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Assigned for All purposes:
Judge Layne H. Melzer
Dep. CX102

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

MARIA CANALES, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

GKN AEROSPACE TRANSPARENCY
SYSTEMS, INC., AND DOES 1 THROUGH
100, INCLUSIVE,

Defendants.

Case No.: 30-2026-01575708-CU-MC-CXC

**CLASS ACTION COMPLAINT FOR: (1)
NEGILGENCE; (2) PRIVATE NUISANCE;
AND (3) PUBLIC NUISANCE**

UNLIMITED CIVIL CASE

DEMAND FOR JURY TRIAL

CLASS ACTION COMPLAINT

Plaintiff Maria Canales, individually and on behalf of all others similarly situated (the "Class," as more fully defined below), by her undersigned counsel, brings this class action lawsuit against Defendant GKN Aerospace Transparency Systems Inc. ("GKN" or "Defendant") arising from a hazardous and toxic chemical emergency (the "Emergency") at the GKN facility located at 12122 Western Avenue in Garden Grove, Orange County, California ("GKN Plant"). This Emergency has triggered evacuations affecting tens of thousands of residents across multiple cities and posed a significant risk of toxic leak and/or explosion from tanks containing methyl methacrylate ("MMA"),

1 a highly volatile, reactive, and flammable chemical that is harmful to human health when inhaled. As
2 a result of the preventable Emergency, Plaintiff and the other Class members have suffered a variety
3 of damages including loss of use and enjoyment of their properties, interference with daily activities;
4 out-of-pocket expenses for relocation, transportation, shelter, food, and child care; business
5 interruption; loss of income and profits; diminution of property value; as well as anxiety and
6 emotional distress.

7 Defendant's negligence, recklessness, and failure to prevent the Emergency caused and
8 continues to cause harm to Plaintiff and the other Class members. Plaintiff makes the following
9 allegations upon personal knowledge as to Defendant's acts and/or omissions, upon information and
10 belief where noted, and upon Plaintiff's attorneys' investigation as to all other matters:

11 **I. GENERAL ALLEGATIONS**

12 **A. Parties**

13 1. Plaintiff Maria Canales is a resident of Garden Grove, California and a citizen of the
14 State of California.

15 2. On May 22, 2026, Plaintiff Maria Canales resided in Garden Grove, California. Her
16 home is approximately 1.9 miles from Defendant's manufacturing plant, located at 12122 Western
17 Avenue in Garden Grove, California ("GKN Plant"). Her home is within the area affected by the
18 evacuation orders.

19 3. Plaintiff first learned about the hazardous and toxic chemical emergency at the GKN
20 Plant on May 21, 2026, from an alert on her husband's phone. Over the following two days, she
21 received a variety of text messages, phone calls, news alerts, and other notifications related to the
22 emergency, not all of which were consistent in their content or messaging.

23 4. On May 22, 2026, Plaintiff developed a severe headache, which she believed may
24 have been related to the toxic compounds at issue in the Emergency. Later that day, following a
25 number of warnings from friends and neighbors relating to the Emergency at the GKN Plant, Plaintiff
26 evacuated her home. Plaintiff returned to her home on May 25, 2026, after receiving a notification
27 that the hazard posed by the Emergency had been averted.

28 5. Defendant GKN is a California corporation that owns, operates, manages, and/or

controls the GKN Plant, which occupies approximately 15.5 acres. GKN has operated at the site since at least 2003 and designs, analyzes, tests, and certifies military canopies, cockpit windows, and passenger windows for the aviation industry.

6. GKN is California corporation whose principal place of business is 12122 Western Avenue, Garden Grove California 92841.

7. The true names of Doe Defendants 1 through 100, inclusive, are presently unknown to Plaintiffs. Said Doe Defendants were the agents or employees of other named Defendants and acted within the scope of that agency or employment or were otherwise liable to Plaintiffs. Plaintiffs reserve the right to name said Doe Defendants, including by seeking leave of this Court if necessary, once each Doe Defendant's true identity is known to Plaintiffs.

B. Jurisdiction and Venue

8. This action is brought on behalf of Plaintiff and Class members for real property-related losses and damages in and around Orange County, California as a result of Defendant's negligence, recklessness, willful and wanton conduct, and creation of a nuisance in and around Orange County, California. No claims for personal injury are asserted.

9. The principal injuries of Plaintiff and the other Class members were incurred in California.

10. Plaintiff's and the other Class members' injuries resulted directly from Defendant's acts or omissions at and around the GKN Plant.

11. Plaintiff, individually and on behalf of the other Class members, is seeking significant relief from GKN in the form of injunctive and monetary relief.

12. This Court has subject matter jurisdiction over this action because the claims arise under California law. The action is properly classified as an unlimited civil case because the amount in controversy exceeds \$35,000, exclusive of attorneys' fees, interest, and costs. *See* California Code of Civil Procedure §§ 85, 89.

13. This Court has personal jurisdiction over GKN because GKN is incorporated and has its principal place of business in California, GKN regularly conducts business in California, and the wrongful conduct occurred in California. Pursuant to California Code of Civil Procedure § 410.10,

1 California courts may exercise personal jurisdiction on any basis not inconsistent with the California
2 or United States Constitutions.

3 14. Venue is proper in this Court pursuant to California Code of Civil Procedure § 395
4 because a substantial part of the events giving rise to the claims occurred in Orange County,
5 California, GKN conducts business in Orange County, California, and the GKN Plant is located in
6 Orange County, California.

7 **C. Background Facts**

8 15. The GKN Plant has been operating in Garden Grove, California since 1993.¹

9 16. GKN manufactures cockpit windshields, jet canopies, windows and other materials
10 for commercial and military aircraft.²

11 17. In 2018, GKN was subject to a hostile takeover by Melrose Industries, an investment
12 company then known for purchasing poorly performing businesses, cutting costs, and then selling
13 them for profit.³

14 18. Layoffs followed GKN's acquisition by Melrose Industries.⁴

15 19. At all relevant times, GKN owned and operated the GKN Facility.

16 20. At all relevant times, Melrose Industries owned GKN.

17 21. Beginning on or about May 21, 2026, a hazardous and toxic chemical emergency
18 occurred at the GKN Plant involving three large tanks containing methyl methacrylate ("MMA"), a
19 chemical used to make plastic.

20 22. MMA is a highly toxic substance that is harmful to human health, causing eye, skin,
21 and respiratory irritation when inhaled.

23 ¹ [https://www.ocregister.com/2026/05/23/gkn-aerospace-paid-nearly-1-million-to-settle-](https://www.ocregister.com/2026/05/23/gkn-aerospace-paid-nearly-1-million-to-settle-2021-environmental-violations/)
24 [2021-environmental-violations/](https://www.ocregister.com/2026/05/23/gkn-aerospace-paid-nearly-1-million-to-settle-2021-environmental-violations/)

25 ² [https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-](https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-we-know-about-gkn-aerospace)
26 [we-know-about-gkn-aerospace](https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-we-know-about-gkn-aerospace)

27 ³ [https://www.theguardian.com/business/2018/mar/29/whats-the-controversy-over-melroses-](https://www.theguardian.com/business/2018/mar/29/whats-the-controversy-over-melroses-hostile-takeover-of-gkn)
28 [hostile-takeover-of-gkn](https://www.theguardian.com/business/2018/mar/29/whats-the-controversy-over-melroses-hostile-takeover-of-gkn)

⁴ [https://www.foxla.com/news/former-gkn-employee-speaks-out-garden-grove-chemical-](https://www.foxla.com/news/former-gkn-employee-speaks-out-garden-grove-chemical-theft)
theft

1 23. MMA can also cause neurological symptoms, including headaches, lethargy,
2 lightheadedness, among other neurological symptoms.

3 24. Around 3:30 p.m. on May 21, 2026, a toxic leak was reported at the GKN Plant. After
4 Orange County Fire Authority crews responded to the GKN Plant, it was determined that a 34,000
5 gallon storage tank was leaking MMA.”⁵

6 25. Orange County Fire Authority Captain Sean Doran stated “[w]e arrived to a 34,000-
7 gallon tank containing an industrial chemical that had been overheated inside the vessel.”⁶

8 26. The emergency escalated significantly overnight when fire crews were unable to fully
9 stabilize the overheating storage tank.⁷

10 27. By 6:30 a.m. on Friday, May 22, 2026, evacuation orders had been issued to around
11 50,000 residents in the area north of Garden Grove Boulevard, south of Orangewood Avenue, east of
12 Monarch Avenue, and west of Beach Boulevard.⁸

13 28. The evacuation order affects residents in six Orange County cities: Garden Grove,
14 Cypress, Stanton, Anaheim, Buena Park, and Westminster.⁹

15 29. At least 25 local schools were closed and several roads were closed to limit access to
16 the area.¹⁰

17 30. Emergency crews successfully cooled and stabilized the chemicals within the tank.¹¹

18 31. The storage tank reportedly contains approximately 7,000 gallons of MMA, which
19

20 ⁵ [https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-](https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-garden-grove/)
21 [garden-grove/](https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-garden-grove/)

22 ⁶ *Id.*

23 ⁷ *Id.*

24 ⁸ <https://ggcity.org/hazmat-incident>.

25 ⁹ [https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-](https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-closures-and-updates)
26 [closures- and-updates](https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-closures-and-updates)

27 ¹⁰ <https://www.bbc.com/news/articles/c3w2l249j8go>;
28 [https://www.nbclosangeles.com/news/local/gatden-grove-chemical-tank-schools- closed/3894457/](https://www.nbclosangeles.com/news/local/gatden-grove-chemical-tank-schools-closed/3894457/)

¹¹ [https://abc7.com/live-updates/garden-grove-chemical-tank-emergency-leaking-toxic-](https://abc7.com/live-updates/garden-grove-chemical-tank-emergency-leaking-toxic-chemicals-orange-county-will-spill-explode-officials-say/19152918/)
chemicals-orange-county-will-spill-explode-officials-say/19152918/

1 posed a risk of a massive toxic leak or catastrophic explosion.

2 32. Emergency personnel attempted but were unable to gain access to the interior of the
3 tank to cool or stabilize the chemicals because exterior valves were “gummed up.”

4 33. At a press conference on May 22, 2026, Orange County Fire Authority Division Chief
5 Craig Covey stated “[t]his is not precautionary . . . this thing is gonna fail, and we don’t know when.”
6 He warned that the storage tank could potentially rupture or explode. He further described potential
7 scenarios, including that the tank could fail or crack, causing product to leak into the ground, and that
8 efforts were underway to prevent any liquid from entering storm drains, river channels, and ultimately
9 the oceans; or that the tank could explode.¹²

10 34. On May 23, 2026, California Governor Gavin Newsom declared a state of emergency
11 in Orange County as a result of the malfunctioning storage tank.¹³

12 35. As of May 23, 2026, evacuation orders remained in place for approximately 50,000
13 people in portions of six cities: Garden Grove, Stanton, Westminster, Cypress, Buena Park, and
14 Anaheim.¹⁴

15 36. The American Red Cross and other organizations established numerous shelters
16 and evacuation centers to support residents impacted by the hazardous chemical emergency, many of
17 which have already reached capacity.¹⁵

18 37. The GKN Plant has a history of environmental, health, and safety violations.

19 38. For example, publicly available records indicate that the GKN Plant underwent four
20 CalOSHA inspections since 2018 and received 10 violations, including a violation alleging the
21 company “failed to ensure that all machinery and equipment in service were inspected or maintained
22

23 ¹² [https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-](https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-garden-grove)
24 [garden-grove](https://ktla.com/news/orange-county/thousands-evacuated-toxic-chemicals-spew-into-air-garden-grove)

25 ¹³ [https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-](https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-possible-chemical-tank-explosion-in-garden-grove/)
26 [possible-chemical-tank-explosion-in-garden-grove/](https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-possible-chemical-tank-explosion-in-garden-grove/)

27 ¹⁴ [https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-](https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-possible-chemical-tank-explosion-in-garden-grove/)
28 [possible-chemical-tank-explosion-in-garden-grove/](https://www.oregister.com/2026/05/23/40000-still-evacuated-as-crews-try-to-head-off-possible-chemical-tank-explosion-in-garden-grove/)

¹⁵ [https://www.redcross.org/local/california/southern-california/about-us/news-and-](https://www.redcross.org/local/california/southern-california/about-us/news-and-events/news/red-cross-hazmat-response-updates.html)
[events/news/red-cross-hazmat-response-updates.html](https://www.redcross.org/local/california/southern-california/about-us/news-and-events/news/red-cross-hazmat-response-updates.html)

1 as recommended by the manufacturer.”¹⁶

2 39. In 2024, GKN entered into a settlement agreement with South Coast Air Quality
3 Management District (“SCAQMD”), a state agency, due to alleged environmental regulation
4 violations in 2020, resulting in a nearly \$1 million payment from GKN to SCAQMD.

5 40. As a direct and proximate result of the hazardous and toxic chemical emergency and
6 GKN’s acts and omissions, Plaintiff and Class Members suffered and continue to suffer damages
7 and harm, including but not limited to evacuation and displacement; loss of use and enjoyment of
8 homes and property; interference with daily activities, out-of-pocket expenses for relocation,
9 transportation, shelter, food, and child care; business interruption; loss of income and profits;
10 diminution in property value; and anxiety and emotional distress.

11 41. At all relevant times, GKN, as the owner, operator, and manager of the GKN Plant
12 using and storing tens of thousands of gallons of a highly volatile, reactive, and flammable chemical
13 that is harmful to human health, failed to act with reasonable care to prevent and address the
14 hazardous and toxic chemical emergency.

15 42. GKN further acted with malice, oppression or fraud under California Civil Code §
16 3294. Upon information and belief, GKN and its employees, including officers, directors, and
17 managing agents, failed to maintain, inspect, test, repair, monitor, secure, or implement safety
18 controls on GKN’s MMA tanks with knowledge, and in conscious disregard, of the fact that defects
19 or failures of such tanks could cause a hazardous and toxic chemical emergency including but not
20 limited to a chemical release or catastrophic explosion into residential areas.

21 43. At all relevant times, it was foreseeable to Defendant that its failures would seriously
22 injure Plaintiff and the other Class members.

23 **II. CLASS ACTION ALLEGATIONS**

24 44. Pursuant to California Code of Civil Procedure § 382, California Civil Code Section
25 1781, and all other applicable laws and rules, Plaintiff seeks to certify and represent a class defined
26

27 ¹⁶ [https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-](https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-we-know-about-gkn-aerospace)
28 [we-know-about-gkn-aerospace](https://www.latimes.com/california/story/2026-05-23/garden-grove-chemical-leak-what-we-know-about-gkn-aerospace)

1 as:

2 All owners and lessees of real property, who are citizens of California, within the
3 evacuation zone in Orange County, California established by public officials as a result of
4 the hazardous and toxic chemical emergency involving the MMA storage tank at the GKN
Plant located at 12122 Western Avenue in Garden Grove, California, *i.e.*, South of Ball
Road, East of Valley View Street, West of Dale Street, and North of Trask Avenue.

5 45. Specifically excluded from the Class is Defendant, including any parent, subsidiary,
6 affiliate, or controlled person of Defendant; Defendant's officers, directors, agents, or employees, the
7 judicial officers assigned to this litigation and any members of their staffs and immediate families,
8 Court staff assigned to this case, and any juror assigned to this action.

9 46. Plaintiff reserves the right to amend or modify the Class definition with greater
10 specificity or division after having had an opportunity to conduct discovery.

11 47. **Numerosity.** Upon information and belief, there are thousands of members of the
12 Class, making the members of the Class so numerous that joinder of all members is impracticable.
13 Although the exact number of members of the Class is currently unknown to Plaintiff, tens of
14 thousands of people were subject to the evacuation order, and thousands of pieces of real property
15 were within the mandatory evacuation area. Class members may be identified through objective
16 means, including objective data available to the Parties regarding the persons and property present in
17 the affected areas following the fire. Class members may be notified of the pendency of this action by
18 recognized, Court-approved notice dissemination methods, which may include U.S. mail, electronic
19 mail, Internet postings, social media and/or published notice. Thus, the large size of the Class renders
20 the Class so numerous that joinder of all individual members is impracticable.

21 48. **Communities of Interest.** There is a community of interest among the proposed Class
22 members because there are questions of law and fact common to the Class that relate to and affect
23 the rights of each member of the Class that will drive the resolution of this action. Common questions
24 include, but are not limited to the following:

- 25 (a) Whether Defendant engagement in wrongful conduct alleged herein;
- 26 (b) Whether Defendant caused the hazardous and toxic chemical emergency at the GKN
27 Plant;
- 28 (c) Whether Defendant violated applicable laws, regulations, and rules regarding storage

1 of hazardous chemicals;

2 (d) Whether Defendants failed to exercise reasonable care to prevent and address the
3 hazardous and toxic chemical emergency at the GKN Plant;

4 (e) Whether Defendant failed to maintain, inspect, test, repair, monitor, secure, or
5 implement safety controls on GKN's MMA tanks with knowledge, and in conscious
6 disregard, of the fact that defects or failures of such tanks could cause a hazardous and toxic
7 chemical emergency including but not limited to a chemical release or catastrophic explosion
8 into residential areas

9 (f) Whether Defendant engaged in ultrahazardous activities;

10 (g) Whether Defendant were negligent;

11 (h) Whether Defendant acted with malice, oppression or fraud;

12 (i) Whether Defendant created a nuisance;

13 (j) Whether Plaintiff and the other Class members suffered injury and damages as a result
14 of Defendant's conduct; and

15 (k) Whether Plaintiff and the other Class members are entitled to damages, equitable
16 relief, and other relief.

17 49. **Typicality.** Plaintiff's claims are typical of the other Class members' claims because
18 Plaintiff and the other Class members were damaged as a result of Defendant's conduct in causing
19 the hazardous and toxic chemical emergency at the GKN Plant. Plaintiff and other Class members
20 suffered damages as a direct and proximate result of the same wrongful conduct in which Defendant
21 engaged. Plaintiff's claims arise from the same practices and course of conduct that give rise to the
22 other Class members' claims.

23 50. **Adequacy.** Plaintiff can and will adequately represent the other Class members and
24 their interests are common to and coincident with them. By proving their individual claims, Plaintiff
25 will necessarily prove the other Class members' claims and prove Defendant's class wide liability.
26 Plaintiff has no known conflicts of interest with any of the other Class members, their interests and
27 claims are not antagonistic to those of any other Class member, nor are their claims subject to any
28 unique defenses.

1 51. Moreover, Plaintiff's claims are typical of the claims of all other Class members
2 because all such claims arise from Defendant's conduct as alleged herein.

3 52. Plaintiff and the other Class members' legal claims arise from the same single event,
4 namely, the hazardous and toxic chemical emergency at the GKN Plant and the resulting evacuation
5 orders. The material facts underlying each Class member's claim are the same material facts as those
6 supporting Plaintiff's claims alleged herein and require proof of the same material facts.

7 53. Plaintiff, therefore, can and will fairly and adequately protect and represent the other
8 Class members' interests.

9 54. Plaintiff's counsel—Law Offices of Robert Mackey and Migliaccio & Rathod LLP—
10 have extensive experience in environmental and toxic tort litigation and class actions and have
11 adequate financial resources to prosecute this case and ensure that the interests of the Class will be
12 adequately represented.

13 55. If appointed as Class representatives, Plaintiff is aware of, and is committed to,
14 faithfully upholding her fiduciary duties to absent Class members.

15 56. Plaintiff and Plaintiff's counsel are committed to the vigorous prosecution of this
16 action and will allocate the appropriate time and resources to ensure that the Class is fairly and
17 adequately represented.

18 57. Plaintiff and Plaintiff's counsel will, therefore, fairly and adequately assert and protect
19 the interests of the Class.

20 58. **Superiority.** A class action is superior to any other available means for the fair and
21 efficient adjudication of this controversy, and no unusual difficulties are likely to be encountered in
22 the management of this class action. The damages or other financial detriment suffered by Plaintiff
23 and the other Class members are relatively small compared to the burden and expense that would be
24 required to individually litigate their claims against Defendant, so it would be impracticable for the
25 Class members to individually seek redress for Defendant's wrongful conduct. Even if the Class
26 members could afford litigation the court system could not. Individualized litigation creates potential
27 for inconsistent or contradictory judgments and increases the delay and expense to all parties and the
28 court system. By contrast, the class action device presents far fewer management difficulties, and

1 provides the benefits of single adjudication, economy of scale, and comprehensive supervision by a
2 single court.

3 **III. CLAIMS ALLEGED**

4 **COUNT I**

5 **NEGLIGENCE**

6 59. Plaintiff adopts and incorporates paragraphs 1 through 42 above as though fully set
7 forth herein.

8 60. Defendant knew or should have known of the risk of a potential chemical leak and
9 hazardous chemical reaction in the tanks storing MMA at the GKN Plant.

10 61. Defendant knew or should have known that an uncontrollable increase in the
11 temperature inside any of the tanks storing MMA at the GKN Plant would create a risk of leak or
12 catastrophic fire and explosion and that such risk would cause: (1) public health officials to take
13 precautionary actions to protect the public, including but not limited to ordering mandatory
14 evacuation of members of the neighboring communities; and (2) damages to such persons.

15 62. Defendants had a duty to Plaintiff and the other Class members to exercise reasonable
16 care to prevent the foreseeable harm to them, including but not limited to, interference with the use
17 and enjoyment of their properties, lost income, lost profits, diminution of the value of their properties,
18 anxiety, and emotional distress.

19 63. Defendants had a duty to operate and maintain the equipment at the GKN Plant,
20 including the MMA storage tanks, in a way that would not expose surrounding community members
21 to the risk of a chemical leak or catastrophic fire and explosion.

22 64. Defendant breached the duties that it owed to Plaintiff and each of the other Class
23 members, to exercise reasonable care by, among other ways:

24 (a) Choosing not to take sufficient precautions to prevent a hazardous chemical
25 emergency at the GKN Plant; and

26 (b) Choosing not to take sufficient precautions to prevent a potentially catastrophic
27 chemical leak and explosion.

28 65. As a direct and proximate cause of one or more of the aforementioned negligent acts

1 or omissions and breach of Defendant's duties, Plaintiff and the other Class members suffered loss
2 of use and enjoyment of their properties; interference with daily activities; out-of-pocket expenses
3 for relocation, transportation, shelter, food, and child care; business interruption; loss of income and
4 profits; diminution of property value; as well as anxiety and emotional distress.

5 66. As a direct and proximate result of one or more of the aforementioned negligent acts
6 or omissions and breach of Defendant's duties, Plaintiff and the other Class members have incurred,
7 and will continue to incur, loss of use and enjoyment of their properties; interference with daily
8 activities; out-of-pocket expenses for relocation, transportation, shelter, food, and child care; business
9 interruption; loss of income and profits; diminution of property value; as well as anxiety and
10 emotional distress.

11 67. GKN further acted with malice, oppression or fraud under California Civil Code §
12 3294, thereby entitling Plaintiff and the Class to punitive damages.

13 **COUNT II**

14 **Private Nuisance**

15 68. Plaintiff adopts and incorporates paragraphs 1 through 42 above as though fully set
16 forth herein.

17 69. At all relevant times, GKN owned, operated, controlled, and managed the GKN Plant,
18 including the storage and handling of MMA and other hazardous chemicals. GKN's negligent acts
19 and omissions led directly to the hazardous and toxic chemical emergency at the GKN Plant, as
20 described above.

21 70. The hazardous and toxic chemical emergency has resulted in widespread evacuation
22 orders and other road closures and safety warnings, which has led to substantial and continuing
23 disruption to neighborhoods in the communities of Garden Grove, Stanton, Cypress, Anaheim, Buena
24 Park, Westminster, and nearby areas.

25 71. The hazardous and toxic chemical emergency at the GKN Plant was and continues to
26 be injurious to health, indecent and offensive to the senses, and an obstruction to the free use of
27 property. It would be deeply offensive and inconvenient to any reasonable person.

28 72. The hazardous and toxic chemical emergency, including the evacuation orders and

1 other disruptions it caused, constitutes a substantial and unreasonable interference with the Plaintiff's
2 and other Class members' use and enjoyment of land. As a direct and proximate result of the
3 emergency, Plaintiff and the other Class members have been unable to comfortably enjoy their life
4 and property.

5 73. In addition, the hazardous and toxic chemical emergency has obstructed the free
6 passage or use of parks, squares, streets, and highways, and Plaintiff and other Class members have
7 been unable to make use of them.

8 74. As a direct and proximate result of the hazardous and toxic chemical emergency,
9 Plaintiff and the other Class members have incurred, and will continue to incur, monetary damages
10 arising from loss of use and enjoyment of their properties; interference with daily activities; out-of-
11 pocket expenses for relocation, transportation, shelter, food, and child care; business interruption;
12 loss of income and profits; diminution of property value; as well as anxiety and emotional distress.

13 75. GKN further acted with malice, oppression or fraud under California Civil Code §
14 3294, thereby entitling Plaintiff and the Class to punitive damages.

15 **COUNT III**

16 **Public Nuisance**

17 76. Plaintiff adopts and incorporates paragraphs 1 through 42 above as though fully set
18 forth herein.

19 77. At all relevant times, Defendants owned, operated, controlled, and managed the
20 GKN Plant, including the storage and handling of MMA and other hazardous chemicals. Defendants'
21 negligent acts and omissions led directly to the hazardous and toxic chemical emergency at the GKN
22 Plant, as described above.

23 78. The hazardous and toxic chemical emergency has resulted in widespread evacuation
24 orders and other road closures and safety warnings, which has led to substantial and continuing
25 disruption to neighborhoods in the communities of Garden Grove, Stanton, Cypress, Anaheim, Buena
26 Park, Westminster, and nearby areas.

27 79. The hazardous and toxic chemical emergency at the GKN Plant was and continues to
28 be injurious to health, indecent and offensive to the senses, and an obstruction to the free use of

1 property. It would be deeply offensive and inconvenient to any reasonable person.

2 80. The emergency, including the evacuation orders and other disruptions it caused,
3 constitutes a substantial and unreasonable interference with the Plaintiff's and other Class members'
4 use and enjoyment of land. As a direct and proximate result of the emergency, Plaintiff and the other
5 Class members have been unable to comfortably enjoy their life and property.

6 81. In addition, the emergency has obstructed the free passage or use of parks, squares,
7 streets, and highways, and Plaintiff and other Class members have been unable to make use of them.

8 82. The nuisance is affecting at the same time a large area including parts of at least six
9 cities and tens of thousands of residents.

10 83. The hazardous and toxic chemical emergency substantially and unreasonably
11 interfered with rights common to the general public, including public health, public safety, public
12 comfort, public convenience, and the use of public property throughout evacuation area.

13 84. As a direct and proximate result of the hazardous and toxic chemical emergency,
14 Plaintiff and the other Class members have incurred, and will continue to incur, monetary damages
15 arising from the loss of use and enjoyment of their properties; interference with daily activities; out-
16 of-pocket expenses for relocation, transportation, shelter, food, and child care; business interruption;
17 loss of income and profits; diminution of property value; as well as anxiety and emotional distress.

18 85. GKN further acted with malice, oppression or fraud under California Civil Code §
19 3294, thereby entitling Plaintiff and the Class to punitive damages.

20 **IV. REQUEST FOR RELIEF**

21 WHEREFORE, Plaintiff, individually and on behalf of the other Class members, respectfully
22 requests that this Court:

23 A. Certify this lawsuit as a class action, that Plaintiff be designated as class
24 representatives of the Class, and that Plaintiff's counsel be appointed as counsel for the Class;

25 B. Issue a class-wide judgment holding Defendant liable for the reasons described above
26 for their unlawful conduct causing Plaintiff and the other Class members to sustain damages resulting
27 therefrom;

28 C. Enter a judgment declaring that Defendant has committed the violations of law

1 alleged herein;

2 D. Award Plaintiff and the other Class members compensatory damages in an amount
3 that is fair, just, and reasonable, to be determined at trial;

4 E. Award Plaintiff and the other Class members punitive damages in an amount that is
5 fair, just, and reasonable, to be determined at trial;

6 F. Award pre-judgment and post-judgment interest to Plaintiff and the other Class
7 members as permitted by law;

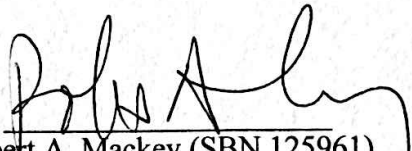
8 G. Award reasonable attorneys' fees and costs of suit; and

9 H. Any such other relief as authorized by law.

10 **V. JURY DEMAND**

11 Plaintiff, individually and on behalf of the other proposed Class members, demands a trial
12 by jury on all issues herein so triable.

13
14 DATED: June 4, 2026

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16 By: 
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