

William J. Edelman (CA Bar No. 285177)
Gary M. Klinger (*pro hac vice* forthcoming)
MILBERG, PLLC
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
Tel: (771) 474-1121
wedelman@milberg.com
gklinger@milberg.com

Assigned for All Purposes:
Judge David A. Hoffer
Dept. CX103

Attorneys for Plaintiffs individually and for the putative class

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF ORANGE**

JENNIFER ANDERSON, individually, as guardian ad litem for S.A. and E.A., minors, and on behalf of all others similarly situated; SOPHIA ANDERSON, individually and on behalf of all others similarly situated; JASON ANDERSON, individually and on behalf of all others similarly situated; HARLENE K. ANDERSON, individually, as trustee of the CURTIS AND HARLENE ANDERSON 2005 SURVIVORS TRUST, and on behalf of all others similarly situated; ARTHUR ASTERION, individually and on behalf of all others similarly situated; DAWN PAHL, individually and on behalf of all others similarly situated; CINDY VELASQUEZ, individually and on behalf of all others similarly situated; JOHN MATTEY, individually, as guardian ad litem for JOHN JAMES WAYNE MATTEY V, a minor, and on behalf of all others similarly situated; WENDY MATTEY, individually and on behalf of all others similarly situated; DANIAL CAGANAP, individually and on behalf of all others similarly situated; LORRAINE CAGANAP, individually and on behalf of all others similarly situated; JOSÉ A. FRANCESCHI, individually and on behalf of all others similarly situated; and EDDIE MEYER, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

Case No. 30-2026-01573553-CU-PO-CXC

**CLASS ACTION AND INDIVIDUAL
COMPLAINT FOR DAMAGES AND
EQUITABLE RELIEF**

Causes of Action:

- (1) Negligence;**
- (2) Gross Negligence;**
- (3) Negligence Per Se;**
- (4) Strict Liability (Ultrahazardous Activity);**
- (5) Public Nuisance;**
- (6) Private Nuisance;**
- (7) Trespass;**
- (8) Negligent Infliction of Emotional Distress;**
- (9) Medical Monitoring**

DEMAND FOR JURY TRIAL

1 GKN AEROSPACE TRANSPARENCY
2 SYSTEMS, INC., a California corporation;
3 GKN AEROSPACE NORTH AMERICA,
4 INC., a Delaware corporation; GKN
5 LIMITED, a private limited company
6 organized under the laws of England and
7 Wales; MELROSE INDUSTRIES PLC, a
8 public limited company organized under the
9 laws of England and Wales; and DOES 1
10 through 100, inclusive,

Defendants.

11 **I. INTRODUCTION**

12 1. On Thursday, May 21, 2026, at approximately 3:22 p.m., a 34,000-gallon industrial chemical
13 storage tank at the GKN Aerospace Transparency Systems, Inc. facility located at 12122 Western
14 Avenue, Garden Grove, California 92841 (the “Facility”), containing approximately 7,000 gallons of
15 methyl methacrylate (“MMA”), began to overheat and to vent toxic chemical vapor into the air over the
16 residential and commercial neighborhoods that surround the Facility (the “Release Event”). The Release
17 Event prompted the largest hazardous materials evacuation in the recent history of Orange County,
18 displacing approximately 50,000 people from a nine-square-mile area encompassing portions of Garden
19 Grove, Cypress, Stanton, Anaheim, Buena Park, and Westminster, over the Memorial Day weekend of
20 2026. Within two days, the internal temperature of the tank had risen to over 100 degrees Fahrenheit,
21 well outside the chemical’s safe storage range. The tank’s pressure relief valve seized due to the
22 polymerization reaction inside the vessel. On Saturday night, May 23, 2026, responders confirmed that a
23 crack had developed in the tank wall. On Monday morning, May 25, 2026, Orange County Fire Authority
24 (“OCFA”) Interim Fire Chief T.J. McGovern publicly announced that the threat of a Boiling Liquid
25 Expanding Vapor Explosion (“BLEVE”), which had been the worst-case scenario throughout the
26 emergency response, had been eliminated.

27 2. On Tuesday, May 26, 2026, at approximately 7:30 p.m., following confirmation that the tank had
stabilized and that responders had safely re-entered and walked around the vessel, OCFA announced that

1 there was no longer any threat of explosion, fire, or chemical leak, and lifted all remaining evacuation
2 orders for the final 16,000 residents who had remained displaced. The emergency response phase of the
3 Release Event has concluded. The harm to Plaintiffs and the Class, however, has already occurred. The
4 mass evacuation has occurred. The displacement has occurred. The exposure has occurred. The economic
5 disruption has occurred. The personal injuries have occurred. The property values have suffered. The
6 Memorial Day weekend has been lost. The conclusion of the emergency response phase did not undo,
7 and cannot undo, the displacement, the exposure, the lost wages, the business interruption losses, the
8 property diminution, the medical injuries, the emotional distress, or any of the other completed damages
9 described in this Complaint. The damage from the Release Event is complete, crystallized, and
10 substantial. This Class Action Complaint seeks redress for that completed harm.

11 3. This catastrophe was foreseeable. It was preventable. And the conditions that produced it were
12 known to GKN. The Facility has a documented record of regulatory non-compliance dating back at least
13 to 2018. Public records reflect that GKN was the subject of four separate inspections by the California
14 Division of Occupational Safety and Health (Cal/OSHA) and the United States Occupational Safety and
15 Health Administration since 2018, resulting in ten cited violations, including violations of the California
16 Injury and Illness Prevention Program regulation (Title 8 California Code of Regulations section 3203(a))
17 and the California Machinery and Equipment regulation (Title 8 California Code of Regulations section
18 3328(b)). In 2019, the California Department of Industrial Relations filed an action in this very Court to
19 compel GKN to pay \$2,898 in unpaid civil penalties stemming from those safety failures. In 2022, OSHA
20 imposed an additional civil penalty for a separate documented safety issue at the Facility. In November
21 2020, the South Coast Air Quality Management District (“SCAQMD”) conducted an inspection that
22 resulted in environmental violations including the use of chemicals exceeding permitted quantities,
23 emissions exceeding allowable limits, failure to maintain complete records, and failure to obtain required
24 permits for equipment and procedures. In early 2025, GKN paid \$909,935.95 to SCAQMD to settle those
25 violations. GKN admitted no wrongdoing in the settlement but did not dispute the listed violations. In
26 March 2025, the Facility received additional notices to comply concerning operating records, equipment
27 registration, and an application for change in ownership.

1 4. Each of these events should have served as a warning to GKN, its officers and managing agents,
2 and its corporate parents that the safety, environmental, and operational practices at the Facility were
3 inadequate. Instead, GKN treated each enforcement action as a manageable cost of doing business and
4 continued to operate the Facility with the same inadequate maintenance, inhibitor monitoring, and
5 inspection regime that had produced the prior violations in the first place. The result was the Release
6 Event of May 21, 2026.

7 5. This Release Event is no accident. It is the consequence of a series of conscious managerial
8 decisions made by an aerospace conglomerate with the financial capacity to maintain its facilities at the
9 highest applicable safety standards. The ultimate parent of GKN Aerospace Transparency Systems, Inc.
10 is Melrose Industries plc, a publicly traded FTSE 100 company headquartered in Birmingham, England.
11 Melrose reported revenue of approximately 3.589 billion British pounds for fiscal year 2025, operating
12 income of approximately 600 million British pounds, net income of approximately 370 million British
13 pounds, employs approximately sixteen thousand people worldwide, and operates thirty-two
14 manufacturing facilities across twelve countries. For the 2024 fiscal year, Melrose paid its Chief
15 Executive Officer, Peter Dilnot, a total compensation package of approximately 45.4 million British
16 pounds, comprised approximately two percent in salary and approximately ninety-eight percent in
17 bonuses, stock, and options. That single-year compensation figure to one executive is more than forty-
18 five times the entire 2025 SCAQMD settlement payment for the Facility's environmental violations and
19 more than fifteen thousand times the unpaid civil penalty that the California Department of Industrial
20 Relations was forced to sue to collect in 2019. Melrose had the resources, the institutional knowledge,
21 and the ultimate authority over the operation of the Facility. The choice to under-invest in safety at the
22 Facility, year over year, in the face of repeated regulatory warnings, while paying its executives some of
23 the largest compensation packages in the United Kingdom, is the conduct that gave rise to this disaster.

24 6. On Saturday, May 23, 2026, Governor Gavin Newsom proclaimed a state of emergency for
25 Orange County in response to the Release Event, finding that the situation posed a substantial and
26 ongoing threat to public health and safety. On the same day, Orange County District Attorney Todd
27 Spitzer publicly announced the opening of a criminal investigation into the operation of the Facility,

1 characterized the situation as “volatile,” directed his office to use drones to survey and preserve evidence,
2 and publicly solicited GKN employees to come forward as whistleblowers, stating that his office was
3 “not getting satisfactory answers” from the company.

4 7. On Tuesday, May 26, 2026, District Attorney Spitzer publicly announced the expansion of the
5 criminal investigation, served formal preservation orders requiring GKN to preserve all maintenance
6 logs, telemetry records, internal communications, and physical evidence, and established a whistleblower
7 hotline. Congressman Derek Tran, the United States Representative whose district includes the Facility,
8 publicly urged GKN to “take full responsibility for the panic and disruption that tens of thousands of
9 residents are currently experiencing.” Garden Grove Mayor Stephanie Klopfenstein publicly stated, after
10 the lifting of evacuation orders, that “Our community deserves to know what happened, why it happened
11 and whether laws or regulations were violated, and what steps we must take to prevent something like
12 this from ever happening again.” The Governor, the District Attorney, the Member of Congress, the
13 Mayor of Garden Grove, and the Orange County Fire Authority Division Chief each communicated, in
14 their official capacities and on the public record, that the conduct of GKN that produced the Release
15 Event was not precautionary, was not the result of an unforeseeable accident, and warranted immediate
16 emergency response, criminal scrutiny, and a full accounting.

17 8. The class of persons harmed by the Release Event is enormous and easily identifiable.
18 Approximately 50,000 residents were displaced from their homes for multiple days over the Memorial
19 Day weekend. Hundreds of businesses within the evacuation zone were closed during their peak revenue
20 weekend of the spring. Workers lost wages. Real property values across the affected area have suffered,
21 and continue to suffer, demonstrable diminution. Class members exposed to MMA vapor have
22 experienced acute respiratory, dermal, ocular, and neurological symptoms, and a meaningful subset of
23 the exposed population will develop permanent skin sensitization to MMA and other long-term health
24 effects. The exposed population further includes persons exposed to any thermal decomposition products
25 generated during the multi-day overheat of Tank No. 1 and the associated water-deluge response,
26 including potential combustion products such as formaldehyde (a known human carcinogen) and acrolein
27

(a probable human carcinogen), to the extent any portion of the released MMA underwent partial combustion or pyrolysis during the response.

9. Plaintiffs bring this action, individually and on behalf of all persons similarly situated, to obtain:
- a) compensatory damages for displacement, lodging and meal expenses, lost wages, business interruption, personal injury, emotional distress, property diminution, and other harms;
 - b) the establishment of a court-supervised medical monitoring program funded by Defendants for those Plaintiffs and Class members at increased risk of latent disease;
 - c) punitive and exemplary damages on the basis of the malice, oppression, and conscious disregard demonstrated by Defendants' conduct over a period of years culminating in the Release Event;
 - d) injunctive relief requiring the stabilization, safe off-loading, and decommissioning of the Facility, and the implementation of meaningful safety reforms;
 - e) declaratory relief; and
 - f) reasonable attorney fees, costs, and prejudgment and post-judgment interest, all as more fully set forth herein.

II. JURISDICTION AND VENUE

10. This Court has subject matter jurisdiction over this action pursuant to article VI, section 10 of the California Constitution. The aggregate amount in controversy substantially exceeds the jurisdictional minimum of this Court and is anticipated to be in the hundreds of millions of dollars.

11. Venue is proper in this Court pursuant to California Code of Civil Procedure section 395 and section 395.5. The Facility is located in the County of Orange. The Release Event occurred in the County of Orange. The vast majority of the evacuation zone lies within the County of Orange. The injuries to the named Plaintiffs and to the members of the proposed Class were sustained in the County of Orange. Defendant GKN Aerospace Transparency Systems, Inc. is a California corporation with its principal place of business in the County of Orange.

12. This Court has personal jurisdiction over each Defendant. GKN Aerospace Transparency Systems, Inc. is a California corporation with its principal place of business in California, and is therefore

1 subject to the general jurisdiction of this Court. GKN Aerospace North America, Inc. has purposefully
2 directed its corporate, operational, managerial, and financial activities at California through its
3 ownership, control, supervision, and consolidation of GKN Transparency over a period of decades, and
4 is subject to the specific personal jurisdiction of this Court because the claims in this Complaint arise
5 directly out of and relate directly to GKN North America's California-targeted conduct. GKN Limited
6 and Melrose Industries plc have purposefully availed themselves of the protection of the laws of
7 California through the long-term ownership, control, capital allocation decisions, and economic
8 exploitation of the Facility, have derived substantial and continuing economic benefit from California
9 operations, have made formal corporate communications and announcements to the California public and
10 California regulatory authorities concerning the Release Event itself, and have caused tortious injury
11 within the State of California. The claims in this Complaint arise directly from and relate directly to the
12 California-targeted conduct of each foreign Defendant.

13 **III. PARTIES**

14 ***A. Plaintiffs and the Proposed Class***

15 13. Plaintiff Jennifer Anderson is, and at all times relevant has been, a resident of the City of Cypress,
16 California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation zone
17 established in response to the Release Event. Plaintiff Jennifer Anderson received and complied with
18 mandatory evacuation orders, was displaced from her home for multiple days during the emergency
19 response phase, and incurred lodging, meal, transportation, and other displacement expenses. She was,
20 on information and belief, exposed to MMA vapor and to one or more of the other chemical, particulate,
21 runoff, decomposition product, decontamination chemical, polymerization inhibitor, secondary,
22 derivative, and stress-induced physiological injuries described in this Complaint during the Release Event
23 and is at increased risk of latent disease, including respiratory sensitization, skin sensitization, and other
24 long-term health effects described in this Complaint. Plaintiff Jennifer Anderson brings this action
25 individually and as guardian ad litem for her minor children S.A. and E.A., and is a proposed
26 representative of the Middle Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical
27

1 Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day
2 Holiday Loss Sub-Class.

3 14. Plaintiff S.A. is a minor and at all times relevant has been a resident of the City of Cypress,
4 California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation zone, and
5 appears in this action by and through his guardian ad litem, his parent Jennifer Anderson. S.A. received
6 and complied with the mandatory evacuation orders along with his family, was displaced from his home
7 for multiple days during the emergency response phase, was, on information and belief, exposed to MMA
8 vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
9 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
10 physiological injuries described in this Complaint, and experienced disruption to his school attendance
11 and to his customary educational and developmental activities. S.A. brings this action as a proposed
12 representative of the Middle Zone Residential Sub-Class, the Vulnerable Sub-Population Sub-Class (as
13 a minor), the Medical Monitoring Sub-Class, the Educational Disruption Sub-Class, and the Long-Term
14 Fear and Loss of Repose Sub-Class.

15 15. Plaintiff E.A. is a minor and at all times relevant has been a resident of the City of Cypress,
16 California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation zone, and
17 appears in this action by and through his guardian ad litem, his parent Jennifer Anderson. E.A. received
18 and complied with the mandatory evacuation orders along with his family, was displaced from his home
19 for multiple days during the emergency response phase, was, on information and belief, exposed to MMA
20 vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
21 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
22 physiological injuries described in this Complaint, and experienced disruption to his school attendance
23 and to his customary educational and developmental activities. E.A. brings this action as a proposed
24 representative of the Middle Zone Residential Sub-Class, the Vulnerable Sub-Population Sub-Class (as
25 a minor), the Medical Monitoring Sub-Class, the Educational Disruption Sub-Class, and the Long-Term
26 Fear and Loss of Repose Sub-Class.

1 16. Plaintiff Sophia Anderson is, and at all times relevant has been, a resident of the City of Cypress,
2 California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation zone.
3 Plaintiff Sophia Anderson received and complied with mandatory evacuation orders, was displaced from
4 her home for multiple days, and incurred lodging, meal, transportation, and other displacement expenses.
5 She was, on information and belief, exposed to MMA vapor and to one or more of the other chemical,
6 particulate, runoff, decomposition product, decontamination chemical, polymerization inhibitor,
7 secondary, derivative, and stress-induced physiological injuries described in this Complaint during the
8 Release Event and is at increased risk of latent disease. Plaintiff Sophia Anderson brings this action as a
9 proposed representative of the Middle Zone Residential Sub-Class, the Medical Monitoring Sub-Class,
10 the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

11 17. Plaintiff Jason Anderson is, and at all times relevant has been, a resident of the City of Cypress,
12 California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation zone, and
13 is the adult son of Plaintiff Harlene K. Anderson. Plaintiff Jason Anderson received and complied with
14 mandatory evacuation orders, was displaced from his home for multiple days during the emergency
15 response phase, and incurred lodging, meal, transportation, and other displacement expenses. He was, on
16 information and belief, exposed to MMA vapor and to one or more of the other chemical, particulate,
17 runoff, decomposition product, decontamination chemical, polymerization inhibitor, secondary,
18 derivative, and stress-induced physiological injuries described in this Complaint during the Release Event
19 and is at increased risk of latent disease. Plaintiff Jason Anderson brings this action as a proposed
20 representative of the Middle Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical
21 Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day
22 Holiday Loss Sub-Class.

23 18. Plaintiff Harlene K. Anderson is, and at all times relevant has been, a resident of the City of
24 Cypress, California, residing at 11448 Holder Street, Cypress, California 90630, within the evacuation
25 zone, and sues in this action individually and in her capacity as trustee of the Curtis and Harlene Anderson
26 2005 Survivors Trust (the "Anderson Family Trust"), which holds an ownership interest in the residential
27 real property located at 11448 Holder Street, Cypress, California 90630. Plaintiff Harlene K. Anderson

1 received and complied with mandatory evacuation orders, was displaced from her home for multiple
2 days, and incurred lodging, meal, transportation, and other displacement expenses. She was, on
3 information and belief, exposed to MMA vapor and to one or more of the other chemical, particulate,
4 runoff, decomposition product, decontamination chemical, polymerization inhibitor, secondary,
5 derivative, and stress-induced physiological injuries described in this Complaint during the Release Event
6 and is at increased risk of latent disease. The fair market value of the residential real property held by the
7 Anderson Family Trust has been diminished as a result of the Release Event, and the Anderson Family
8 Trust has experienced and is expected to experience further mortgage and refinancing market damages,
9 and the additional real estate transaction damages described in this Complaint. Plaintiff Harlene K.
10 Anderson brings this action individually and as trustee, as a proposed representative of the Middle Zone
11 Residential Sub-Class, the Property Diminution Sub-Class, the Medical Monitoring Sub-Class, the Long-
12 Term Fear and Loss of Repose Sub-Class, the Vulnerable Sub-Population Sub-Class (by reason of age
13 and the related elevated susceptibility to displacement and chemical exposure), and the Memorial Day
14 Holiday Loss Sub-Class.

15 19. Plaintiff Arthur Asterion is, and at all times relevant has been, a resident of the City of Garden
16 Grove, California, residing at 12142 Bailey Street, Apartment A, Garden Grove, California 92845, within
17 the Class Area at or immediately adjacent to the boundary of the formal mandatory evacuation order
18 issued by the Orange County Fire Authority in connection with the Release Event, but outside the
19 evacuation perimeter itself, and in close proximity to the Facility. As a direct and proximate result of the
20 Release Event, Plaintiff Arthur Asterion was, on information and belief, exposed to airborne chemical
21 vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
22 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
23 physiological injuries described in this Complaint, experienced significant disruption of community
24 services, schools, transportation, and quality of life, relocated from his home during the emergency
25 response phase, and incurred lodging, meal, transportation, and other relocation expenses. He is at
26 increased risk of latent disease. Plaintiff Arthur Asterion brings this action as a proposed representative
27 of the Outer Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical Monitoring Sub-

1 Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-
2 Class.

3 20. Plaintiff Dawn Pahl is, and at all times relevant has been, a resident of the City of Garden
4 Grove, California, residing at 12112 Bailey Street, Unit 2, Garden Grove, California 92845, within the
5 Class Area at or immediately adjacent to the boundary of the formal mandatory evacuation order issued
6 by the Orange County Fire Authority in connection with the Release Event, but outside the evacuation
7 perimeter itself, and in close proximity to the Facility. As a direct and proximate result of the Release
8 Event, Plaintiff Dawn Pahl was, on information and belief, exposed to airborne chemical vapor and to
9 one or more of the other chemical, particulate, runoff, decomposition product, decontamination chemical,
10 polymerization inhibitor, secondary, derivative, and stress-induced physiological injuries described in
11 this Complaint, experienced significant disruption of community services, schools, transportation, and
12 quality of life, relocated from her home during the emergency response phase, and incurred lodging,
13 meal, transportation, and other relocation expenses. She is at increased risk of latent disease, including
14 respiratory sensitization, skin sensitization, and other long-term health effects described in this
15 Complaint. Plaintiff Dawn Pahl brings this action as a proposed representative of the Outer Zone
16 Residential Sub-Class, the Personal Injury Sub-Class, the Medical Monitoring Sub-Class, the Long-Term
17 Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

18 21. Plaintiff Cindy Velasquez is, and at all times relevant has been, a resident of the City of
19 Garden Grove, California, residing at 12142 Bailey Street, Unit A, Garden Grove, California 92845,
20 within the Class Area at or immediately adjacent to the boundary of the formal mandatory evacuation
21 order issued by the Orange County Fire Authority in connection with the Release Event, but outside the
22 evacuation perimeter itself, and in close proximity to the Facility. As a direct and proximate result of the
23 Release Event, Plaintiff Cindy Velasquez was, on information and belief, exposed to airborne chemical
24 vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
25 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
26 physiological injuries described in this Complaint, experienced significant disruption of community
27 services, schools, transportation, and quality of life, relocated from her home during the emergency

1 response phase, and incurred lodging, meal, transportation, and other relocation expenses. She is at
2 increased risk of latent disease. Plaintiff Cindy Velasquez brings this action as a proposed representative
3 of the Outer Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical Monitoring Sub-
4 Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-
5 Class.

6 22. Plaintiff John Matthey is, and at all times relevant has been, a resident of the City of
7 Cypress, California, residing at 11744 Grand Manan Drive, Cypress, California 90630, within the
8 evacuation zone. Plaintiff John Matthey received and complied with mandatory evacuation orders, was
9 displaced from his home for multiple days, and incurred lodging, meal, transportation, and other
10 displacement expenses. He was, on information and belief, exposed to MMA vapor and to one or more
11 of the other chemical, particulate, runoff, decomposition product, decontamination chemical,
12 polymerization inhibitor, secondary, derivative, and stress-induced physiological injuries described in
13 this Complaint during the Release Event and is at increased risk of latent disease. Plaintiff John Matthey
14 is the spouse of Plaintiff Wendy Matthey and is the parent of the minor Plaintiff John James Wayne Matthey
15 V Plaintiff John Matthey brings this action individually and as guardian ad litem for his minor child John
16 James Wayne Matthey V, and as a proposed representative of the Middle Zone Residential Sub-Class, the
17 Personal Injury Sub-Class, the Medical Monitoring Sub-Class, the Long-Term Fear and Loss of Repose
18 Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

19 23. Plaintiff Wendy Matthey is, and at all times relevant has been, a resident of the City of
20 Garden Grove, California, residing at 6661 Vanguard Avenue, Garden Grove, California 92845, within
21 the evacuation zone and in close proximity to the Facility. Plaintiff Wendy Matthey received and complied
22 with mandatory evacuation orders, was displaced from her home for multiple days, and incurred lodging,
23 meal, transportation, and other displacement expenses. She was, on information and belief, exposed to
24 MMA vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
25 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
26 physiological injuries described in this Complaint during the Release Event and is at increased risk of
27 latent disease. Plaintiff Wendy Matthey is the spouse of Plaintiff John Matthey and the parent of the minor

1 Plaintiff John James Wayne Matthey V Plaintiff Wendy Matthey brings this action as a proposed
2 representative of the Inner Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical
3 Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day
4 Holiday Loss Sub-Class.

5 24. Plaintiff John James Wayne Matthey V is a minor and at all times relevant has been a
6 resident of the City of Garden Grove, California, residing at 6661 Vanguard Avenue, Garden Grove,
7 California 92845, within the evacuation zone and in close proximity to the Facility, and appears in this
8 action by and through his guardian ad litem, his parent John Matthey. John James Wayne Matthey V
9 received and complied with the mandatory evacuation orders along with his family, was displaced from
10 his home for multiple days during the emergency response phase, was, on information and belief, exposed
11 to MMA vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
12 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
13 physiological injuries described in this Complaint, and experienced disruption to his school attendance
14 and to his customary educational and developmental activities. John James Wayne Matthey V brings this
15 action as a proposed representative of the Inner Zone Residential Sub-Class, the Vulnerable Sub-
16 Population Sub-Class (as a minor), the Medical Monitoring Sub-Class, the Educational Disruption Sub-
17 Class, and the Long-Term Fear and Loss of Repose Sub-Class.

18 25. Plaintiff Danial Caganap is, and at all times relevant has been, a resident at an address
19 within the Class Area and in proximity to the Facility, the precise street address, municipality, and ZIP
20 code of which is to be substituted by amendment based on the engagement letter and intake
21 documentation in process. Plaintiff Danial Caganap received and complied with mandatory evacuation
22 orders, was displaced from his home for multiple days during the emergency response phase, and incurred
23 lodging, meal, transportation, and other displacement expenses. He was, on information and belief,
24 exposed to MMA vapor and to one or more of the other chemical, particulate, runoff, decomposition
25 product, decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
26 physiological injuries described in this Complaint during the Release Event and is at increased risk of
27 latent disease, including respiratory sensitization, skin sensitization, and other long-term health effects

described in this Complaint. Plaintiff Danial Caganap brings this action as a proposed representative of the Outer Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

26. Plaintiff Lorraine Caganap is, and at all times relevant has been, a resident at an address within the Class Area and in proximity to the Facility, the precise street address, municipality, and ZIP code of which is to be substituted by amendment based on the engagement letter and intake documentation in process. Plaintiff Lorraine Caganap received and complied with mandatory evacuation orders, was displaced from her home for multiple days during the emergency response phase, and incurred lodging, meal, transportation, and other displacement expenses. She was, on information and belief, exposed to MMA vapor and to one or more of the other chemical, particulate, runoff, decomposition product, decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced physiological injuries described in this Complaint during the Release Event and is at increased risk of latent disease. Plaintiff Lorraine Caganap brings this action as a proposed representative of the Outer Zone Residential Sub-Class, the Personal Injury Sub-Class, the Medical Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

27. Plaintiff Eddie Meyer is, and at all times relevant has been, a resident at an address within the Class Area at or immediately adjacent to the boundary of the formal mandatory evacuation order issued by the Orange County Fire Authority in connection with the Release Event, but outside the evacuation perimeter itself, and in close proximity to the Facility, the precise street address, municipality, and ZIP code of which is to be substituted by amendment based on the engagement letter and intake documentation in process. As a direct and proximate result of the Release Event, Plaintiff Eddie Meyer was, on information and belief, exposed to airborne chemical vapor and to one or more of the other chemical, particulate, runoff, decomposition product, decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced physiological injuries described in this Complaint, experienced significant disruption of community services, schools, transportation, and quality of life, relocated from his home during the emergency response phase, and incurred lodging, meal,

1 transportation, and other relocation expenses. He is at increased risk of latent disease. Plaintiff Eddie
2 Meyer brings this action as a proposed representative of the Outer Zone Residential Sub-Class, the
3 Personal Injury Sub-Class, the Medical Monitoring Sub-Class, the Long-Term Fear and Loss of Repose
4 Sub-Class, and the Memorial Day Holiday Loss Sub-Class.

5 28. Plaintiff José A. Franceschi is, and at all times relevant has been, a resident of the City of
6 Garden Grove, California, residing at 12112 Bailey Street, Unit 2, Garden Grove, California 92845,
7 within the Class Area at or immediately adjacent to the boundary of the formal mandatory evacuation
8 order issued by the Orange County Fire Authority in connection with the Release Event, but outside the
9 evacuation perimeter itself, and in close proximity to the Facility. As a direct and proximate result of the
10 Release Event, Plaintiff José A. Franceschi was, on information and belief, exposed to airborne chemical
11 vapor and to one or more of the other chemical, particulate, runoff, decomposition product,
12 decontamination chemical, polymerization inhibitor, secondary, derivative, and stress-induced
13 physiological injuries described in this Complaint, experienced significant disruption of community
14 services, schools, transportation, and quality of life, relocated from his home during the emergency
15 response phase, and incurred lodging, meal, transportation, and other relocation expenses. He is at
16 increased risk of latent disease, including respiratory sensitization, skin sensitization, and other long-term
17 health effects described in this Complaint. Plaintiff José A. Franceschi brings this action individually and
18 as a proposed representative of the Outer Zone Residential Sub-Class, the Personal Injury Sub-Class, the
19 Medical Monitoring Sub-Class, the Long-Term Fear and Loss of Repose Sub-Class, the Memorial Day
20 Holiday Loss Sub-Class, the Renter Sub-Class, the Pet Owner Sub-Class, the Vehicle Damage and
21 Decontamination Sub-Class, the Insurance Market Sub-Class, the Healthcare Continuity Disruption Sub-
22 Class, and the Standardized Testing and Higher Education Access Sub-Class.

23 ***B. Defendants***

24 29. Defendant GKN Aerospace Transparency Systems, Inc. (“GKN Transparency”) is a California
25 general corporation, California Secretary of State Entity No. 0203462, incorporated March 11, 1946, with
26 its principal place of business at the Facility, 12122 Western Avenue, Garden Grove, California 92841.
27 The Facility consists of approximately 15.5 acres. GKN Transparency’s registered agent for service of

1 process in California is Corporation Service Company-Lawyers Incorporating Service, 2710 Gateway
2 Oaks Drive, Suite 150N, Sacramento, California 95833. GKN Transparency designs, manufactures, and
3 supplies aircraft transparency products, including canopies, windshields, and windows, to military and
4 commercial aviation customers, and has manufactured acrylic plastics and aircraft transparencies at the
5 Facility for nearly eighty years. GKN Transparency owned, operated, controlled, and managed the
6 Facility, the storage tanks (including the failing tank described herein), the methyl methacrylate
7 inventory, and the safety and maintenance regime that gave rise to the Release Event.

8 30. Defendant GKN Aerospace North America, Inc. (“GKN North America”) is, on information and
9 belief, a Delaware corporation. GKN North America is the United States holding entity and operational
10 consolidator for the GKN Aerospace operations in the United States, including GKN Transparency. GKN
11 North America directs, controls, and oversees the corporate management, capital allocation, safety
12 policies, environmental compliance programs, insurance programs, and operational decisions of GKN
13 Transparency. On information and belief, GKN North America retains substantial authority over major
14 operational decisions concerning the Facility, including decisions concerning the maintenance,
15 inspection, and operation of bulk chemical storage.

16 31. Defendant GKN Limited (“GKN UK”) is, on information and belief, a private limited company
17 organized under the laws of England and Wales, with its registered office in Redditch, England, United
18 Kingdom. GKN UK is the legacy operating entity of the historic GKN aerospace and engineering
19 business. At all times relevant to this Complaint, including at the time of the 2018 Cal/OSHA violations,
20 the 2019 unpaid civil penalty enforcement, the 2021 SCAQMD settlement, and the May 21, 2026 Release
21 Event, GKN UK exercised corporate management, safety oversight, and operational control over the
22 Facility through the corporate chain of which it is a part.

23 32. Defendant Melrose Industries plc (“Melrose”) is, on information and belief, a public limited
24 company organized under the laws of England and Wales, with its registered office in Birmingham,
25 England, United Kingdom. Melrose is listed on the London Stock Exchange under the ticker symbol
26 MRO and is a constituent of the FTSE 100 Index. Melrose is the ultimate parent of GKN Transparency,
27 GKN North America, and GKN UK. Melrose acquired the GKN business in or about 2018 and, following

1 the 2023 spin-off of its automotive and powder metallurgy operations as Dowlais Group plc, operates as
2 a pure-play aerospace conglomerate. Melrose reported revenue of approximately 3.6 billion British
3 pounds for fiscal year 2025, employs approximately sixteen thousand people worldwide, and operates
4 thirty-two manufacturing sites across twelve countries. Melrose exercises managerial control and
5 strategic direction over the GKN aerospace business as a whole, including the Facility.

6 33. Defendants DOES 1 through 100, inclusive, are sued under fictitious names because their true
7 names and capacities are unknown to Plaintiffs at this time. Plaintiffs will amend this Complaint to allege
8 their true names and capacities when ascertained. On information and belief, each fictitiously named
9 Defendant is in some manner responsible for the occurrences alleged herein, and Plaintiffs' damages
10 were proximately caused by their conduct.

11 ***C. Agency, Alter Ego, and Single Enterprise Allegations***

12 34. At all relevant times, each Defendant was the agent, servant, employee, partner, joint venturer,
13 and alter ego of each remaining Defendant. Each Defendant acted within the course and scope of such
14 agency, employment, partnership, and joint venture, and with the knowledge, consent, ratification, and
15 authorization of each remaining Defendant.

16 35. On information and belief, GKN Transparency, GKN North America, GKN UK, and Melrose
17 (collectively, the "GKN Defendants") operate as a single business enterprise. There is such a unity of
18 interest and ownership among the GKN Defendants that the separate corporate personalities have been
19 disregarded, and observing the corporate fictions would promote injustice or sanction fraud. Specifically,
20 on information and belief:

- 21 a) The GKN Defendants share common officers, directors, and senior management personnel.
22 Officers and directors of GKN Transparency identified in public records include Shawn Black
23 (Chief Executive Officer), Mark Fowler (Chief Financial Officer), Brian Clary, Holly Clarke,
24 Stephen Carlin, and Warren Fernandez. Melrose's Chief Executive Officer Peter Dilnot
25 publicly directs the strategy of the GKN aerospace business.
- 26 b) The GKN Defendants share corporate functions including legal, financial, accounting,
27 insurance, environmental compliance, safety, human resources, and tax administration.

- 1 c) The GKN Defendants engage in extensive intercompany transactions, transfers, dividends,
2 royalties, and management fee arrangements without arm's length pricing.
- 3 d) The GKN Defendants present themselves to customers, regulators, vendors, the press, and the
4 public as a single integrated aerospace enterprise under the GKN Aerospace brand, including
5 in the formal corporate statements issued by GKN concerning the Release Event itself.
- 6 e) Melrose, as the ultimate parent, makes strategic decisions concerning capital allocation,
7 operational priorities, environmental and safety compliance budgets, and corporate risk
8 management for the entire GKN aerospace business, including the Facility.
- 9 f) On information and belief, GKN Transparency is undercapitalized relative to the foreseeable
10 liabilities arising from the storage and handling of large volumes of hazardous and flammable
11 chemicals at a densely populated urban site. The financial resources sufficient to operate a
12 15.5-acre industrial chemical facility safely have been retained in the upstream entities, rather
13 than being made available at the operating subsidiary level.
- 14 g) Following the Release Event, the entire GKN Aerospace enterprise, including Melrose at the
15 parent level, has made formal corporate statements, coordinated responses with government
16 agencies, and engaged in remediation and community-facing communications, demonstrating
17 in fact and in real time that the operation of the Facility is treated as a function of the
18 consolidated GKN Aerospace business, not of an autonomous operating subsidiary.

19 36. By reason of the foregoing, each of the GKN Defendants is liable as the alter ego of, agent for,
20 single-enterprise participant with, and direct participant in, the conduct that caused the Release Event.
21 The corporate veil between and among them should be disregarded for purposes of this action. Each GKN
22 Defendant should be held jointly and severally liable for all damages described in this Complaint.

23 **IV. FACTUAL ALLEGATIONS**

24 ***A. The Facility and Its Operations***

25 37. The Facility is a 15.5-acre industrial manufacturing site that has operated at 12122 Western
26 Avenue, Garden Grove, California, since approximately 1946. GKN Transparency has operated the
27 Facility under its current corporate identity since approximately 2004. The Facility manufactures aircraft

1 transparency products, including aircraft canopies, windshields, and windows, for military and
2 commercial aviation customers. According to GKN's own public marketing materials, the Facility
3 manufactures the world-leading F-35 Lightning II canopy under the Lockheed Martin program of record,
4 transparencies for the Boeing 787 Dreamliner and the Boeing 737, transparencies for the Airbus A350,
5 and transparencies for the HondaJet and the Bombardier C-Series. In June 2024, GKN publicly
6 announced a \$150 million investment to double F-35 canopy production capacity at the Facility,
7 including a new canopy production line and the addition of approximately 100 manufacturing and
8 engineering jobs, with expansion to be completed in 2027.

9 38. Methyl methacrylate (MMA) is a primary raw material used in the manufacture of acrylic plastics,
10 including the products manufactured at the Facility. MMA is the monomer from which polymethyl
11 methacrylate (PMMA), commonly known as acrylic glass or by the trade names Plexiglas and Lucite, is
12 polymerized. The Facility has stored, handled, and processed bulk quantities of MMA for decades.

13 39. On information and belief, the Facility currently maintains at least three bulk MMA storage tanks
14 (the "MMA Tanks"), including the tank involved in the Release Event ("Tank No. 1"), a second tank that
15 responding firefighters injected with polymerization inhibitor as a defensive measure during the Release
16 Event ("Tank No. 2"), and a third tank ("Tank No. 3"). Tank No. 1 was, at the commencement of the
17 Release Event, holding approximately 7,000 gallons of MMA. Each of the MMA Tanks is above-ground
18 and located at the Facility on Western Avenue in Garden Grove.

19 40. The Facility is sited in a densely populated mixed-use residential, commercial, and institutional
20 area of central Orange County. Residential neighborhoods, restaurants, retail businesses, places of
21 worship, schools, parks, and medical clinics are located within several hundred feet of the Facility
22 perimeter. The H Mart shopping center, multi-family housing, and the major commercial corridors of
23 Garden Grove, Stanton, and West Anaheim all lie within close proximity of the Facility. The Facility was
24 sited under a zoning regime established in the mid-twentieth century when surrounding land use was
25 substantially less developed than at present. The encroachment of residential and commercial
26 development around the Facility over the decades has not been matched by any corresponding upgrade
27 of the Facility's containment, emergency response, or safety systems.

1 ***B. Methyl Methacrylate: Chemistry, Toxicology, and the Standard of Care***

2 41. Methyl methacrylate (Chemical Abstracts Service Registry Number 80-62-6) is a flammable and
3 reactive industrial chemical. Under the Globally Harmonized System of Classification and Labelling of
4 Chemicals (“GHS”), MMA carries the following hazard classifications and associated hazard statements:

- 5 a) H225: Highly Flammable Liquid and Vapor.
- 6 b) H315: Causes Skin Irritation.
- 7
- 8 c) H317: May Cause an Allergic Skin Reaction. Skin Sensitization Category 1.
- 9 d) H335: May Cause Respiratory Irritation. Specific Target Organ Toxicity, Single Exposure,
- 10 Category 3.
- 11 e) H402: Harmful to Aquatic Life.
- 12

13 42. Skin Sensitization Category 1, under the GHS, is the regulatory classification for substances that
14 can induce a permanent allergic sensitization in a meaningful subset of the exposed population. Once
15 skin sensitization to MMA has been induced, the affected person is permanently more susceptible to
16 allergic reactions on subsequent exposure to MMA. Skin sensitization is itself a compensable personal
17 injury that, in many cases, requires ongoing avoidance of the sensitizing substance for the remainder of
18 the affected person’s lifetime.

19 43. The European Chemicals Agency (“ECHA”) Risk Assessment Committee is actively considering
20 the further classification of MMA as a respiratory sensitizer, based on documented case reports of
21 occupational asthma, laryngitis, and hypersensitivity pneumonitis in workers exposed to MMA. The
22 peer-reviewed scientific literature contains nineteen reported cases of MMA-induced respiratory
23 sensitization in occupational settings. Whether MMA is properly classified as a respiratory sensitizer is
24 the subject of ongoing scientific debate.

25 44. The International Agency for Research on Cancer (“IARC”), in its 1994 Monograph Volume 60,
26 placed MMA in Group 3, meaning that MMA is “not classifiable as to its carcinogenicity to humans.”
27

Group 3 is a finding of insufficient evidence of carcinogenicity, not a finding that the substance does not cause cancer.

45. The toxicological literature on MMA is consistent and substantial. Chronic inhalation of MMA in animals has produced documented inflammation of the nasal cavity, degeneration and loss of olfactory epithelium in nasal turbinates, lung congestion, and damage to the upper respiratory tract. Chronic high-level exposure has been associated with degenerative and necrotic changes in the liver, kidney, brain, spleen, and bone marrow. Acute high-concentration exposure produces respiratory irritation, ocular irritation, dermal irritation, headache, lethargy, lightheadedness, and other neurological symptoms. The Orange County Health Officer, Dr. Regina Chinsio-Kwong, publicly described methyl methacrylate as “very toxic” during her public statements concerning the Release Event, confirming that the substance can cause skin and eye irritation and respiratory illness.

46. The recognized occupational exposure limits for MMA further document its hazardous character. The Occupational Safety and Health Administration Permissible Exposure Limit (OSHA PEL) under 29 C.F.R. section 1910.1000, Table Z-1, is 100 parts per million (approximately 410 milligrams per cubic meter) as a time-weighted average over an eight-hour workday. The National Institute for Occupational Safety and Health Recommended Exposure Limit (NIOSH REL) is 100 parts per million as a time-weighted average. The Immediately Dangerous to Life or Health (IDLH) concentration for MMA, as established by NIOSH, is 4,000 parts per million. The Lower Explosive Limit of MMA is 1.7 percent by volume in air, with ten percent of that limit corresponding to 1,700 parts per million as a flammability threshold. These figures represent occupational exposure standards developed for healthy adult workers using personal protective equipment. They are not safe exposure standards for the general residential population, including children, the elderly, pregnant persons, and persons with pre-existing respiratory or cardiac conditions.

47. MMA is a polymerizable monomer. The polymerization reaction is exothermic, meaning that it releases substantial heat. Polymerization occurs when MMA is heated above its stability range, when the polymerization inhibitor concentration in the stored substance falls below specification, or when contaminants or initiators enter the storage vessel. Once polymerization begins in an inadequately

1 controlled vessel, the heat released by the reaction accelerates further polymerization, generating a
2 runaway reaction that further increases temperature and pressure within the vessel. The polymerization
3 reaction produces solid polymer that can clog valves, vents, and piping, including the very pressure relief
4 equipment designed to permit safe venting of overheated MMA. The polymerization mechanism is well
5 known to the industry, well documented in technical literature, and the subject of regulatory and industry
6 safety guidance issued over decades.

7 48. The safe storage of bulk MMA, recognized by the Methacrylate Producers Association, the
8 American Institute of Chemical Engineers Center for Chemical Process Safety, the United States
9 Chemical Safety and Hazard Investigation Board, the United States Occupational Safety and Health
10 Administration, and the major MMA producers, requires at a minimum:

- 11 a) maintenance of an effective concentration of polymerization inhibitor in the stored substance
12 (typically monomethyl ether of hydroquinone, also known as MEHQ, maintained at a target
13 range commonly between fifteen and fifty parts per million in commercial-grade MMA);
- 14 b) regular monitoring, sampling, and laboratory testing of inhibitor concentration;
- 15 c) storage at temperatures within the published safe-storage range for MMA (typically not
16 exceeding 25 degrees Celsius, with the chemical being most stable in the range of
17 approximately 10 degrees Celsius, the operational “happy place” temperature publicly
18 described by OCFA at the Release Event);
- 19 d) routine inspection, testing, and verification of operability of pressure relief equipment under
20 American Petroleum Institute Standard 653, applicable Cal/OSHA regulations, and industry
21 consensus standards;
- 22 e) prevention of contamination of stored MMA by initiators, oxidizing agents, metals, and other
23 reactive substances;
- 24 f) periodic shelf-life rotation of stored inventory to avoid prolonged storage of aged product in
25 which the inhibitor concentration has degraded; and
- 26 g) implementation of an effective Process Safety Management program under 29 C.F.R. section
27 1910.119 and analogous California regulations, including Process Hazard Analyses,

1 mechanical integrity programs, management of change reviews, employee training, and
2 incident investigation procedures.

3 49. Storage of bulk MMA in tanks of the size present at the Facility, located at a densely populated
4 urban site, without strict adherence to each of the foregoing standards of care, is reckless and posed a
5 known and foreseeable risk of catastrophic harm to the surrounding community.

6 50. The federal and state regulatory framework that governs the safe storage and handling of MMA
7 at facilities such as the GKN Garden Grove Facility is extensive. It includes without limitation:

- 8 a) The OSHA Process Safety Management standard, 29 C.F.R. section 1910.119, which requires
9 Process Hazard Analyses, mechanical integrity programs, management of change procedures,
10 employee training, incident investigations, and compliance audits for facilities handling
11 threshold quantities of highly hazardous chemicals.
- 12 b) The federal EPA Risk Management Program rule, 40 C.F.R. Part 68, which requires offsite
13 consequence analyses, accident prevention programs, emergency response plans, and the
14 submission and updating of Risk Management Plans.
- 15 c) The California Accidental Release Prevention Program, California Code of Regulations title
16 19, sections 2735.1 et seq., which requires hazard assessments, prevention programs, and
17 accident reporting.
- 18 d) The federal Emergency Planning and Community Right-to-Know Act, 42 U.S.C. sections
19 11001 et seq., and the Hazardous Materials Business Plan program under California Health
20 and Safety Code sections 25500 et seq., administered by the Orange County Health Care
21 Agency as the Certified Unified Program Agency.
- 22 e) California Health and Safety Code section 41700, prohibiting the discharge of air
23 contaminants that endanger health or cause injury or damage to business or property.
- 24 f) California Cal/OSHA workplace safety regulations, including the Injury and Illness
25 Prevention Program standard at Title 8, California Code of Regulations, section 3203(a), the
26 machinery and equipment standard at Title 8, California Code of Regulations, section
27

3328(b), and the Process Safety Management standard at Title 8, California Code of Regulations, section 5189.

- g) The South Coast Air Quality Management District regulations governing emissions of volatile organic compounds at industrial facilities within the South Coast Air Basin.

51. Defendants were obligated to comply with each of the foregoing federal and state regulatory programs at the Facility. As alleged below, the evidence strongly suggests that Defendants did not so comply.

C. Defendants' Long-Standing Pattern of Regulatory Non-Compliance

52. Public records establish a sustained pattern of regulatory non-compliance at the Facility predating the Release Event by years.

53. Since 2018, Cal/OSHA and the United States Occupational Safety and Health Administration have conducted at least four separate inspections of the Facility, resulting in at least ten cited violations. The 2018 Cal/OSHA inspection generated citations under Title 8, California Code of Regulations, section 3203(a) (the California Injury and Illness Prevention Program standard, which requires every employer to establish, implement, and maintain a written program identifying the person with authority and responsibility for the program, a system for identifying and evaluating workplace hazards, a system for ensuring employee compliance with safe work practices, an effective system of communicating with employees on occupational safety and health matters, methods for correcting unsafe or unhealthy conditions, training and instruction, and recordkeeping). The 2018 Cal/OSHA inspection also generated citations under Title 8, California Code of Regulations, section 3328(b) (the California Machinery and Equipment standard, which requires that machinery and equipment be in safe operating condition and that they receive prompt repair when defective).

54. In 2019, the California Department of Industrial Relations filed an action in the Superior Court of California, County of Orange, seeking a judicial order that GKN pay \$2,898 in unpaid civil penalties stemming from the 2018 inspections. The fact that the State of California was required to seek judicial enforcement to compel payment of a relatively modest civil penalty reflects an institutional posture of regulatory resistance by Defendants.

1 55. In or about 2021, GKN paid approximately one million dollars to the South Coast Air Quality
2 Management District to resolve environmental violations at the Facility. The violations included, on
3 information and belief: failing to maintain emission records relating to volatile chemical compounds (a
4 category that includes MMA); operating equipment at the Facility without a required permit; and using
5 toxic chemicals in plant operations in violation of applicable air quality regulations. A near-million-dollar
6 SCAQMD settlement is substantial. It signaled to Defendants that environmental and emissions practices
7 at the Facility were not in compliance with applicable law.

8 56. In or about March 2025, the Facility received additional notices to comply concerning operating
9 records, registration of equipment, and an application for change in ownership of the Facility.

10 57. Taken together, these regulatory events constitute repeated and unmistakable notice to GKN, its
11 officers, and its managing agents that the operational, safety, and environmental compliance practices at
12 the Facility were not adequate. Defendants had actual notice of these deficiencies. Defendants had the
13 financial capacity to remediate them. Defendants chose not to do so to a degree sufficient to prevent the
14 Release Event. That choice is the conduct that gave rise to this action.

15 ***D. The Release Event and Emergency Response***

16 58. On or about Thursday, May 21, 2026, at approximately 3:30 p.m. Pacific Daylight Time, the
17 temperature inside Tank No. 1 at the Facility began to rise outside the safe storage range for MMA. The
18 MMA inside Tank No. 1 began to polymerize. The exothermic polymerization reaction released heat.
19 The heat accelerated further polymerization. The pressure inside Tank No. 1 began to rise.

20 59. As Orange County Fire Authority Captain Sean Doran later publicly described, OCFA crews
21 “arrived to a 34,000-gallon tank containing an industrial chemical that had been overheated inside the
22 vessel” and the Facility’s internal sprinkler system and pressure relief valve activated automatically as a
23 defensive response to the rising temperature and pressure.

24 60. The activation of internal containment systems was not, however, sufficient to control the
25 runaway reaction. According to publicly reported statements by the Orange County Fire Authority, the
26 pressure relief valve on Tank No. 1 seized as a result of the chemical reaction occurring inside the
27 container. On information and belief, polymerized methyl methacrylate accumulated in the relief

1 equipment and prevented the valve's controlled operation. The result was that the primary engineered
2 safety mechanism designed to permit controlled venting of the overheating vessel was inoperable,
3 transforming what should have been a containable thermal excursion into a multi-day evacuation
4 emergency.

5 61. The cooling system associated with Tank No. 1 was compromised. By Saturday, May 23, 2026,
6 OCFA reported publicly that, despite an external water spray having been applied to the tank exterior for
7 the purpose of cooling the contents, the internal temperature of Tank No. 1 was rising at a rate of
8 approximately one degree per hour. The published operational temperature target for the safe storage of
9 MMA is approximately 50 degrees Fahrenheit (10 degrees Celsius), publicly described by OCFA as the
10 chemical's "happy place." By Friday night, May 22, 2026, the internal temperature of Tank No. 1 had
11 risen from approximately 77 degrees Fahrenheit at the start of the day to approximately 90 degrees
12 Fahrenheit, and continued to climb.

13 62. On Friday, May 22, 2026, OCFA Division Chief Craig Covey held a public press conference at
14 which he made the following statements on the record (subsequently rebroadcast and widely reported):

- 15 a) "This is not precautionary. This thing is gonna fail, and we don't know when. We're doing
16 our best to figure out when or how we can prevent it."
- 17 b) "There are literally two options left remaining. One, the tank fails and spills a total of about
18 six to seven thousand gallons of very bad chemicals into the parking lot in that area. Or two,
19 the tank goes into a thermal runaway and blows up."
- 20 c) "This is highly volatile, it's highly toxic, it's highly flammable. This is not precautionary.
21 This is gonna happen unless some brilliant guy behind me here figures out how we can
22 mitigate this incident."
- 23 d) "If we burn down a bunch of buildings and a bunch of homes, that's a disaster. But if we allow
24 this to make it to the ocean and make it an ecological disaster, we don't want that as well."
- 25 e) "This is as bad as I've ever seen. This is real. Don't mess around. I've been in the fire service
26 for 32 years and it's the most significantly dangerous event I've ever been a part of."
- 27

1 63. Division Chief Covey further publicly described OCFA personnel attempting, at considerable
2 personal risk, to neutralize Tank No. 2 (a separate MMA tank in proximity to Tank No. 1) by injecting it
3 with additional polymerization inhibitor as a defensive measure. Division Chief Covey publicly
4 acknowledged on social media on Saturday, May 23, 2026: “We did put people in harm’s way last night
5 . . . with an attempt to go in and neutralize the additional tank.” OCFA also publicly stated that crews
6 were ultimately pulled back from the immediate area around the tank out of concern for responder safety,
7 and continued to apply remote water spray to the exterior of the vessel as the most that could be done.

8 64. On Saturday, May 23, 2026, Governor Gavin Newsom proclaimed a state of emergency in Orange
9 County in response to the Release Event, mobilizing state resources to support local responders and to
10 address the consequences of the evacuation. The Governor publicly described the matter as a top priority
11 for the state of California.

12 65. On the same day, Orange County District Attorney Todd Spitzer publicly announced the opening
13 of a criminal investigation by his office into the operations at the Facility, characterized the situation as
14 a “volatile situation,” directed his office to deploy drones to survey and preserve evidence, and
15 established an Anonymous Tip Hotline at (714) 347-8714 and an online reporting form to receive
16 information from witnesses, employees, and the public. On Tuesday, May 26, 2026, District Attorney
17 Spitzer publicly announced that the criminal investigation had been expanded to include additional
18 subject-matter concerns relating to consumer protection of the affected community in the aftermath of
19 the Release Event. District Attorney Spitzer publicly stated:

- 20 a) “How could GKN, with a system failure of a cooling system on a dangerous chemical, how
21 in the world in an urban setting did they not have any redundant system to back up the cooling
22 system that failed?”
- 23 b) “This company failed, and so I’m angry.”
- 24 c) “This is an incredibly volatile situation with extraordinary efforts being made by first
25 responders to prevent a potentially catastrophic disaster. Given the very real risk to human
26 life as a result of this event, it is crucial that anyone who has information about this incident
27

1 or the industrial operations of GKN Aerospace Transparency Systems, Inc. come forward and
2 report it so that it can be thoroughly investigated by law enforcement.”

3 d) “I am indicating to employees who work at GKN: If you want to come forward and you want
4 to be interviewed and you want to tell us what you know, now is the time. When we launch
5 an investigation and we get to the bottom of what happened and why the system failed, if you
6 haven’t come forward, you’re not gonna be treated the same as if you come forward early and
7 you tell us what you know.”

8 66. District Attorney Spitzer further served formal preservation notices on GKN demanding that the
9 company preserve all records, communications, maintenance logs, telemetry records, internal
10 communications, and physical evidence concerning the Facility and the Release Event. District Attorney
11 Spitzer publicly described the preservation order in the following terms: “I’ve served them with notice
12 not to destroy documents, not to throw anything out. Don’t get the shredder started. Don’t do anything.”

13 67. Congressman Derek Tran, the United States Representative whose district includes the Facility,
14 publicly stated that he had spoken with GKN leadership and had “urged the company to take full
15 responsibility for the panic and disruption that tens of thousands of residents are currently experiencing.”

16 68. On Saturday night, May 23, 2026, during a visual inspection of the tank that included the use of
17 drone-mounted infrared technology, responders identified a crack that had developed in the wall of Tank
18 No. 1. Over the following 24-hour period, responders monitored the crack to determine whether it was
19 relieving pressure within the vessel.

20 69. On Sunday evening, May 24, 2026, OCFA Interim Fire Chief T.J. McGovern announced that
21 crews would conduct an overnight operation to confirm whether pressure inside the tank had been
22 released and whether the threat of a catastrophic BLEVE had been eliminated.

23 70. On the evening of Sunday, May 24, 2026, technical specialists working for GKN conducted a
24 joint operation with OCFA to remove external weather insulation material from Tank No. 1 in order to
25 facilitate cooling of the contents. Over the following days, the external water deluge spray was
26 progressively reduced and discontinued as the internal temperature of Tank No. 1 decreased.

1 71. On Monday morning, May 25, 2026, at approximately 10:43 a.m., Interim Fire Chief McGovern
2 and Incident Commander Covey publicly announced the result of the overnight operation: the crack in
3 Tank No. 1 had relieved pressure within the vessel, the internal temperature of the tank had stabilized
4 and was decreasing from approximately 100 degrees Fahrenheit to approximately 93 degrees Fahrenheit,
5 and the threat of a Boiling Liquid Expanding Vapor Explosion had been eliminated. Interim Fire Chief
6 McGovern publicly stated: “We are happy to report that the threat of a BLEVE is now off the table. That
7 threat has been eliminated.” Division Chief Covey publicly stated: “The crack is there. The tank has
8 released its pressure. In addition to that, the temperature has been stabilized and actually reducing. That
9 is incredibly positive news as we turn the corner on this incident.”

10 72. Following the elimination of the BLEVE threat, OCFA and GKN conducted a series of joint
11 stabilization operations. By Tuesday afternoon, May 26, 2026, OCFA responders were able to walk freely
12 around and climb on top of Tank No. 1 without protective enclosure, and confirmed visually that the tank
13 had only a single known crack and was no longer venting product.

14 73. At approximately 7:30 p.m. Pacific Daylight Time on Tuesday, May 26, 2026, OCFA, in unified
15 command with law enforcement, the United States Environmental Protection Agency, and the Orange
16 County Health Care Agency, announced that the threat of a fire, explosion, or chemical leak had been
17 eliminated and that all remaining evacuation orders were lifted. The final 16,000 displaced residents were
18 permitted to return home. Garden Grove Unified School District announced that all district campuses
19 would reopen on Wednesday, May 27, 2026, with the district expressly providing that students unable to
20 attend that day “will not be penalized” as families continued recovery and made necessary arrangements.
21 The approximately 6,500 gallons of MMA that remained inside Tank No. 1 at the conclusion of the
22 emergency response phase had not been safely off-loaded at that time, and the long-term disposition of
23 the residual chemical inventory, the disposition of Tanks Nos. 2 and 3, and the disposition of the Facility
24 itself, remain subject to ongoing regulatory and investigative review by OCFA, the United States
25 Environmental Protection Agency, the California Department of Toxic Substances Control, the South
26 Coast Air Quality Management District, Cal/OSHA, the Orange County Health Care Agency, and the
27 Orange County District Attorney.

1 74. The mandatory evacuation orders issued by the Orange County Fire Authority in coordination
2 with the City of Garden Grove, the Orange County Sheriff's Department, the California Governor's
3 Office of Emergency Services, and other agencies, encompassed a defined zone covering approximately
4 nine square miles, bounded by Trask Avenue to the south, Ball Road to the north, Valley View Street to
5 the west, and Dale Street to the east, and including portions of Garden Grove, Cypress, Stanton, Anaheim,
6 Buena Park, and Westminster. The evacuation orders were briefly lifted on the evening of Thursday, May
7 21, 2026 when responders believed the situation was stabilizing, but were reissued and expanded early
8 Friday morning, May 22, 2026, after the internal temperature began to rise again. Multiple roads within
9 the evacuation zone were closed. Emergency evacuation centers were established across Garden Grove,
10 Cypress, Stanton City Hall, Anaheim, and Buena Park. The Garden Grove Police Department conducted
11 door-to-door evacuation outreach and reverse-911 telephonic notifications and reported an approximate
12 fifteen percent refusal rate as of Friday afternoon. The Garden Grove Unified School District closed
13 fifteen campuses on Friday, May 22, 2026, and announced that closures would continue until further
14 notice. Additional schools closed in the Magnolia School District, Savanna School District, Westminster
15 School District, and Cypress School District. The annual Garden Grove Strawberry Festival was
16 disrupted, with the 5K marathon and parade cancelled. Orange County Supervisor Katrina Foley
17 announced that the County of Orange Registrar of Voters closed the Garden Grove Sports and Recreation
18 Center vote center for the duration of the emergency, repurposing the facility as a care and shelter site.
19 The Disneyland Resort, located approximately four miles from the Facility in the City of Anaheim, was
20 outside the evacuation zone but publicly announced that it was monitoring the situation and warned of
21 potential road closures and minor traffic disruptions. The Orange County Health Officer, Dr. Regina
22 Chinsio-Kwong, publicly described the methyl methacrylate substance as "very toxic" and confirmed
23 that exposure could lead to severe respiratory issues, sore throat, runny nose, itchy and burning eyes,
24 nausea, headache, lung, skin, and eye irritation.

25 75. Over the course of the Release Event, approximately 50,000 people were ordered to evacuate.
26 The evacuation occurred over the Memorial Day weekend, traditionally the highest-grossing commercial
27 weekend of the spring for restaurants, retail businesses, event venues, and tourism-related enterprises in

1 central Orange County. Evacuated residents took shelter at the Freedom Hall and other municipally and
2 Red Cross-operated emergency shelters in Fountain Valley and other communities; in hotels and short-
3 term rentals throughout Orange and adjacent counties; in the homes of family members and friends; and
4 in less suitable accommodations.

5 76. As of the filing of this Complaint, the emergency response phase of the Release Event has
6 concluded but nevertheless extended from Thursday, May 21, 2026 through Tuesday, May 26, 2026,
7 displacing approximately 50,000 residents over the Memorial Day weekend and the days following, and
8 produced the harms described in this Complaint.

9 77. Multiple aspects of the Release Event remain pending and unresolved, including without
10 limitation: the safe off-loading and disposal of the approximately 6,500 gallons of MMA remaining in
11 Tank No. 1; the disposition of Tanks Nos. 2 and 3 and other bulk chemical storage at the Facility; the full
12 root cause investigation; the criminal investigation by the Orange County District Attorney, including the
13 issues of attorney conduct and consumer protection of the affected community as later expanded by the
14 District Attorney; the federal and state regulatory enforcement reviews by the United States
15 Environmental Protection Agency, the California Department of Toxic Substances Control, the South
16 Coast Air Quality Management District, the United States Occupational Safety and Health
17 Administration, and the California Division of Occupational Safety and Health; the remediation and
18 restoration of the affected community; and the long-term disposition of the Facility itself. The harm to
19 Plaintiffs and the Class is complete in the categories described, but the underlying conditions that
20 produced it have not yet been fully accounted for.

21 ***E. GKN's Public Statements and Admissions***

22 78. Over the course of the Release Event, GKN issued a series of public statements and admissions
23 through corporate spokespersons. On Friday, May 22, 2026, a GKN spokesperson stated to the Los
24 Angeles Times: "Safety at our facilities is paramount. We follow all standard safety protocols and
25 processes and are regularly audited by numerous state and federal agencies." The events of the Release
26 Event itself, the prior regulatory history of the Facility, and the publicly described failure of the cooling
27 system and the relief valve, contradict that public statement.

79. On Saturday, May 23, 2026, GKN issued a public apology to the affected community. The GKN spokesperson stated: “The situation remains ongoing and we are fully focused on working with emergency services, specialized hazardous material teams and the relevant authorities to ensure the safety of the local community, our employees and everyone else involved. We sincerely apologize for the significant disruption to the many local residents and businesses who have had to be evacuated. We are working tirelessly with all relevant experts to resolve this situation as safely as possible and in a timely manner and are deeply grateful for the continued skill and dedication of the Orange County emergency services.” In a subsequent statement to ABC News, GKN further stated: “We are acutely aware of the uncertainty this incident is causing and sincerely apologize for the ongoing disruption to the local community. Our priority remains the safe resolution of this incident, so that residents can return to their homes as quickly as possible.”

80. These public admissions by GKN constitute concessions that the Release Event has caused substantial disruption to a large number of local residents and businesses; that the Release Event was not a precautionary matter but a real and ongoing hazardous emergency; that the safe resolution of the Release Event is the responsibility of GKN; and that the affected residents and businesses have suffered a meaningful harm warranting GKN’s public apology.

F. The Class Members’ Damages

81. The harm caused by the Release Event is broad, deep, and substantially crystallized. The conclusion of the emergency response phase on May 26, 2026, and the lifting of evacuation orders, did not undo the displacement, the exposure, the economic loss, the property diminution, the medical needs, or the emotional injury that the Release Event has already produced. The categories of damage set forth below describe what has happened to the Plaintiffs and the Class, what continues to happen, and what is reasonably certain to happen in the future as a direct and proximate result of Defendants’ conduct.

1. Direct Out-of-Pocket Displacement Damages.

82. As a direct and proximate result of the mandatory evacuation orders issued in response to the Release Event, Plaintiffs and Class members have incurred substantial out-of-pocket expenses, including without limitation:

- a) Hotel, motel, short-term rental, and other alternative lodging costs at peak Memorial Day weekend holiday rates, including premium pricing for available rooms within reasonable driving distance of the evacuation zone.
- b) Meal costs for food consumed outside the home during the displacement, including restaurant meals at marked-up prices because of high regional demand, food delivery service charges, and the cost of replacing perishable groceries left in evacuated homes.
- c) Transportation costs, including fuel for additional driving distances, taxi and ride-share fares, alternative public transportation, mileage on personal vehicles, and parking fees.
- d) Child care costs occasioned by school closures and parental displacement, including emergency child care at premium rates, payments to family or friends, and additional supervised activity costs.
- e) Pet boarding, kenneling, veterinary, and pet supply costs for evacuated pets, including emergency boarding at peak holiday rates and animal medical care for pets exposed to chemical vapor.
- f) Replacement medication costs for prescription medications left behind in evacuated homes, including out-of-pocket charges for emergency refills and rush-shipping costs.
- g) Replacement of perishable household contents (refrigerator and freezer contents) spoiled during the displacement and the period of disrupted power or absence.
- h) Costs of replacing essential personal items left behind, including children's school supplies, work materials, medical equipment, and similar items that could not be retrieved during the mandatory evacuation.
- i) Cleaning costs for residences, including professional cleaning, HVAC system cleaning or filter replacement, and air quality testing inside the home.
- j) Decontamination, cleaning, and air-filter replacement costs for personal vehicles left in the evacuation zone.

1 k) Cancellation fees and forfeited deposits for Memorial Day weekend events, including
2 weddings, family celebrations, travel reservations, and recreational activities cancelled
3 because of the evacuation.

4 l) Costs of hosting evacuated family members and friends for those Class members who took in
5 evacuees, including additional food, utility, and supply costs.

6 **2. Lost Wages and Lost Earning Capacity.**

7 83. The Release Event caused substantial wage loss and earning capacity loss across multiple
8 categories of working Class members:

9 a) Hourly workers whose places of employment were within the evacuation zone and were
10 closed during the evacuation lost shift wages, overtime opportunities, tip income, and
11 commission income.

12 b) Workers who lived within the evacuation zone but were employed outside it and were unable
13 to commute to work due to road closures, evacuation procedures, or personal displacement
14 obligations, lost wages, tip income, and commission income.

15 c) Salaried workers were forced to consume paid time off, sick leave, family leave, or unpaid
16 leave in connection with the evacuation, displacement, child care obligations occasioned by
17 school closures, and care for family members affected by the Release Event.

18 d) Gig economy workers, delivery drivers, ride-share drivers, and independent contractors
19 whose customary work area included the evacuation zone or the surrounding region lost
20 income from the period of disruption.

21 e) Self-employed Class members, including consultants, contractors, real estate agents, and
22 home-based service providers, lost client revenue, lost meeting opportunities, and lost
23 transaction-based income during the period of displacement.

24 f) Class members in the healthcare, education, hospitality, retail, and personal services sectors
25 lost income from the cancellation of services they could no longer provide and from clients
26 who could not reach them.

1 **3. Business Interruption and Lost Profits.**

2 84. Class members operating businesses within the evacuation zone or in the affected commercial
3 corridors have suffered substantial business interruption damages, including without limitation:

- 4 a) Lost revenue during the multi-day forced closure of business premises within the evacuation
5 zone, during what would have been the highest-grossing weekend of the spring.
- 6 b) Lost revenue during the post-evacuation period of reduced foot traffic, customer hesitancy to
7 return to the area, and ongoing community disruption.
- 8 c) Spoilage of perishable inventory, including food, beverages, floral inventory,
9 pharmaceuticals, and similar items that could not be preserved during the forced closure.
- 10 d) Payroll obligations owed to hourly and salaried workers who were paid notwithstanding their
11 inability to work, and to employees retained to maintain operational readiness for reopening.
- 12 e) Fixed-cost obligations, including rent, mortgage, utilities, insurance, equipment leases,
13 vendor contracts, and similar overhead expenses that continued to accrue during the closure
14 period.
- 15 f) Loss of business goodwill, including erosion of customer relationships, customer loss to
16 competitors outside the affected area, and reputational harm associated with operating in the
17 affected zone.
- 18 g) Cancellation and refund obligations to customers, including event deposits, prepayments for
19 services, prepaid memberships, hotel reservations, restaurant reservations, conference and
20 meeting fees, ticketed events, and similar prepaid commercial arrangements.
- 21 h) Loss of contracts and customer accounts during the period of business inaccessibility,
22 including non-delivery penalties and contract termination fees.
- 23 i) Marketing and reputation recovery costs to inform customers of reopening and to restore
24 business reputation following the disruption.
- 25 j) Costs of cleaning, decontamination, air quality testing, HVAC remediation, and similar
26 restoration expenses for business premises within the evacuation zone.
- 27

- k) Lost revenue from the cancellation of the Garden Grove Strawberry Festival 5K marathon and parade, including losses to festival vendors, food sellers, ticket sellers, performers, sponsors, and related commercial participants.
- l) Lost income for tour operators, hospitality providers, and tourism-related businesses serving visitors to Disneyland and other regional attractions that experienced cancellations or reduced visitation as a result of the publicized emergency.

4. Real Property Damages.

85. The Release Event has caused, and continues to cause, substantial harm to real property within and around the evacuation zone, including:

- a) Diminution in the fair market value of residential real property within the evacuation zone and adjacent areas, including stigma damages associated with proximity to the Facility and to the publicly documented Release Event.
- b) Diminution in the fair market value of commercial real property within the evacuation zone and adjacent areas.
- c) Loss of use and enjoyment of real property during the period of evacuation, return, and the residual disruption that has followed the lifting of evacuation orders.
- d) Costs of professional cleaning, HVAC system flushing, filter replacement, air quality testing, and decontamination of indoor and outdoor surfaces affected by the Release Event.
- e) Costs of repair or replacement of damaged or contaminated improvements, landscaping, outdoor furniture, and other exterior property affected by chemical vapor or response activities.
- f) Disruption of pending real estate transactions, including failed sales, withdrawn offers, reduced appraisals, and financing complications associated with the disclosed proximity to the Facility.
- g) Increased homeowner insurance premiums and reduced coverage availability for properties within the affected area going forward.

- 1 h) Diminution in value measured against similarly priced real property in comparable, unaffected
2 neighboring communities at the time of any post-Release Event valuation, accrual, or
3 disposition. The diminution is calculated as the difference between the value of comparable
4 unaffected properties and the value of properties within the affected area, applying the
5 methodology proposed in California Assembly Bill 2748 (2016) in connection with the Aliso
6 Canyon gas leak and applied in substance in the Aliso Canyon coordinated proceeding
7 settlement and in the Value Assurance Program implemented in connection with the East
8 Palestine, Ohio Norfolk Southern derailment.
- 9 i) Loss of the pre-Release Event neighborhood premium that the affected residential and
10 commercial communities had historically commanded, including the premium attributable to
11 proximity to established schools, family-friendly amenities, surrounding parks, and the
12 residential character of central Orange County, that has been materially impaired by the
13 publicized chemical release event at the Facility.
- 14 j) Mandatory hazardous-condition real estate disclosures under California Civil Code section
15 1102 et seq. and analogous provisions, including the affirmative obligation of every Class
16 member who sells affected real property to disclose proximity to the Facility and the Release
17 Event to subsequent prospective purchasers, with corresponding negative impact on
18 negotiating position and ultimate sale price.
- 19 k) Increased borrowing costs, reduced creditworthiness assessments, and lender-imposed
20 surcharges associated with mortgages and refinancings secured by real property within the
21 affected area, including new lender requirements for multiple appraisals, environmental site
22 assessments, and additional underwriting safeguards.
- 23 l) Inability to complete refinancing transactions, modified mortgage applications, home equity
24 line of credit applications, and similar lender-mediated financial transactions secured by real
25 property within the affected area, due to lender restrictions imposed in response to the publicly
26 documented environmental risk at the Facility.
- 27

- 1 m) Costs of Phase I and, where indicated, Phase II environmental site assessments newly required
2 by lenders, title insurers, environmental consultants, or transactional counterparties as a
3 condition of sale, refinancing, or development of real property within the affected area.
- 4 n) Title insurance restrictions, exceptions, premium increases, or refusals to insure associated
5 with the documented environmental risk at the Facility, including title commitments that
6 reflect the Release Event in the Schedule B exceptions or that condition coverage on
7 environmental site assessment findings.

8 **5. Personal Property Damages.**

9 86. Class members have suffered damages to personal property as a result of the Release Event,
10 including:

- 11 a) Damage, contamination, or spoilage of personal property exposed to MMA vapor during the
12 Release Event, including textiles, soft furnishings, and porous materials that absorb chemical
13 odors.
- 14 b) Damage to vehicles parked outside during the Release Event, including required air filter
15 replacement, interior cleaning, and exterior decontamination.
- 16 c) Damage to outdoor recreational equipment, gardening supplies, food gardens, fruit trees, and
17 similar property contaminated by vapor or by water spray from response activities.
- 18 d) Loss of perishable food and refrigerated and frozen contents in evacuated homes and
19 businesses.

20 **6. Personal Injury and Acute Health Damages.**

21 87. Class members in the Personal Injury Sub-Class have suffered, and continue to suffer, acute
22 physical injuries from exposure to MMA vapor and related response activities, including:

- 23 a) Acute respiratory symptoms, including chest tightness, dyspnea, coughing, wheezing,
24 shortness of breath, sore throat, runny nose, and reduced peak flow.
- 25 b) Aggravation of pre-existing asthma, chronic obstructive pulmonary disease, and other
26 respiratory conditions in vulnerable Class members.
- 27 c) Ocular symptoms, including burning, watering, and irritation of the eyes.

- d) Dermal symptoms, including irritation, rash, and burning of skin exposed to chemical vapor.
- e) Neurological symptoms, including headache, lethargy, lightheadedness, sensation of heaviness in arms and legs, and reduced cognitive function during the period of exposure.
- f) Gastrointestinal symptoms, including nausea, loss of appetite, and dizziness.
- g) Costs of medical evaluation, diagnostic testing, urgent care visits, emergency room visits, primary care visits, specialist consultations, and related medical expenses.
- h) Costs of treatment, including prescription medications, inhaler refills, allergy treatments, dermatological care, and follow-up care.
- i) Pain and suffering associated with the acute symptoms and the duration of recovery.
- j) Loss of enjoyment of life during the period of symptoms and recovery.

7. Latent and Long-Term Health Risks Warranting Medical Monitoring.

88. Class members in the Medical Monitoring Sub-Class are at elevated risk of latent health consequences as a result of the Release Event, including without limitation:

- a) Permanent allergic skin sensitization to MMA, classified as Globally Harmonized System Category 1, an irreversible immune-mediated injury that, once established, persists for the life of the sensitized person and produces hypersensitive responses to even minor future exposures.
- b) Respiratory sensitization, including occupational asthma, hypersensitivity pneumonitis, and laryngitis, supported by the published occupational health literature documenting cases in MMA-exposed workers.
- c) Increased risk of chronic respiratory disease, including reactive airways dysfunction syndrome (RADS) following high-level acute respiratory exposure.
- d) Risk of latent neurological effects from chronic MMA exposure during the multi-day Release Event.
- e) To the extent any portion of the released MMA underwent partial combustion or pyrolysis during the multi-day overheat of Tank No. 1 or the associated water-deluge response, exposure to combustion or decomposition products including formaldehyde (classified by the

International Agency for Research on Cancer as Group 1, a known human carcinogen) and acrolein (classified as Group 2A, a probable human carcinogen), with associated increased risks of latent disease, including cancer.

- f) Pediatric Class members are particularly vulnerable to inhalation exposure because of their proportionally larger respiratory volume, developing organ systems, and greater outdoor time during the at-risk period; the increased risk to children justifies a specialized pediatric medical monitoring component.
- g) Pregnant Class members and their fetuses are vulnerable to the documented animal-study findings of fetal abnormality following MMA inhalation exposure, justifying obstetric medical monitoring.
- h) Elderly Class members and Class members with pre-existing cardiopulmonary disease are at elevated risk of long-term decompensation following acute exposure, justifying age-appropriate and condition-appropriate medical monitoring.

8. Emotional Distress and Psychological Damages.

89. Class members have suffered, and continue to suffer, substantial emotional distress and psychological damages, including:

- a) Acute stress reactions during the multi-day emergency response, including the period during which OCFA officials publicly stated that the tank was “gonna fail” and that the only uncertainty was whether the failure mode would be a spill, a fire, or an explosion.
- b) Severe anxiety arising from the mandatory evacuation under uncertain circumstances, the inability to return home, and the public uncertainty about whether catastrophic failure would occur.
- c) Trauma associated with the forced loss of the Memorial Day holiday weekend, a period that Class members had planned for family gatherings, celebrations, and observances.
- d) Trauma associated with the disruption of children’s end-of-school activities and graduation events occurring during the evacuation period.

- e) Fear, ongoing as of the filing of this Complaint, of the long-term health consequences of MMA exposure already received and of latent disease attributable to the multi-day exposure during the Release Event.
- f) Sleep disturbance, hypervigilance, and intrusive recollection of the evacuation period symptoms consistent with acute and post-traumatic stress reactions.
- g) Loss of psychological sense of safety and security in one's home community.
- h) Trauma to children associated with separation from familiar surroundings, school routines, and friendship groups during the evacuation.

9. Loss of Use of Public Services and Community Goods.

90. The Release Event caused widespread loss of community resources to Class members during the evacuation, including:

- a) Loss of access to fifteen Garden Grove Unified School District campuses, plus additional schools in the Magnolia, Savanna, Westminster, and Cypress School Districts, during the evacuation.
- b) Loss of access to municipal services, libraries, parks, recreation centers, and similar community resources within the evacuation zone.
- c) Loss of access to the Garden Grove Sports and Recreation Center vote center for those Class members otherwise intending to vote during the affected period.
- d) Loss of access to medical providers, dental providers, pharmacies, and other healthcare resources within the evacuation zone, with consequent missed appointments, missed treatments, and missed medication pickups.
- e) Loss of access to religious services, places of worship, and faith community activities during the evacuation period.
- f) Loss of community participation in the annual Garden Grove Strawberry Festival and associated cultural and recreational events.

10. Damages to Vulnerable Sub-Populations.

91. Particular sub-populations within the Class have suffered, and continue to suffer, especially severe damages as a result of their distinct vulnerabilities to the Release Event:

- a) Class members who are children, including infants and young children, experienced disproportionate exposure risk and disruption to their educational, developmental, and social needs.
- b) Class members who are elderly, including residents of assisted-living facilities and homebound seniors, experienced particularly severe displacement stress, loss of continuity of care, and elevated medical risk.
- c) Class members with disabilities, including those who use wheelchairs, durable medical equipment, oxygen, or in-home support services, experienced compounded difficulty in evacuation, transport, and finding accessible temporary accommodations.
- d) Class members with pre-existing medical conditions, including respiratory, cardiac, immunocompromised, and pregnancy-related conditions, experienced elevated exposure risk and elevated displacement-related medical risk.
- e) Class members who are pregnant experienced fetal exposure risk and stress-related pregnancy complications.
- f) Class members with mental health conditions experienced disruption of treatment continuity, exacerbation of underlying conditions, and difficulty navigating emergency systems.
- g) Low-income Class members experienced disproportionate financial impact from the displacement, including lack of resources to absorb hotel costs at peak holiday rates, ineligibility for some forms of emergency assistance, and greater proportional impact of lost wages.
- h) Class members without transportation experienced compounded difficulty in evacuation, transport to temporary lodging, and access to essential services.

1 **11. Long-Term Fear of Recurrence and Permanent Loss of Repose.**

2 92. The Release Event has imposed on Plaintiffs and the Class a durable, reasonable, serious, and
3 genuine fear of recurrence of a similar or more serious event at the Facility. The fear is itself a
4 compensable component of the harm and is also a separate and distinct injury to the Class members' use
5 and enjoyment of their persons and property. The fear is grounded in objectively verifiable facts about
6 the Facility's documented operating history, the chemistry of methyl methacrylate, the continued
7 presence of bulk MMA inventory at the Facility, and Defendants' publicly stated intention to expand
8 operations at the Facility. The factual basis for the reasonableness, seriousness, and genuineness of the
9 fear includes, without limitation:

- 10 a) The Facility has a documented record of regulatory non-compliance dating back at least to
11 2018, including Cal/OSHA citations under the Injury and Illness Prevention Program standard
12 at Title 8, California Code of Regulations, section 3203(a), and the Machinery and Equipment
13 standard at Title 8, California Code of Regulations, section 3328(b), United States
14 Occupational Safety and Health Administration findings of multiple workplace safety
15 violations, the 2019 judicial enforcement action that the California Department of Industrial
16 Relations was required to file in this Court to compel payment of unpaid civil penalties, the
17 2021 South Coast Air Quality Management District settlement of approximately one million
18 dollars, and the March 2025 notices to comply concerning operating records, equipment
19 registration, and the application for change in ownership. Each regulatory event provided
20 actual notice to Defendants of operational deficiencies, none of which was sufficient to
21 prevent the Release Event of May 21, 2026.
- 22 b) Approximately 6,500 gallons of methyl methacrylate remained inside Tank No. 1 at the
23 conclusion of the emergency response phase. The chemical inventory in Tanks Nos. 2 and 3
24 remained on the premises. The continued storage of bulk methyl methacrylate at the Facility
25 remains subject to the same management failures, inhibitor degradation risks, cooling system
26 reliability risks, and pressure relief valve risks that produced the May 2026 Release Event.

- 1 c) Methyl methacrylate is a polymerizable monomer. The polymerization reaction is exothermic
2 and self-accelerating. The polymerization inhibitor used to stabilize bulk MMA, typically
3 monomethyl ether of hydroquinone (MEHQ) at a target concentration commonly between
4 fifteen and fifty parts per million, degrades over time through reaction with stored product,
5 with dissolved oxygen, with heat, and with contamination, and requires active monitoring,
6 laboratory testing, and replenishment to maintain stable storage. Inhibitor degradation is a
7 continuous process. The risk of recurrence does not require new conduct; it requires only
8 continuing operation of the Facility without continuous and attentive inhibitor management,
9 the absence of which is the very condition that produced the Release Event.
- 10 d) GKN has publicly announced, and has not retracted, a planned expansion of the Facility,
11 including a \$150 million investment to double F-35 Lightning II canopy production capacity,
12 additional manufacturing and engineering jobs, and a new canopy production line, with
13 completion scheduled for 2027. The planned expansion will increase, not decrease, the scale
14 of methyl methacrylate storage, handling, and processing at the Facility, with a corresponding
15 increase in the risk of recurrence.
- 16 e) The Facility has operated continuously at 12122 Western Avenue since approximately 1946.
17 The eighty-year operating history includes infrastructure of uncertain age and condition. The
18 pattern of mechanical degradation that contributed to the failure of the pressure relief valve
19 and the compromised cooling system in May 2026 is an ongoing condition at any aging
20 industrial facility, and one whose remediation requires sustained capital investment that the
21 regulatory record indicates Defendants have not made.
- 22 f) The surrounding residential and commercial community is densely populated and has grown
23 substantially since the Facility was originally sited under the zoning regime of the mid-
24 twentieth century. The number of persons in the immediate vicinity of the Facility, and
25 therefore the number of persons at risk in any future recurrence, is substantially greater than
26 at any prior point in the Facility's operating history. The H Mart shopping center, multi-family
27

1 residential housing, schools, places of worship, and the major commercial corridors of Garden
2 Grove, Stanton, and West Anaheim are within close proximity to the Facility perimeter.

3 g) The Orange County Health Officer publicly described methyl methacrylate as “very toxic.”
4 The Orange County Fire Authority Division Chief publicly described the May 2026
5 emergency as the most significantly dangerous event he had been a part of in his thirty-two
6 years of fire service. The Orange County District Attorney has opened a criminal
7 investigation. The Governor of California has declared a state of emergency. The Member of
8 Congress representing the affected district has called on Defendants to take full responsibility.
9 The Mayor of Garden Grove has publicly stated that the community deserves to know what
10 happened, why it happened, and whether laws or regulations were violated. Each
11 governmental determination, made in its official capacity and on the public record, provides
12 an objective foundation for the reasonableness of the Class members’ ongoing fear that a
13 similar or more severe event may occur in the future.

14 h) To the extent any future event at the Facility produces sustained combustion or pyrolysis of
15 methyl methacrylate, the resulting exposure would include formaldehyde, which has been
16 listed on the California Proposition 65 list as a chemical known to cause cancer since January
17 1, 1988, and acrolein, which has been listed on the California Proposition 65 list as a chemical
18 known to cause cancer. The exposure population would face the risk of leukemia and of
19 cancers of the nose, throat, and sinuses associated with formaldehyde exposure, and the latent
20 disease risks associated with acrolein exposure, with the corresponding ongoing fear of cancer
21 and other latent disease.

22 i) The fear has produced and will continue to produce documented effects on Class members’
23 quality of life, including sleep disturbance, hypervigilance, intrusive thought, anxiety
24 regarding the safety of children and elderly family members, anxiety regarding outdoor
25 activity for children, anxiety regarding gardening and the consumption of produce grown on
26 Class members’ properties, anxiety regarding the opening of windows and outdoor air
27 circulation within homes, avoidance of the affected commercial corridors, and other

1 manifestations of post-traumatic stress and persistent loss of psychological repose. These
2 manifestations are reasonable, serious, and genuine, and they are likely to persist for the
3 indefinite future given the continued operation of the Facility.

- 4 j) The published peer-reviewed health literature on comparable mass-evacuation events
5 involving toxic chemical release supports the durability of the fear-related and stress-related
6 psychological injuries. The University of California, Los Angeles Aliso Canyon Disaster
7 Health Research Study, which followed the affected population from the 2015 to 2016 Aliso
8 Canyon methane release event, documented increased rates of low-birth-weight birth
9 outcomes among pregnant residents within seven miles of the release source, and documented
10 that the plume of the release reached approximately eleven miles from the source. The Aliso
11 Canyon experience further demonstrated that the affected community continued to experience
12 anxiety regarding the operation of the facility for years after the immediate release event was
13 contained, and that the property values, and quality of life within the affected ZIP codes were
14 materially impaired for an extended period thereafter.

15 **12. Educational and Developmental Disruption Damages.**

16 93. The Release Event caused substantial disruption to the educational and developmental progress
17 of Class members who are minor school-age children, preschool children, and young adults, including:

- 18 a) Loss of classroom instruction time during the closure of approximately fifteen Garden Grove
19 Unified School District campuses, plus additional campuses in the Magnolia School District,
20 the Savanna School District, the Westminster School District, and the Cypress School District,
21 from Friday, May 22, 2026 through the reopening on Wednesday, May 27, 2026, with
22 continuing absenteeism in the days following as families completed their return and recovery.
23 b) Disruption of end-of-school-year activities, final examinations, graduation ceremonies,
24 eighth-grade promotion events, kindergarten promotion events, and related milestone events
25 occurring during the closure and recovery period.
26
27

- c) Tutoring, summer programming, supplemental instruction, and academic recovery costs for students whose progress was materially affected by the school closures, the displacement, the disruption of testing schedules, and the loss of routine.
- d) Disruption of special education services, implementation of individualized education plans (IEPs), Section 504 plan accommodations, related services for students with disabilities, English-learner services, and other categorical programs during the closure and recovery period.
- e) Disruption of free and reduced-price meal programs, after-school programs, before-school programs, child nutrition services, and other school-based services that constitute a meaningful portion of household budgets for low-income Class members.
- f) Childhood mental health impacts, including separation anxiety, hypervigilance, sleep disturbance, school avoidance, and traumatic recollection associated with the multi-day emergency, the displacement, and the public uncertainty regarding the safety of returning home.
- g) Loss of academic and developmental continuity for early childhood and preschool Class members within affected licensed daycare facilities, family child care homes, and pre-kindergarten programs that closed during the evacuation period.
- h) Disruption of college-application and post-secondary planning activities for senior-year high school Class members, including missed college visits, missed scholarship interviews, and missed competitive events during the closure.

13. Cultural, Civic, and Community Heritage Damages.

94. The Release Event caused substantial harm to the cultural, civic, and community heritage of the affected community, an established multi-generational mixed-ethnic and immigrant community of central Orange County. The cultural and civic damages include, without limitation:

- a) The cancellation of the annual Garden Grove Strawberry Festival 5K marathon and parade, a long-established community institution, with the corresponding loss of community participation, vendor income, sponsor investment, cultural continuity, and civic identity.

- b) Disruption of religious services, places of worship, and faith-community activities during the evacuation, including the loss of weekend observances, sacramental events, weddings, baptisms, funerals, and other ceremonial and milestone events that had been scheduled within the affected period.
- c) Disruption of civic participation, including the closure of the Garden Grove Sports and Recreation Center vote center for the duration of the emergency, with the corresponding loss of access to the elections process for affected Class members.
- d) Disruption of library, recreational, park, and community center services during the evacuation, including the loss of structured community activity that ordinarily serves as a key element of civic life within the affected community.
- e) Loss of Memorial Day weekend cultural, patriotic, and commemorative observances, family reunions, multigenerational gatherings, and similar events that had been planned and could not be reconstituted by Class members.
- f) Loss of community cultural identity within the established ethnic, immigrant, and faith institutions of the affected communities, which were materially impaired during the evacuation period.
- g) Reputational harm to the City of Garden Grove, the City of Stanton, the City of Cypress, the City of Buena Park, the City of Westminster, and the affected commercial corridors as a result of the high-profile national and international media coverage of the Release Event.

14. Other Categories of Damages.

- a) Civil penalties under California statutes governing public nuisance and abatement, including California Civil Code sections 3479, 3480, 3491, and 3496.
- b) Punitive and exemplary damages under California Civil Code section 3294 sufficient to punish Defendants and to deter similar conduct.
- c) Attorney fees and costs under California Code of Civil Procedure section 1021.5 (private attorney general), California Civil Code section 3496 (nuisance abatement), and any other applicable statute or rule.

- d) Pre-judgment and post-judgment interest at the maximum rate permitted by California Civil Code section 3287, section 3288, and California Code of Civil Procedure section 685.010 et seq. seq.
- e) Costs of suit, including expert witness fees recoverable under California Code of Civil Procedure section 998 in the event of a rejected statutory offer.
- f) Such further compensatory, equitable, and consequential damages as may be proved at trial.

95. The damages set forth above are particularized below within the cause-of-action allegations to follow, and are pleaded in the alternative to the extent any specific category of damage is available under one cause of action but not another. The total amount of damages exceeds the jurisdictional minimum of this Court and is, on information and belief, in the aggregate range of hundreds of millions to billions of dollars across the Class.

G. Multiple Sources of Exposure and the Expanded Universe of Personal Injuries

96. On information and belief, the exposure of Class members during and following the Release Event extended beyond inhalation of methyl methacrylate vapor in its primary form. The five-day emergency response, the application of water spray to a heated and venting industrial chemical storage tank, the injection of polymerization inhibitor into a second tank, the response-related decontamination activities, the prolonged residence of class members' persons, clothing, vehicles, and possessions within and adjacent to the Class Area, and the post-return reoccupation of homes and businesses within the affected area, each independently produced exposure pathways in addition to the primary methyl methacrylate vapor exposure pathway alleged in this Complaint. Class members' injuries are, on information and belief, attributable to one or more of the following sources of exposure:

- a) Combustion and pyrolysis products generated to the extent any portion of the released methyl methacrylate underwent partial combustion, thermal decomposition, or pyrolysis during the multi-day overheat of Tank No. 1 or the associated water-deluge response, including formaldehyde (classified by the International Agency for Research on Cancer as Group 1, a known human carcinogen, and listed under California Proposition 65 since January 1, 1988)

1 and acrolein (classified as Group 2A, a probable human carcinogen, and listed under
2 California Proposition 65).

- 3 b) Water-deluge runoff and aerosolized water spray, including continuous external water
4 application to the exterior of Tank No. 1 for the purpose of cooling the contents during the
5 five-day emergency response, which on information and belief carried entrained methyl
6 methacrylate, polymerized residues, polymerization inhibitor, surfactants, corrosion control
7 chemicals, and other chemical constituents into storm drains, residential and commercial
8 properties, vegetation, soils, and the Pacific Ocean watershed downstream of the Facility.
- 9 c) Particulate matter deposition on skin, clothing, vehicles, building exteriors, landscaping,
10 outdoor furniture, food gardens, and other exterior personal and real property, with continuing
11 potential for re-aerosolization, dermal contact, and ingestion exposure.
- 12 d) Polymerization inhibitor chemicals introduced into Tank No. 2 as a defensive measure during
13 the emergency response, including without limitation monomethyl ether of hydroquinone
14 (MEHQ) and any other inhibitor chemicals injected by responders, with potential for fugitive
15 release, vapor exposure, and downstream dispersion into the community.
- 16 e) Decontamination chemicals, firefighting foams (including, on information and belief,
17 perfluoroalkyl and polyfluoroalkyl substances commonly referred to as PFAS, where present
18 in the foams deployed by responders), and other emergency response chemicals applied to the
19 Facility site and to the surrounding area during the five-day response.
- 20 f) Secondary and derivative exposures occurring through contaminated clothing, footwear,
21 vehicles, soft furnishings, textiles, and other porous personal property that absorbed, retained,
22 and continued to off-gas chemical constituents following the lifting of evacuation orders.
- 23 g) Indoor air quality impairment within evacuated residences and businesses following the lifting
24 of evacuation orders, attributable to residual chemical vapor that infiltrated buildings during
25 the multi-day open-air release, to off-gassing from interior building materials and furnishings
26 that absorbed chemical vapor during the release, to mold and mildew growth during the period
27

of building closure and disrupted climate control, and to HVAC system contamination requiring filter replacement, duct cleaning, and air quality testing.

- h) Stress-induced physiological effects of the multi-day mass-evacuation emergency, including hypertensive responses, cardiovascular events (including myocardial infarction, stroke, and arrhythmia in vulnerable Class members), glucose dysregulation in Class members with diabetes, sleep deprivation effects, pregnancy complications (including increased risk of miscarriage, premature labor, and low birth weight outcomes), exacerbation of pre-existing medical and mental health conditions, and acute and post-traumatic stress reactions.
- i) Situational injuries arising from the multi-day evacuation itself, including auto accidents during the mass-evacuation traffic, slips, trips, and falls in unfamiliar temporary accommodations, illness exposure within congregate emergency shelters (including respiratory infections, gastrointestinal illness, and other communicable disease), heat exposure during the late-May evacuation, dehydration, and aggravation of mobility disabilities.

97. The categories of physical, psychological, and behavioral injury sustained by Class members as a direct and proximate result of the foregoing exposures and related circumstances of the Release Event, on information and belief, include without limitation:

- a) respiratory injuries, including acute and chronic respiratory irritation, occupational asthma, reactive airways dysfunction syndrome (RADS), hypersensitivity pneumonitis, laryngitis, bronchitis, exacerbation of pre-existing asthma and chronic obstructive pulmonary disease, and pulmonary fibrosis;
- b) dermatologic injuries, including contact dermatitis, irritant dermatitis, chemical burns, rashes, eczema flare, and permanent allergic skin sensitization to methyl methacrylate as classified under the Globally Harmonized System Category 1;
- c) ocular injuries, including conjunctivitis, keratitis, corneal damage, and visual disturbance;
- d) neurological injuries, including headache, lethargy, lightheadedness, cognitive impairment, peripheral neuropathy, and memory impairment;

- e) gastrointestinal injuries, including nausea, vomiting, abdominal pain, and loss of appetite;
- f) cardiovascular injuries, including hypertensive crisis, exacerbation of pre-existing hypertension, myocardial infarction, stroke, and cardiac arrhythmia attributable to acute and prolonged stress and to chemical exposure;
- g) endocrine injuries, including stress-induced glucose dysregulation and exacerbation of diabetes; (h) reproductive injuries, including miscarriage, premature labor, low birth weight outcomes, fetal abnormality risk, and fertility impairment;
- h) carcinogenic risk and latent cancer risk, including risk of leukemia, nasopharyngeal cancer, and other cancers associated with formaldehyde exposure, and cancers associated with acrolein exposure, to the extent those decomposition products were generated;
- i) pediatric-specific injuries, including developmental delays, growth impairment, neurological vulnerability, and pediatric mental health effects;
- j) geriatric-specific injuries, including decompensation of pre-existing cardiopulmonary disease, fall-related injuries, and disruption of continuity of care;
- k) mental health injuries, including post-traumatic stress disorder, acute stress disorder, adjustment disorder, anxiety disorders, major depressive disorder, sleep disturbance, hypervigilance, intrusive recollection, school avoidance and separation anxiety in children, and substance use as coping; and (m) aggravation of pre-existing medical, psychological, and developmental conditions of every kind.

H. Defendants' Pattern of Conscious Disregard

98. The conduct of Defendants in connection with the Release Event constitutes malice, oppression, and a conscious disregard for the safety of others within the meaning of California Civil Code section 3294(a) and (b), satisfied by clear and convincing evidence. The basis for that conclusion includes, without limitation, the following facts:

- a) Defendants had actual notice of safety failures at the Facility no later than 2018, when Cal/OSHA cited the Facility for, among other things, violations of the California Injury and Illness Prevention Program standard at Title 8 California Code of Regulations section 3203(a)

1 and the California Machinery and Equipment standard at Title 8 California Code of
2 Regulations section 3328(b).8(b).

- 3 b) Defendants had additional actual notice of environmental and operational deficiencies at the
4 Facility no later than 2021, when GKN paid approximately one million dollars to the South
5 Coast Air Quality Management District to resolve violations including the failure to maintain
6 emission records relating to volatile chemical compounds, operation of equipment without a
7 permit, and use of toxic chemicals in plant operations.
- 8 c) Defendants had further actual notice of operational deficiencies at the Facility no later than
9 March 2025, when the Facility received notices to comply concerning operating records,
10 registration of equipment, and the application for change in ownership.
- 11 d) Defendants failed to implement full remediation following the 2018 Cal/OSHA enforcement,
12 the 2021 SCAQMD settlement, or the March 2025 notices to comply, and continued to operate
13 the Facility under substantially the same inadequate maintenance, inspection, and process
14 safety regime that produced the underlying violations.
- 15 e) Defendants stored thousands of gallons of a flammable, polymerizable, and hazardous
16 chemical in a densely populated residential and commercial area without adequate
17 polymerization inhibitor monitoring, without adequate temperature control, without
18 adequately maintained relief valves, and without adequate mechanical integrity inspection.
- 19 f) Defendants employed managing agents who knew or should have known of the deteriorating
20 condition of the storage tanks, relief valves, and cooling systems, and who failed to take the
21 affected equipment out of service pending remediation of the conditions that gave rise to the
22 Release Event.
- 23 g) Defendants are part of a multinational corporate enterprise with revenues exceeding three
24 billion British pounds and the financial capacity to maintain the Facility to the highest
25 applicable safety standards. Defendants' conscious decision not to make the necessary
26 investment in safety, in the face of the accumulating regulatory record, is the textbook
27 definition of conduct undertaken with conscious disregard.

1 h) Defendants have publicly described the Release Event as if it were an unforeseeable accident.

2 The accumulated regulatory record establishes that the conduct that caused it was foreseeable,
3 preventable, and the direct result of conscious management decisions.

4 99. The conduct described in this Complaint was performed, authorized, ratified, and directed by
5 officers, directors, and managing agents of GKN Transparency, GKN North America, GKN UK, and
6 Melrose Industries plc, within the meaning of California Civil Code section 3294(b). "Managing agent"
7 under section 3294(b) means an employee who exercises substantial discretionary authority over
8 significant aspects of the corporation's business, as articulated in *White v. Ultramar, Inc.* (1999) 21
9 Cal.4th 563, 577. The named officers, directors, and senior personnel of the GKN Defendants identified
10 herein, including the chief executive officers, chief financial officers, plant managers, environmental
11 health and safety managers, and corporate counsel, each exercised substantial discretionary authority
12 over the operation of the Facility, the maintenance of the MMA Tanks, the implementation of process
13 safety programs, and the response to the regulatory enforcement actions that preceded the Release Event.
14 The conduct constituting malice, oppression, and conscious disregard is therefore attributable to the GKN
15 Defendants under section 3294(b) for purposes of imposing punitive damages.

16 **V. CLASS ACTION ALLEGATIONS**

17 100. Plaintiffs bring this action on their own behalf and on behalf of all others similarly
18 situated, as a class action pursuant to California Code of Civil Procedure section 382, California Rules
19 of Court, rules 3.760 et seq., and the inherent equitable authority of this Court.

20 101. The proposed Class is defined as follows:

21 All persons or entities who, on or about May 21, 2026, resided, worked, owned property,
22 operated a business, or were otherwise present within the area affected by the Release
23 Event at the GKN Aerospace Transparency Systems, Inc. facility at 12122 Western
24 Avenue, Garden Grove, California including the residential and commercial communities
25 surrounding the Facility, including the area subject to the evacuation orders issued by the
26 Orange County Fire Authority and the Orange County Sheriff (which orders covered an
27 area bounded by Trask Avenue to the south, Ball Road to the north, Valley View Street to
the west, and Dale Street to the east, and encompassing portions of Garden Grove,
Cypress, Stanton, Anaheim, Buena Park, and Westminster), together with the residential
and commercial corridors immediately surrounding and adjoining that area.

102. The proposed Class includes the following Sub-Classes:

- a) Inner Zone Residential Sub-Class. All natural persons who, on or about May 21, 2026, resided within one mile of the Facility centerline.
- b) Middle Zone Residential Sub-Class. All natural persons who, on or about May 21, 2026, resided between one and three miles from the Facility centerline within the Class Area.
- c) Outer Zone Residential Sub-Class. All natural persons who, on or about May 21, 2026, resided within the Class Area but outside the boundaries of the formal mandatory evacuation order issued by the Orange County Fire Authority in connection with the Release Event, including without limitation (a) persons whose residences were immediately adjacent to but outside the formal evacuation perimeter and who nevertheless experienced direct exposure to airborne chemical vapor, particulate matter, response-related water-deluge runoff, and the disruption of community services, transportation, schools, and quality of life by reason of their close proximity to the Facility and to the affected area; and (b) persons who resided elsewhere within the broader Class Area, including without limitation persons residing more than three miles from the Facility centerline, who experienced disruption of community services, schools, transportation, quality of life, and other community-wide effects of the Release Event.
- d) Business Interruption Sub-Class. All persons or entities that, on or about May 21, 2026, owned or operated a business located within the evacuation zone, and whose business was closed, disrupted, or impaired as a result of the evacuation orders.
- e) Worker Wage Loss Sub-Class. All natural persons who, as a direct result of the Release Event, suffered a loss of wages, tips, commissions, salary, paid time off, or other employment-based income, whether because their place of employment was within the evacuation zone, because they were prevented from commuting to work by road closures or evacuation procedures, or because they were required to remain with displaced family members, including dependents whose schools or care facilities were closed.

- 1 f) Personal Injury Sub-Class. All natural persons who, as a result of the Release Event, sustained
2 acute physical injury (including without limitation respiratory, dermal, ocular,
3 gastrointestinal, or neurological symptoms) for which medical treatment was sought or
4 reasonably should have been sought.
- 5 g) Medical Monitoring Sub-Class. All natural persons who, by virtue of their location within the
6 Inner Zone or Middle Zone during the Release Event, are at increased risk of latent disease
7 (including respiratory sensitization, occupational asthma, dermal sensitization,
8 hypersensitivity pneumonitis, reactive airways dysfunction syndrome, and, to the extent any
9 portion of the released MMA underwent partial combustion or pyrolysis during the response,
10 an elevated risk of cancer and other latent illness from formaldehyde and acrolein exposure)
11 and for whom a medical monitoring program is reasonable and necessary.
- 12 h) Property Diminution Sub-Class. All persons or entities that, on or about May 21, 2026, owned
13 real property within the evacuation zone, or within an adjacent area whose fair market value
14 has been diminished as a result of the Release Event.
- 15 i) Vulnerable Sub-Population Sub-Class. All natural persons within the Class who, by virtue of
16 being a minor, being elderly, being pregnant, having a disability, or having a pre-existing
17 medical condition rendering them particularly susceptible to chemical exposure or to
18 displacement, suffered enhanced damages from the Release Event, and on whose behalf
19 specialized damages are sought.
- 20 j) Memorial Day Holiday Loss Sub-Class. All natural persons and entities that, as a result of the
21 Release Event, suffered the cancellation, postponement, or material impairment of a planned
22 Memorial Day weekend activity, event, gathering, business operation, or revenue-generating
23 opportunity.
- 24 k) Long-Term Fear and Loss of Repose Sub-Class. All natural persons within the Class who
25 reside within, work within, or own property within the Class Area, and who have suffered,
26 and are reasonably expected to continue suffering, a reasonable, serious, and genuine fear of
27 recurrence of a similar or more serious release event at the Facility, with the corresponding

1 loss of psychological repose, quality of life impairment, and persistent stress-related
2 symptoms.

- 3 l) Educational Disruption Sub-Class. All minor Class members of school age or pre-school age,
4 and the parents or guardians of such Class members, who experienced disruption of
5 educational, developmental, or related school-based services as a result of the closure of
6 campuses within the affected school districts during and following the evacuation period.
- 7 m) Renter and Tenant Sub-Class. All natural persons within the Class who, on or about May 21,
8 2026, rented or leased residential or commercial real property within the Class Area, including
9 subtenants and licensees, and who experienced loss of use, loss of habitability, displacement-
10 related expenses, rent abatement issues, or other tenant-specific damages as a result of the
11 Release Event.
- 12 n) Pet Owner Sub-Class. All natural persons within the Class who, on or about May 21, 2026,
13 owned or had custody of one or more domesticated animals located within the Class Area,
14 and who incurred pet boarding, kenneling, veterinary, medication, animal transport, or pet
15 supply costs as a result of the Release Event, or whose pets experienced chemical exposure
16 or stress-related health effects.
- 17 o) Pregnant Class Members Sub-Class. All natural persons within the Class who were pregnant
18 on or about May 21, 2026, or who became pregnant within twelve months following the
19 Release Event, who experienced fetal exposure risk, stress-related pregnancy complications,
20 increased risk of miscarriage, low birth weight outcomes, or other pregnancy-related harms,
21 or who are entitled to specialized obstetric medical monitoring.
- 22 p) Vehicle Damage and Decontamination Sub-Class. All natural persons and entities within the
23 Class who, on or about May 21, 2026, owned, leased, or had custody of one or more motor
24 vehicles located within the Class Area, and who incurred costs of air filter replacement,
25 interior cleaning, exterior decontamination, professional detailing, or other vehicle-related
26 restoration expenses as a result of the Release Event.
- 27

- 1 q) Insurance Market Sub-Class. All natural persons and entities within the Class who own, lease,
2 or hold an insurable interest in real property, personal property, or motor vehicles located
3 within the Class Area, and who have experienced or are reasonably likely to experience non-
4 renewal, cancellation, premium increase, coverage exclusion, force-placed insurance
5 imposition, or insurability impairment in connection with one or more lines of insurance
6 (homeowner, renter, automobile, life, health, business, or umbrella) as a result of the Release
7 Event.
- 8 r) Healthcare Continuity Disruption Sub-Class. All natural persons within the Class who, as a
9 result of the Release Event, experienced disruption of ongoing medical care, including missed
10 scheduled appointments, missed treatments (including chemotherapy, dialysis, physical
11 therapy, and other recurring treatments), missed medication pickups, interrupted in-home
12 health services, interrupted hospice or palliative care services, interrupted mental health or
13 substance abuse treatment, or other disruption of continuity of care, and who incurred costs
14 of urgent care or emergency care to substitute for the disrupted continuity of care.
- 15 s) Standardized Testing and Higher Education Access Sub-Class. All natural persons within the
16 Class who, as of May 21, 2026, were preparing for, scheduled to take, or scheduled to file
17 applications, scholarship materials, or financial aid documents in connection with high school
18 graduation, standardized testing (including Advanced Placement examinations, Scholastic
19 Aptitude Test, ACT, and other standardized assessments), college admissions, transfer
20 applications, graduate school admissions, scholarship competitions, college visit travel,
21 college admissions deposit deadlines, or other higher education access activities during the
22 period from May 21, 2026 through July 31, 2026, and the parents or guardians of such Class
23 members, who experienced disruption, postponement, cancellation, or impairment of such
24 activities as a result of the Release Event.

25 103. Excluded from the Class are: Defendants and their officers, directors, employees, agents,
26 attorneys, and immediate family members; the judicial officer assigned to this matter and members of
27

1 that judicial officer's immediate family; counsel of record for any Party; and any person or entity who
2 timely and validly opts out of the Class in accordance with the procedures established by the Court.

3 ***A. Numerosity***

4 104. The Class is so numerous that joinder of all members is impracticable. On information
5 and belief, the Class consists of approximately 50,000 natural-person residents, hundreds of businesses,
6 and thousands of property owners within the evacuation zone, plus additional class members affected
7 within the broader stigma-affected area. The precise number of members of each Sub-Class is presently
8 unknown to Plaintiffs but is readily ascertainable from records maintained by the Defendants, the
9 responding government agencies, and through standard class notice procedures.

10 ***B. Commonality and Predominance***

11 105. There are questions of law and fact common to the Class that predominate over any
12 questions affecting only individual members, including without limitation:

- 13 a) Whether Defendants owed a duty of care to Plaintiffs and the Class.
- 14 b) Whether Defendants breached that duty of care.
- 15 c) Whether Defendants were on actual notice of safety, environmental, and operational
16 deficiencies at the Facility.
- 17 d) Whether Defendants' storage and handling of methyl methacrylate at the Facility constituted
18 an ultrahazardous and abnormally dangerous activity.
- 19 e) Whether Defendants' operation of the Facility, the storage of methyl methacrylate, and the
20 chronic neglect of safety equipment constituted a public nuisance affecting an entire
21 community or neighborhood.
- 22 f) Whether Defendants' conduct caused the Release Event.
- 23 g) Whether the Release Event caused exposure to MMA vapor among members of the Class.
- 24 h) Whether such exposure significantly increases the risk of latent disease, including respiratory
25 sensitization, occupational asthma, dermal sensitization, and, to the extent any portion of the
26 released MMA underwent partial combustion or pyrolysis during the response, cancer
27 attributable to formaldehyde and acrolein exposure.

- 1 i) Whether Defendants' conduct constitutes malice, oppression, or fraud within the meaning of
2 California Civil Code section 3294 such that punitive damages may be awarded.
- 3 j) Whether the Release Event has diminished the fair market value of real property within the
4 evacuation zone.
- 5 k) The proper class-wide methodology for the calculation of damages.

6 ***C. Typicality***

7 106. The claims of the named Plaintiffs are typical of the claims of the members of the Class
8 and of the respective Sub-Classes they propose to represent. The named Plaintiffs and the members of
9 the Class have suffered substantially the same types of injuries arising from the same conduct of the same
10 Defendants, namely the Release Event and the underlying acts and omissions of Defendants that caused
11 it. The named Plaintiffs are members of the Class and of the respective Sub-Classes they propose to
12 represent.

13 ***D. Adequacy***

14 107. The named Plaintiffs will fairly and adequately protect the interests of the Class. The
15 named Plaintiffs have no interests antagonistic to those of the Class, have a strong personal and economic
16 interest in vindicating their rights and the rights of the Class, and have retained counsel with extensive
17 experience in complex environmental class action and mass tort litigation. Class counsel are prepared to
18 dedicate the time, resources, financial commitment, and expertise required to prosecute this matter on
19 behalf of the Class through trial and any appeal.

20 ***E. Superiority***

21 108. A class action is the superior method for the fair and efficient adjudication of this
22 controversy. A class action is the only practicable mechanism by which Plaintiffs and the members of
23 the Class can challenge Defendants' conduct and seek redress for the injuries they have sustained.
24 Individual litigation of fifty thousand or more separate actions would be impracticable, inefficient, would
25 risk inconsistent rulings on common questions of fact and law, and would consume judicial resources to
26 no productive end. The damages suffered by individual Class members, while substantial in the
27

1 aggregate, may in many cases be modest relative to the cost of individual litigation. A class action is
2 therefore the only realistic mechanism by which Class members can obtain meaningful redress.

3 **FIRST CAUSE OF ACTION**

4 **Negligence** 5 *(Against All Defendants)*

6 109. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
7 set forth herein.

8 110. Defendants owed Plaintiffs and the Class a duty to exercise reasonable care because
9 Defendants owned, operated, controlled, maintained, inspected, designed, supplied, serviced, or
10 otherwise participated in the operation of the Facility and/or the equipment, chemical inventory, safety
11 systems, inspection programs, process-safety systems, emergency-response systems, or methyl
12 methacrylate storage systems that gave rise to the Release Event.

13 111. Defendants knew or reasonably should have known that the storage, handling, cooling,
14 monitoring, and containment of thousands of gallons of methyl methacrylate in a densely populated
15 residential and commercial area created a foreseeable risk of harm to surrounding residents, businesses,
16 workers, property owners, invitees, and members of the public if Defendants failed to exercise reasonable
17 care.

18 112. The duties owed by Defendants included, without limitation, the duty to exercise
19 reasonable care in the operation of the Facility; the storage, handling, monitoring, and containment of
20 methyl methacrylate; the maintenance and inspection of the MMA Tanks; the maintenance and testing
21 of pressure-relief valves and pressure-control equipment; the maintenance of cooling systems; the
22 management and monitoring of polymerization inhibitor levels; the inspection and repair of safety-critical
23 equipment; the training and supervision of personnel; the implementation of process-safety and risk-
24 management programs; the response to prior safety, environmental, and regulatory issues at the Facility;
25 and the protection of the surrounding community from the foreseeable consequences of a methyl
26 methacrylate storage or polymerization event.
27

1 113. Defendants breached their duties of care by failing to exercise reasonable care in one or
2 more of the following respects:

- 3 a) Failing to maintain an effective polymerization inhibitor concentration in the MMA Tanks;
- 4 b) Failing to monitor, sample, test, document, and verify inhibitor concentration at reasonable
5 intervals and in accordance with applicable industry standards, manufacturer guidance, safety
6 data sheets, regulatory requirements, and accepted process-safety practices;
- 7 c) Failing to maintain the temperature of stored methyl methacrylate within a safe and stable
8 storage range;
- 9 d) Failing to maintain, inspect, test, repair, and operate pressure-relief valves, vents, pressure-
10 control equipment, and related safety-critical components in safe working condition;
- 11 e) Failing to prevent polymerization or solidification of methyl methacrylate from impairing,
12 clogging, obstructing, or disabling pressure-relief equipment;
- 13 f) Failing to maintain the cooling system and related temperature-control equipment in
14 operational condition;
- 15 g) Failing to conduct, document, or act upon mechanical-integrity inspections of the storage
16 tanks, relief equipment, piping, cooling systems, instrumentation, and related components;
- 17 h) Failing to conduct, update, document, or act upon appropriate process-hazard analyses,
18 management-of-change reviews, incident investigations, compliance audits, and risk-
19 management reviews;
- 20 i) Failing to maintain accurate and complete hazardous-materials, risk-management,
21 emergency-response, and regulatory compliance documentation;
- 22 j) Failing to maintain effective written safety programs and safe work practices at the Facility;
- 23 k) Failing to maintain machinery, equipment, tanks, valves, cooling systems, instrumentation,
24 and related components in safe operating condition;
- 25 l) Failing to correct known or reasonably discoverable deficiencies in Facility operations, tank
26 storage practices, safety equipment, inspection practices, regulatory compliance, or
27 emergency preparedness;

- 1 m) Failing to take affected equipment or chemical inventory out of service pending investigation,
2 repair, replacement, stabilization, or remediation of known or reasonably discoverable safety
3 deficiencies;
- 4 n) Failing to adequately train, supervise, and equip personnel to recognize, prevent, mitigate, and
5 respond to methyl methacrylate overheating, instability, polymerization, venting, release, fire,
6 explosion, or other hazardous conditions;
- 7 o) Failing to provide adequate emergency-response equipment, emergency-response procedures,
8 public-warning protocols, and community-notification procedures;
- 9 p) Failing to timely warn or protect surrounding residents, businesses, and property occupants
10 from the foreseeable risks created by the Facility's storage and handling of methyl
11 methacrylate; and; and
- 12 q) Otherwise failing to exercise reasonable care under the circumstances.

13 114. Each Defendant's breach of duty was a substantial factor in causing the Release Event and
14 the resulting harm to Plaintiffs and the Class. The harms suffered by Plaintiffs and the Class were
15 foreseeable consequences of Defendants' conduct, including mandatory evacuation, displacement, loss
16 of use and enjoyment of property, business interruption, lost wages, out-of-pocket expenses, personal
17 injuries, emotional distress, and other damages alleged herein.

18 115. As a direct, proximate, legal, and foreseeable result of Defendants' negligence, Plaintiffs
19 and the Class suffered damages as detailed in the Complaint and in an amount to be proven at trial.

20 **SECOND CAUSE OF ACTION**

21 **Gross Negligence** 22 *(Against All Defendants)*

23 116. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
24 set forth herein.

25 117. Defendants owed Plaintiffs and the Class the duties alleged above, including duties arising
26 from Defendants' ownership, operation, control, maintenance, inspection, servicing, supply, design,
27 management, and/or participation in the Facility, the MMA Tanks, the methyl methacrylate inventory,

1 the cooling systems, the pressure-relief systems, the process-safety systems, the inspection and
2 maintenance systems, and the emergency-response systems that gave rise to the Release Event.

3 118. Defendants' misconduct constituted gross negligence because it was not merely ordinary
4 carelessness, inadvertence, or a failure to use reasonable care. Defendants' conduct constituted an
5 extreme departure from the ordinary standard of care and a want of even scant care in the operation,
6 maintenance, inspection, monitoring, and control of a facility storing thousands of gallons of flammable,
7 reactive, and hazardous methyl methacrylate in a densely populated residential and commercial area.

8 119. Defendants knew or reasonably should have known that methyl methacrylate can
9 overheat, polymerize, vent, ignite, or otherwise create a hazardous condition if not properly stored,
10 inhibited, cooled, monitored, maintained, and controlled. Defendants further knew or reasonably should
11 have known that a failure of methyl methacrylate storage, pressure-relief, cooling, or process-safety
12 systems at the Facility would foreseeably endanger surrounding residents, businesses, workers, property
13 owners, and the public.

14 120. Despite that knowledge, Defendants failed to implement and maintain basic safety
15 precautions necessary to prevent the Release Event, including adequate inhibitor monitoring, temperature
16 control, pressure-relief maintenance, tank and equipment inspection, process-safety review, emergency-
17 response planning, and remediation of known or reasonably discoverable safety deficiencies.

18 121. Defendants' gross negligence is further supported by the nature of the risk, the scale of
19 the chemical inventory, the densely populated location of the Facility, Defendants' ability and financial
20 capacity to implement ordinary safety precautions, the existence of prior safety and environmental
21 regulatory issues at the Facility, and Defendants' failure to ensure that the Facility's methyl methacrylate
22 storage systems were maintained and operated in a safe condition.

23 122. Defendants' gross negligence was a substantial factor in causing the Release Event and
24 the resulting harm to Plaintiffs and the Class. As a direct, proximate, legal, and foreseeable result of
25 Defendants' gross negligence, Plaintiffs and the Class suffered damages as detailed in the Complaint and
26 in an amount to be proven at trial.

1 **THIRD CAUSE OF ACTION**

2 **Negligence Per Se**
3 *(Against All Defendants)*

4 123. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
5 set forth herein.

6 124. Plaintiffs invoke the doctrine of negligence per se codified at California Evidence Code
7 section 669.

8 125. Defendants violated statutes, regulations, ordinances, standards, or regulatory
9 requirements governing the safe storage, handling, monitoring, containment, operation, maintenance,
10 inspection, emergency planning, emissions control, risk management, and reporting of hazardous
11 materials, including methyl methacrylate and related volatile organic compounds.

12 126. The statutes and regulations violated by Defendants include, without limitation, one or
13 more of the following:

- 14 a) Management standard, 29 C.F.R. section 1910.119..119.
15 b) The EPA Risk Management Program rule, 40 C.F.R. Part 68.t 68.
16 c) The California Accidental Release Prevention Program, California Code of Regulations title
17 19, sections 2735.1 et seq. seq.
18 d) The federal Emergency Planning and Community Right-to-Know Act, 42 U.S.C. sections
19 11001 et seq. seq.
20 e) The California Hazardous Materials Business Plan program, California Health and Safety
21 Code sections 25500 et seq. seq.
22 f) California Health and Safety Code section 41700 (prohibiting the discharge of air
23 contaminants that endanger public health or cause injury to business or property).rty).
24 g) Title 8, California Code of Regulations, section 3203(a), the Injury and Illness Prevention
25 Program standard, as previously cited by Cal/OSHA.
26 h) Title 8, California Code of Regulations, section 3328(b), the Machinery and Equipment
27 standard, as previously cited by Cal/OSHA.

- i) Title 8, California Code of Regulations, section 5189, the California Process Safety Management standard.
- j) The applicable South Coast Air Quality Management District rules governing volatile organic compound emissions, equipment permitting, and use of toxic chemicals, as previously enforced against GKN in 2021; and; and
- k) Other statutes, regulations, ordinances, permits, regulatory orders, safety requirements, and industry-specific legal obligations identified through discovery.

127. Defendants violated the foregoing statutes and regulations by, among other things, failing to safely store, handle, monitor, cool, inspect, maintain, control, or contain methyl methacrylate; failing to maintain safe pressure-relief, cooling, control, and emergency-response systems; failing to maintain required process-safety and risk-management programs; failing to maintain accurate hazardous-materials and emissions records; failing to correct known or reasonably discoverable safety deficiencies; failing to maintain machinery and equipment in safe operating condition; and failing to prevent the release, venting, or threatened release of hazardous chemical vapors into the surrounding community.

128. Plaintiffs and the Class are members of the class of persons the foregoing statutes and regulations were designed to protect, including residents, businesses, workers, property owners, invitees, and members of the public foreseeably endangered by unsafe hazardous-materials storage, handling, release, emissions, fire, explosion, evacuation, or emergency conditions.

129. The injuries suffered by Plaintiffs and the Class are the type of harms the foregoing statutes and regulations were designed to prevent, including hazardous chemical exposure or threatened exposure, emergency evacuation, displacement, loss of use and enjoyment of property, business interruption, personal injury, emotional distress, property damage, nuisance, and economic loss.

130. Defendants' statutory and regulatory violations were a substantial factor in causing the Release Event and Plaintiffs' and the Class's damages.

131. Defendants' violations of the foregoing statutes and regulations give rise to a presumption of negligence under California Evidence Code section 669. As a direct, proximate, legal, and foreseeable

1 result of Defendants' negligence per se, Plaintiffs and the Class suffered damages as detailed in the
2 Complaint and in an amount to be proven at trial.

3 **FOURTH CAUSE OF ACTION**

4 **Strict Liability: Ultrahazardous and Abnormally Dangerous Activity**
5 *(Against All Defendants)*

6 132. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
7 set forth herein.

8 133. The GKN Defendants owned, operated, managed, maintained, controlled, and/or were
9 responsible for the Facility and the methyl methacrylate storage operations that gave rise to the Release
10 Event.

11 134. The GKN Defendants' storage, handling, and processing of thousands of gallons of methyl
12 methacrylate in bulk tanks at a densely populated mixed residential and commercial location constituted
13 an ultrahazardous and abnormally dangerous activity under California law and the principles reflected in
14 Restatement (Second) of Torts sections 519 and 520.

15 135. Methyl methacrylate is flammable, reactive, volatile, and capable of exothermic
16 polymerization if improperly stored, inhibited, cooled, monitored, or controlled. Bulk storage of methyl
17 methacrylate presents a high degree of risk of serious harm if temperature control, inhibitor concentration,
18 pressure relief, cooling, mechanical integrity, monitoring, or emergency-response systems fail.

19 136. The risk created by the GKN Defendants' activity was especially grave because the
20 Facility is located near residential neighborhoods, businesses, public streets, commercial corridors, and
21 community facilities. A release, threatened release, overheating event, polymerization event, fire,
22 explosion, venting event, or emergency condition involving bulk methyl methacrylate at that location
23 foreseeably threatens a large surrounding population.

24 137. The activity was not a matter of common usage by members of the general public.
25 Ordinary residents and businesses do not store thousands of gallons of flammable, reactive methyl
26 methacrylate in bulk industrial tanks in densely populated areas.
27

138. The activity was inappropriate to the place where it was conducted because the Facility is surrounded by residential and commercial properties and because the foreseeable consequences of a methyl methacrylate storage failure include evacuation, displacement, loss of use of property, business interruption, personal injury, fire, explosion, chemical exposure, and public emergency response.

139. The dangerous attributes of the activity outweighed its value at that location unless the activity was conducted with extraordinary safeguards adequate to protect the surrounding community. As alleged herein, the GKN Defendants failed to maintain such safeguards.

140. The Release Event and the resulting harms to Plaintiffs and the Class arose from the very risks that made the GKN Defendants' storage, handling, and processing of bulk methyl methacrylate ultrahazardous and abnormally dangerous.

141. The GKN Defendants are strictly liable for harm to Plaintiffs and the Class resulting from the ultrahazardous and abnormally dangerous activity, without regard to whether the GKN Defendants exercised reasonable care. As a direct, proximate, legal, and foreseeable result of that activity, Plaintiffs and the Class suffered damages as detailed in the Complaint and in an amount to be proven at trial.

FIFTH CAUSE OF ACTION

Public Nuisance
(*Against All Defendants*)

142. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully set forth herein.

143. The GKN Defendants owned, operated, managed, maintained, controlled, and/or were responsible for the Facility and the methyl methacrylate storage operations that gave rise to the Release Event.

144. The GKN Defendants' operation of the Facility, storage and handling of methyl methacrylate, failure to maintain adequate safety systems, and creation of the Release Event constituted a public nuisance within the meaning of California Civil Code sections 3479, 3480, and 3491.

145. The nuisance was injurious to health, offensive to the senses, and obstructed the free use of property so as to interfere with the comfortable enjoyment of life and property. The nuisance affected

1 an entire community or neighborhood and a considerable number of persons by causing or contributing
2 to mandatory evacuations, loss of use of homes and businesses, public-health and emergency-response
3 measures, fear of chemical exposure, business closures, disruption of public streets and commercial
4 activity, and interference with the ordinary use and enjoyment of property within the affected area.

5 146. Plaintiffs and the Class suffered harm different in kind from that suffered by the public at
6 large because they were within the evacuation zone or otherwise directly affected area; were displaced
7 from their homes or businesses; lost the use and enjoyment of specific real property; incurred specific
8 out-of-pocket evacuation, lodging, food, transportation, lost-wage, and business-interruption losses;
9 suffered personal injury or emotional distress; and/or sustained other concrete harms arising from their
10 proximity to and direct impact from the Release Event.

11 147. Plaintiffs bring this public nuisance claim pursuant to California Code of Civil Procedure
12 section 731 and other applicable law.

13 148. The nuisance is continuing to the extent the dangerous conditions that caused or
14 contributed to the Release Event remain present, unremediated, inadequately investigated, inadequately
15 disclosed, or inadequately abated at the Facility. These continuing conditions include, without limitation,
16 the continued storage, handling, or threatened release of methyl methacrylate or related hazardous
17 materials; the continued use of storage tanks, pressure-relief systems, cooling systems, process-safety
18 systems, instrumentation, emergency-response systems, or other equipment that caused or contributed to
19 the Release Event; and the continued failure to implement safeguards reasonably necessary to prevent
20 recurrence.

21 149. The nuisance conditions are capable of abatement by reasonable means and at reasonable
22 cost, including safe stabilization, off-loading, disposal, repair, replacement, redesign, decommissioning,
23 third-party process-safety auditing, mechanical-integrity inspection, regulatory compliance, emergency-
24 response planning, and community-notification measures sufficient to eliminate or materially reduce the
25 risk of recurrence. Unless and until those conditions are fully investigated, remediated, disclosed, and
26 abated, the nuisance continues to affect the surrounding community by impairing public health, safety,
27 comfort, convenience, and the free use of property in the affected area.

150. As a direct, proximate, legal, and foreseeable result of the public nuisance, Plaintiffs and the Class suffered damages as detailed in the Complaint and in an amount to be proven at trial.

151. Plaintiffs and the Class are entitled to damages and, as appropriate, equitable relief requiring abatement of the nuisance and measures reasonably necessary to prevent recurrence.

SIXTH CAUSE OF ACTION

Private Nuisance
(Against All Defendants)

152. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully set forth herein.

153. Plaintiffs and members of the Class owned, leased, occupied, possessed, operated, worked at, or otherwise had legally protected interests in residential, commercial, or other real property within the evacuation zone or affected area.

154. The GKN Defendants' conduct, including their operation of the Facility, storage and handling of methyl methacrylate, failure to maintain adequate safety systems, and creation of the Release Event, substantially and unreasonably interfered with Plaintiffs' and Class members' use and enjoyment of their real property.

155. The interference was substantial because Plaintiffs and Class members were required to evacuate or avoid their homes or businesses; lost the use and enjoyment of their property; were unable to occupy, access, operate, or conduct ordinary activities at their properties; incurred evacuation-related expenses; suffered disruption, fear, inconvenience, and annoyance; and experienced other property-related harms.

156. The interference was unreasonable because the gravity of the harm to Plaintiffs and the Class outweighed the social utility of the GKN Defendants' conduct as performed, particularly given the known risks of storing and handling bulk methyl methacrylate in a densely populated area and the availability of reasonable safety measures to prevent or mitigate the Release Event.

157. The interference was caused by the GKN Defendants' negligent, reckless, unreasonable, and/or abnormally dangerous operation of the Facility and methyl methacrylate storage systems.

1 158. The private nuisance is continuing to the extent the dangerous conditions that caused or
2 contributed to the Release Event remain present, unremediated, inadequately investigated, inadequately
3 disclosed, or inadequately abated at the Facility. These continuing conditions include, without limitation,
4 the continued storage, handling, or threatened release of methyl methacrylate or related hazardous
5 materials; the continued use of storage tanks, pressure-relief systems, cooling systems, process-safety
6 systems, instrumentation, emergency-response systems, or other equipment that caused or contributed to
7 the Release Event; and the continued failure to implement safeguards reasonably necessary to prevent
8 recurrence.

9 159. The nuisance conditions are continuing, rather than permanent, because they are capable
10 of abatement by reasonable means and at reasonable cost. Reasonable abatement measures include safe
11 stabilization, off-loading, disposal, repair, replacement, redesign, decommissioning, independent
12 process-safety audits, mechanical-integrity inspections, regulatory compliance, emergency-response
13 planning, and community-notification measures sufficient to eliminate or materially reduce the risk of
14 recurrence.

15 160. Unless and until those conditions are fully investigated, remediated, disclosed, and abated,
16 Plaintiffs' and Class members' use and enjoyment of their property remains impaired by the risk of
17 recurrence, fear of future hazardous-materials incidents, diminished comfort and security in their homes
18 and businesses, disruption, annoyance, inconvenience, and, where proven, diminution or impairment of
19 property value.

20 161. As a direct, proximate, legal, and foreseeable result of the private nuisance, Plaintiffs and
21 the Class suffered damages in an amount to be proven at trial, including loss of use and enjoyment of
22 property, evacuation expenses, business interruption, lost wages, personal injury, emotional distress,
23 annoyance, inconvenience, and other damages.

24 162. Plaintiffs and the Class are entitled to damages and, as appropriate, equitable relief
25 requiring abatement of the nuisance and measures reasonably necessary to prevent recurrence.
26
27

1 **SEVENTH CAUSE OF ACTION**

2 **Trespass**
3 *(Against All Defendants)*

4 163. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
5 set forth herein.

6 164. Plaintiffs and members of the Class owned, leased, occupied, possessed, operated, or
7 otherwise had legally protected possessory interests in residential, commercial, or other real property
8 within the affected area.

9 165. The GKN Defendants intentionally, negligently, recklessly, or as a foreseeable result of
10 their conduct caused methyl methacrylate vapor, fumes, odors, particulates, residue, contaminants, or
11 related airborne chemical substances to enter onto, over, or into real property owned, leased, occupied,
12 possessed, operated, or controlled by Plaintiffs and members of the Class.

13 166. The physical invasion was unauthorized. Plaintiffs and Class members did not consent to
14 the entry of methyl methacrylate vapor, fumes, odors, particulates, residue, contaminants, or related
15 airborne chemical substances onto, over, or into their properties.

16 167. The invasion interfered with Plaintiffs' and Class members' possessory interests in their
17 property by causing evacuation, loss of access, loss of use, loss of enjoyment, contamination or threatened
18 contamination, annoyance, discomfort, fear, and other property-related harm.

19 168. The invasion was a substantial factor in causing Plaintiffs' and Class members' damages,
20 including loss of use of property, evacuation expenses, business interruption, diminution or impairment
21 of property value, investigation and remediation costs, annoyance, discomfort, inconvenience, and other
22 damages in an amount to be proven at trial.

23 169. Plaintiffs and the Class are entitled to damages and any other relief available under
24 California law for trespass.
25
26
27

1 **EIGHTH CAUSE OF ACTION**

2 **Negligent Infliction of Emotional Distress**
3 *(Against All Defendants)*

4 170. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully
5 set forth herein.

6 171. Negligent infliction of emotional distress is pleaded as a negligence-based theory of
7 recovery arising from the duties alleged herein. The GKN Defendants owed Plaintiffs and the Class duties
8 of care because they owned, operated, controlled, maintained, and managed the Facility and methyl
9 methacrylate storage systems in close proximity to Plaintiffs' homes, businesses, and properties, and
10 because it was foreseeable that unsafe operation of those systems would cause serious fear, anxiety,
11 distress, and disruption to surrounding residents and businesses.

12 172. The GKN Defendants breached those duties by engaging in the negligent, grossly
13 negligent, reckless, and unreasonable conduct alleged herein, which caused the Release Event and the
14 mandatory evacuation or disruption of Plaintiffs' and Class members' homes, businesses, and properties.

15 173. Plaintiffs and Class members suffered serious emotional distress as a direct and
16 foreseeable result of the Release Event, including fear for their safety and the safety of family members,
17 fear of chemical exposure, fear of fire or explosion, fear of returning to their homes or businesses,
18 disruption of family life, loss of security in their homes, anxiety, sleep disturbance, stress, inconvenience,
19 and other emotional harms. This emotional distress arose from the Release Event, a documented exposure
20 event publicly described by responding fire officials as one in which "this thing is gonna fail."

21 174. Plaintiffs and affected Class members were placed in actual and reasonable fear for their
22 own safety by a documented hazardous chemical emergency involving bulk methyl methacrylate,
23 mandatory evacuation orders, public emergency response, and official warnings concerning the potential
24 consequences of the event.

25 175. The GKN Defendants' conduct also constituted oppression, malice, or conscious
26 disregard because Defendants knowingly or recklessly operated the Facility and methyl methacrylate
27 storage systems under circumstances creating a foreseeable risk of serious harm to the surrounding

community, failed to implement basic safety precautions, and failed to correct known or reasonably discoverable safety deficiencies.

176. As a direct, proximate, legal, and foreseeable result of the GKN Defendants' conduct, Plaintiffs and the Class suffered serious emotional distress and related damages in an amount to be proven at trial.

NINTH CAUSE OF ACTION

Medical Monitoring *(Against All Defendants)*

177. Plaintiffs reallege and incorporate by reference all preceding paragraphs as though fully set forth herein.

178. Plaintiffs bring this claim on behalf of themselves and the Medical Monitoring Sub-Class pursuant to California law.

179. Plaintiffs and members of the Medical Monitoring Sub-Class were exposed, or were at substantial risk of exposure, to methyl methacrylate vapor, fumes, odors, particulates, residue, contaminants, or related chemical substances as a result of the Release Event.

180. Methyl methacrylate is a hazardous substance capable of causing acute and long-term health effects, including respiratory irritation, dermal irritation, ocular irritation, neurological symptoms, allergic skin sensitization, and, depending on the nature, dose, duration, and route of exposure, other adverse health consequences.

181. The exposure or threatened exposure of Plaintiffs and the Medical Monitoring Sub-Class was caused by the GKN Defendants' tortious conduct, including their negligent, grossly negligent, reckless, unreasonable, and/or abnormally dangerous operation of the Facility and methyl methacrylate storage systems.

182. Plaintiffs and the Medical Monitoring Sub-Class have suffered a significantly increased risk of serious disease or adverse health consequences as a result of the exposure alleged herein, including respiratory injury, respiratory sensitization, dermal sensitization, and other latent or delayed health effects associated with methyl methacrylate exposure.

183. Monitoring procedures exist that make early detection, diagnosis, treatment, management, or prevention of such conditions possible and beneficial. Such procedures may include, as medically appropriate, exposure-history evaluation, occupational and environmental medicine consultation, pulmonary-function testing, respiratory evaluation, dermatological evaluation for sensitization, ocular evaluation, symptom screening, and maintenance of an exposure registry.

184. A reasonable physician or qualified occupational/environmental health professional would prescribe medical monitoring for persons with the exposure profile alleged herein, taking into account the nature of methyl methacrylate, the circumstances of the Release Event, the duration and location of exposure or threatened exposure, the vulnerability of exposed persons, and the known health effects of the chemical.

185. The need for medical monitoring is different from and in addition to the medical care that Plaintiffs and the Medical Monitoring Sub-Class would otherwise require in the absence of the Release Event.

186. Plaintiffs and the Medical Monitoring Sub-Class are entitled to the establishment of a court-supervised medical monitoring program funded by Defendants, including appropriate examinations, testing, consultation, public-health education, recordkeeping, and maintenance of an exposed-persons registry.

VIII. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, individually and on behalf of the proposed Class and Sub-Classes, pray for judgment against Defendants, jointly and severally where permitted by law, as follows:

1. For an order certifying this action as a class action pursuant to California Code of Civil Procedure section 382 and California Rules of Court, rules 3.760 et seq., and certifying the Class and Sub-Classes alleged herein;

2. For an order appointing Plaintiffs as representatives of the Class and applicable Sub-Classes, and appointing Plaintiffs' counsel as Class Counsel;

1 3. For compensatory damages in an amount according to proof, including damages for evacuation,
2 displacement, loss of use and enjoyment of residential and commercial property, lodging, meals,
3 transportation, child care, pet care, and other evacuation-related expenses;

4 4. For economic damages in an amount according to proof, including lost wages, lost tips, lost
5 commissions, lost gig or contractor income, lost paid time off, lost business revenue, lost profits, business
6 interruption damages, fixed-cost overhead, payroll obligations, spoiled inventory, cancellation costs, lost
7 contracts, and other documented economic losses caused by the Release Event;

8 5. For personal injury damages in an amount according to proof, including past and future medical
9 expenses, diagnostic testing costs, pain and suffering, aggravation of pre-existing conditions, and other
10 recoverable personal injury damages;

11 6. For emotional distress damages in an amount according to proof, including fear, anxiety, stress,
12 sleep disturbance, loss of repose, disruption of family life, and loss of the sense of safety and security in
13 Plaintiffs' homes, businesses, and community;

14 7. For property-related damages in an amount according to proof, including loss of use, diminution
15 or impairment of value where proven, investigation costs, cleaning costs, restoration costs, remediation
16 costs, and damages to real or personal property caused by the Release Event;

17 8. For nuisance damages, including damages for loss of use and enjoyment of property, annoyance,
18 inconvenience, discomfort, disruption, and other damages recoverable under California nuisance law;

19 9. For abatement of the public and private nuisance alleged herein, including an order requiring
20 Defendants to investigate, remediate, disclose, and abate the conditions that caused or contributed to the
21 Release Event and to take reasonable measures necessary to prevent recurrence;

22 10. For injunctive and equitable relief as permitted by law, including orders requiring Defendants to
23 safely stabilize, remove, dispose of, repair, replace, decommission, or otherwise remediate hazardous
24 methyl methacrylate storage systems, equipment, chemical inventory, or safety systems at the Facility as
25 necessary to protect Plaintiffs, the Class, and the surrounding community;

1 11. For injunctive relief requiring Defendants to comply with applicable federal, state, and local laws,
2 regulations, permits, and safety requirements governing the storage, handling, monitoring, containment,
3 and emergency response for methyl methacrylate and other hazardous materials at the Facility;

4 12. For injunctive relief requiring appropriate independent third-party inspections, process-safety
5 audits, mechanical-integrity audits, corrective-action plans, emergency-response improvements, and
6 community-notification procedures, subject to Court approval and supervision as appropriate;

7 13. For the establishment of a court-supervised medical monitoring program, funded by Defendants,
8 for Plaintiffs and Class members who meet the applicable legal and medical criteria for such relief,
9 including appropriate exposure evaluation, medical consultation, diagnostic testing, symptom screening,
10 pulmonary evaluation, dermatological evaluation, and maintenance of an exposure registry as determined
11 by the Court and qualified medical experts;

12 14. For declaratory relief, including a declaration of the parties' rights and obligations with respect
13 to Defendants' responsibility for the Release Event, the nuisance conditions alleged herein, and the relief
14 necessary to remedy and prevent recurrence of the harms alleged herein;

15 15. For punitive and exemplary damages against Defendants, where permitted by law, pursuant to
16 California Civil Code section 3294, in an amount sufficient to punish and deter Defendants' malicious,
17 oppressive, fraudulent, willful, reckless, or consciously indifferent conduct, according to proof;

18 16. For statutory penalties, civil penalties, or other statutory relief where authorized by law, including
19 under applicable nuisance, unfair competition, hazardous-materials, environmental, or public-health
20 statutes;

21 17. For reasonable attorneys' fees, litigation expenses, expert fees, class notice costs, and class
22 administration costs under California Code of Civil Procedure section 1021.5, California Civil Code
23 section 3496, the common fund doctrine, and any other applicable statute, rule, contract, or equitable
24 doctrine;

25 18. For costs of suit incurred herein;

26 19. For pre-judgment and post-judgment interest at the maximum rate permitted by law; and
27

20. For such other and further legal, equitable, declaratory, injunctive, restitutionary, statutory, and incidental relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs, individually and on behalf of the Class, hereby demand a trial by jury on all issues so triable.

Dated: May 29, 2026

Respectfully submitted,

/s/ William J. Edelman
William J. Edelman (CA Bar No. 285177)
Gary M. Klinger (*pro hac vice forthcoming*)
MILBERG, PLLC
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
Tel: (771) 474-1121
wedelman@milberg.com
gklinger@milberg.com

Attorneys for Plaintiffs individually and for the putative class