffs and the Evacuation Orders Class, amounting to
28 malice. Plaintiffs and the Evacuation Orders Class should therefore be awarded punitive and

1 exemplary damages, pursuant to California Civil Code section 3294, in an amount sufficient to
2 punish Defendants for engaging in the conduct alleged herein and to deter similar conduct in the
3 future.

4 **SEVENTH CAUSE OF ACTION**

5 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

6 **(Against All Defendants and DOES 1 through 100, Inclusive)**

7 74. Plaintiffs incorporate by reference and re-allege each and every allegation
8 contained in this pleading as though fully set forth herein.

9 75. Plaintiffs and the Evacuation Orders Class are individuals who live or work near
10 the GKN Facility and sustained damages as a result of the Incident.

11 76. Defendants own, control, or operate the GKN Facility. Defendants thus have a duty
12 to use reasonable care in the design, construction, maintenance, repair, operation, and
13 abandonment of the GKN Facility, including all equipment, facilities, operations, and materials
14 (e.g., toxic chemicals) at such premises. Defendants possessed a significant duty due to the serious
15 danger posed by their activities at the GKN Facility, including as to the handling and storage of
16 toxic chemicals.

17 77. Defendants breached that duty by negligently and carelessly designing,
18 engineering, using, repairing, constructing, operating, and/or maintaining toxic chemicals at the
19 GKN Facility. This negligence directly and foreseeably caused actual or potential explosion and/or
20 leaks/emissions of hazardous gases and chemicals into the air and environment within and outside
21 of the land, home, and/or person of Plaintiffs and the Evacuation Orders Class.

22 78. Defendant knew or should have known that its operations would result in
23 circumstances such as the Incident.

24 79. Defendants' breach of duty to Plaintiffs and the Evacuation Orders Class actually
25 or potentially exposed the land, home, and/or person of Plaintiff and the Evacuation Orders Class
26 to the toxic and flammable chemical MMA, such that Plaintiff and the Evacuation Orders Class
27 have suffered health effects, incurred substantial costs and/or loss of income, experienced a
28 decrease in property value, and/or been deprived of quiet use and enjoyment of their property.

1 80. The breach of duty by Defendants was the legal and proximate cause of the injuries
2 and damages suffered by Plaintiffs and the Evacuation Orders Class.

3 81. As a result of Defendants' negligent and dangerous construction, operation, and/or
4 maintenance of the GKN Facility and storage tank containing the toxic and flammable chemical
5 MMA, which directly and foreseeably caused the actual or potential explosion and/or
6 leaks/emissions of hazardous gas, chemicals, and/or noxious odors alleged herein, Plaintiffs and
7 the Evacuation Orders Class suffered serious emotional distress, including, but not limited to,
8 suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, or shame.

9 82. Defendants' negligent and dangerous construction, operation, and/or maintenance
10 of the GKN Facility and storage tank containing the toxic and flammable chemical MMA, which
11 directly and foreseeably caused the actual or potential explosion and/or leaks/emissions of
12 hazardous gas, chemicals, and/or noxious odors alleged herein, was a substantial factor in causing
13 the severe emotional distress suffered by Plaintiff and the Evacuation Orders Class.

14 **EIGHTH CAUSE OF ACTION**

15 **UNFAIR BUSINESS PRACTICES, IN VIOLATION OF BUSINESS AND PROFESSIONS**
16 **CODE SECTIONS 17200, ET SEQ.**

17 **(Against All Defendants and DOES 1 through 100, Inclusive)**

18 147. Plaintiffs incorporate by reference and re-allege each and every allegation
19 contained in this pleading as though fully set forth herein.

20 148. Plaintiffs bring this claim individually and on behalf of others similarly situated, in
21 a representative capacity as a private attorney general, against Defendants for its unlawful, unfair,
22 fraudulent, untrue and/or deceptive business acts and/or practices, pursuant to California Business
23 and Professions Code §§ 17200, *et seq.* (the "UCL"), which prohibits all unlawful, unfair and/or
24 fraudulent business acts and/or practices.

25 149. Plaintiffs assert these claims as a representative of an aggrieved class and as a
26 private attorney general on behalf of the general public and other persons who have suffered
27 injury, diminution in property value, property damage, or other damages arising from the release
28 of chemicals at the GKN Facility, which Defendants should be required to pay under the UCL.

150. The unlawful conduct of Defendants alleged herein constitutes unlawful or unfair business acts or practices within the meaning of the UCL. This unlawful or unfair conduct includes Defendants' careless and dangerous construction, operation, repair and/or maintenance of the GKN Facility, including, but not limited to, the storage tank at the GKN Facility which contain the highly toxic and flammable chemical MMA, directly and foreseeably causing actual or potential explosion and/or leaks/emissions of hazardous gas and chemicals into the home and/or the land and air surrounding the home of Plaintiff and the Evacuation Orders Class. Due to their unfair and unlawful business practices in violation of California law, Defendants have gained a competitive advantage over other comparable companies doing business in the State of California that comply with their obligations to safely and appropriately construct, operate, repair, and maintain their facilities which handle and/or store toxic chemicals, noxious odors, hazardous gases, pollutants and other contaminants – especially, where in close proximity to residences and businesses. As such, Defendants have been unjustly enriched by their failure to abide by applicable California law as concerns the Incident.

151. As a result of Defendants' unlawful or unfair business acts or practices as alleged herein, Plaintiff and the California Class have suffered injury in fact and lost money or property, as described in more detail above.

152. Pursuant to Business and Professions Code section 17203, Plaintiff and the Evacuation Orders Class are entitled to restitution of all monies rightfully belonging to them that Defendants wrongfully retained by means of their unlawful and unfair business practices.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFFS ON THEIR OWN BEHALF AND ON BEHALF OF THOSE SIMILARLY SITUATED, PRAYS AS FOLLOWS, AS TO ALL CAUSES OF ACTION, ACCORDING TO PROOF AT THE TIME OF TRIAL:

1. That the Court determine that this action may be maintained as a class action (for the entire California Class and/or any and all of the specified sub-classes) pursuant to Code of Civil Procedure section 382 and any other applicable law;

2. That the named Plaintiffs be designated as a class representatives for the California

Class (and all sub-classes thereof) and Plaintiffs' counsel of record be appointed as class counsel;

3. Judgment in favor of Plaintiffs and the putative class members and against Defendants and DOES 1 through 100, inclusive, and each of them;

4. For an award of actual, general, special, incidental, statutory, compensatory, and consequential damages, according to proof at the time of trial;

5. Loss of use, benefit, goodwill, and enjoyment of Plaintiff's and the putative class members' real and/or personal property;

6. Loss of wages, earning capacity, goodwill, and/or business profits or proceeds and/or any related displacement expenses;

7. Out of pocket costs;

8. Damage to real and personal property;

9. Past and future medical expenses and incidental expenses;

10. General damages for personal injury, emotional distress, fear, annoyance, disturbance, inconvenience, mental anguish, and loss of quiet enjoyment of property;

11. Prejudgment interest;

12. Punitive and exemplary damages in an amount sufficient to punish Defendant's conduct and deter similar conduct, as allowed under all applicable law;

13. An injunction against Defendants, enjoining any and all persons from engaging in each of the unlawful acts set forth herein;

14. Restitution to the full extent permitted by law;

15. Attorneys' fees and costs of suit, including but not limited to that recoverable under Code of Civil Procedure section 1021.5; and

16. Such other further relief, in law and/or equity, as the Court deems just or appropriate.

//

//

//

//

1 Dated: May 26, 2025

Respectfully submitted,
LAVI & EBRAHIMIAN, LLP

2
3 By: *Vincent C. Granberry*
4 Joseph Lavi, Esq.
5 Vincent C. Granberry, Esq.
6 Brett D. Szmanda, Esq.
7 Michael L. Huggins, Esq.
8 Attorneys for Plaintiffs
9 LAM DANG and JASMINE DANG,
10 on behalf of themselves and others similarly situated

11 **DEMAND FOR JURY TRIAL**

12 Plaintiffs LAM DANG and JASMINE DANG demand a trial by jury for themselves and
13 the Evacuation Orders Class on all claims so triable.

14
15 Dated: May 26, 2026

Respectfully submitted,
LAVI & EBRAHIMIAN, LLP

16
17 By: *Vincent C. Granberry*
18 Joseph Lavi, Esq.
19 Vincent C. Granberry, Esq.
20 Brett D. Szmanda, Esq.
21 Michael L. Huggins, Esq.
22 Attorneys for Plaintiffs
23 LAM DANG and JASMINE DANG,
24 on behalf of themselves and others similarly situated
25
26
27
28