

Assigned for all purposes
Judge William D. Claster
CX-101

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6

7 **Attorneys for Plaintiffs**

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ORANGE**
10

11 Ahmed Y Khan;
Aileen Solorio Valdez;
12 Alicia Sikorski;
Alfredo Zaragoza;
13 Alma Delia Corona;
Amparo Castillo;
14 Rio Petrocik, a minor by and through
guardian ad litem Amparo Castillo;
15 Andre Lee;
16 Angela Nieves;
Angie Escalante;
17 Anna Arevalo;
18 Anthony Salazar;
Antonio Guerrero;
19 Antonio Huertero;
Ashley Sedgwick;
20 Beatriz Salinas;
21 Bertha Alicia Arias;
Brandon Brown;
22 Brendan Sedgwick;
Carlos Eduardo Paredes Corona;
23 Carlos Garcia;
Carlos Hernandez;
24 Carlito Olaco;
25 Carol Fedore;
Hannah Fedore, a minor by and through
26 guardian ad litem Carol Fedore;
Madison Fedore, a minor by and through
27 guardian ad litem Carol Fedore;
Charles Lee Duncan;
28 Christian Mata Padilla;

Case No.: 30-2026-01576968-CU-MT-CXC

COMPLAINT FOR DAMAGES

1. Negligence
2. Negligence Per Se
3. Strict Liability - Abnormally Dangerous Activity
4. Private Nuisance
5. Public Nuisance
6. Trespass to Land
7. Negligent Infliction of Emotional Distress
8. Negligent Interference with Prospective Economic Advantage

DEMAND FOR JURY TRIAL

1 Damian Marin;
2 Daniel Despins;
3 Dario Degante;
4 Davinder K. Sharma;
5 Denise Araujo;
6 Di Ly;
7 Dongalia Scott;
8 Dristan Quant;
9 Edgar Jesus Pichardo Garcia;
10 Elvita Reategui;
11 Evangelina Ramos;
12 Gary Peterson;
13 Gina Thompson;
14 GK Oil Co., DBA Grease Monkey #1396;
15 Hector Arevalo;
16 Hector Gil;
17 Herber Aguilar Rivas;
18 Hisel Castro;
19 Isaac Cho;
20 Jacqueline Rosa Duncan;
21 Janeth Guerrero-Salinas;
22 Jasmine Cho;
23 Jaydeep Prakash Rokade;
24 Jeannie Lee;
25 Jennifer Cabrillo;
26 Jennifer Hernandez Lozano, an adult, by and
27 through her guardian ad litem Paola Lozano;
28 Jessica Degante;
Jessyka Simms;
Jose Degante;
Jose Jaramillo;
Damian Jaramillo, a minor by and through
guardian ad litem Jose Jaramillo;
Emerie Jaramillo, a minor by and through
guardian ad litem Jose Jaramillo;
Jose Martin Paredes Ortega;
Jose Martinez;
Jovany Gil;
Juan Garcia Mejia;
Juan Carlos Garcia Castillo;
Juan Perez;
Juanita Ortega;
Karen Castrejon;
Juliana Degante, a minor by and through
guardian ad litem Karen Castrejon;
Karina Reategui;
Kathyann Pierre;
Keith Merle Nunez;

1 Kevin Nelsen;
2 Kevin Paredes;
3 Vera Elena Paredes, a minor by and through
4 guardian ad litem Kevin Paredes;
5 Lee Tan;
6 Lizandro Marin;
7 Ma de la Luz Arsate Solorio;
8 Maria Arias;
9 Maria Lee;
10 Maria Martinez;
11 Maritza Reategui;
12 Marsha Vincent;
13 Jayden Verdiales, a minor by and through
14 guardian ad litem Marsha Vincent;
15 Marcial Pozo;
16 Martin Arturo Paredes Corona;
17 Mary Girlie Olaco;
18 Kai Lucas Olaco, a minor by and through
19 guardian ad litem Mary Girlie Olaco;
20 Melissa Hemphill;
21 Mekiala Young;
22 Michael Anderson;
23 Michael Brown;
24 Michael Brown Jr., a minor by and through
25 guardian ad litem Michael Brown;
26 Nick Fedore, Jr.;
27 Nicole Brown;
28 Paola Lozano De Hernandez;
Pete Leo Villegas;
Ramiro Guzman;
Rogelio Jr Solorio Valdez;
Rogelio Solorio;
Ruby Solorio Valdez, a minor by and through
guardian ad litem Rogelio Solorio;
Rosa Martinez;
Rosa Zaragoza;
Rubisela Valdez;
Ryoo Jin Kim;
Samuel Brown;
Sarah Despins;
Sergio Amaya;
Angel Amaya, a minor by and through
guardian ad litem Sergio Amaya;
Camila Amaya, a minor by and through
guardian ad litem Sergio Amaya;
Sergio Amaya Jr., a minor by and through
guardian ad litem Sergio Amaya;
Sergio Cristoper Pichardo Garcia;

1 Sergio Edgar Pichardo Gutierrez;
2 Sergio Miranda, Jr.;
3 Sharma Oil Inc. by and through its business
4 representative Davinder K. Sharma;
5 Sheila Beckles;
6 Sherlyn Amayrani Pichardo Garcia;
7 Sienna Spalding;
8 Sofia Garcia Castillo;
9 Sudakan Singhaphun;
10 Tien Ly;
11 Je Sedgwick;
12 Valeria Garcia Castillo;
13 Vanessa Mendez;
14 Virginia Barret;
15 Conrad Barret;
16 Yanin Garcia Morales;
17 Yolanda C. Garcia;
18 Yutong Wu;
19 Ziyang Bai;
20 Hansol Lee;
21 Elysa Bacilio;
22 Anthony Bacilio;
23 Aberlardo Bacilio;
24 Alma Bacilio;
25 Connie Wiggins;
26 Amir Dennis;
27 Amber Depaz;
28 Trang Nguyen;
Keziah Evans;
Eboni Zuniga;
Wendy Baceda;
Tzicarú Cristian Osvaldo Garcia;
Xyla Benhumea, a minor by and through
guardian ad litem Shannon Denne;
Shannon Denne;
Micheel Stewart;
Michael Wason;
Kaitlynne Harris;
Juan Martinez Fernandez;
Adela Araujo;
Joshua Pierre, a minor by and through
guardian ad litem Marsha Vincent;
Jonathan Verdiales;
Andrew Mayan;
Jimena Vallecillo;
Jashon Guerrero Salinas;
Rachel Beltran;

Noel Garcia, a minor by and through guardian
ad litem Rachel Beltran;
Mayla Garcia, a minor by and through
guardian ad litem Rachel Beltran;
George Garcia;
Namjoo Lee;
Kim Soyoung Lee;
Noha Lee, a minor by and through his
guardian ad litem Namjoo Lee;
Nathan Lee, a minor by and through his
guardian ad litem Namjoo Lee;
Yongkom Kim;
Eunsoon Kim;
Roxanne Cecelia Fleming;
Franky Gaytan, a minor by and through his
guardian ad litem Roxanne Cecelia Fleming;
Scarlett Gaytan, a minor by and through her
guardian ad litem Roxanne Cecelia Fleming;
Stella Gaytan, a minor by and through her
guardian ad litem Roxanne Cecelia Fleming;
Isac Rodriguez, a minor by and through his
guardian ad litem Roxanne Cecelia;
German Gaytan;
Ildefonsa Barahona de Juarez;
Anthony Isaiah Estrada, a minor by and
through his guardian ad litem Ildefonsa
Barahona de Juarez;
Kaitlyn Lisseth Gonzalez;
Veronica Lisseth Juarez;
Eugenio Juarez Ramirez;

Plaintiffs,

v.

GKN AEROSPACE TRANSPARENCY
SYSTEMS INC., a California corporation; and
DOES 1 through 100, inclusive,

Defendants.

I. NATURE OF THE CASE

1. This action arises from a hazardous-materials emergency at the GKN Aerospace Transparency Systems Inc. facility located at 12122 Western Avenue, Garden Grove, California 92841 (the "Facility"). On or about May 21, 2026, an industrial storage tank containing thousands of gallons

1 of methyl methacrylate ("MMA") overheated and entered a dangerous thermal instability event,
2 creating a risk of rupture, fire, and/or explosion and causing mandatory evacuation orders
3 affecting tens of thousands of residents and businesses in Orange County.¹

4 2. MMA is a volatile, flammable monomer used in plastics and acrylic-resin manufacturing. It can
5 irritate the skin, eyes, mucous membranes, and respiratory tract; acute exposures have been
6 associated with respiratory symptoms and neurologic symptoms such as headache and
7 lightheadedness. It is also capable of hazardous polymerization when exposed to heat or when
8 inhibitors fail, creating heat and pressure inside closed vessels.

9 3. GKN stored approximately 6,000 to 7,000 gallons of MMA in a bulk tank at the Facility.
10 Plaintiffs are informed and believe that the tank and associated valves, piping, instrumentation,
11 inhibitor controls, emergency venting, and emergency transfer/neutralization systems were not
12 maintained, inspected, repaired, replaced, or operated in a reasonably safe manner for a densely
13 populated surrounding community.

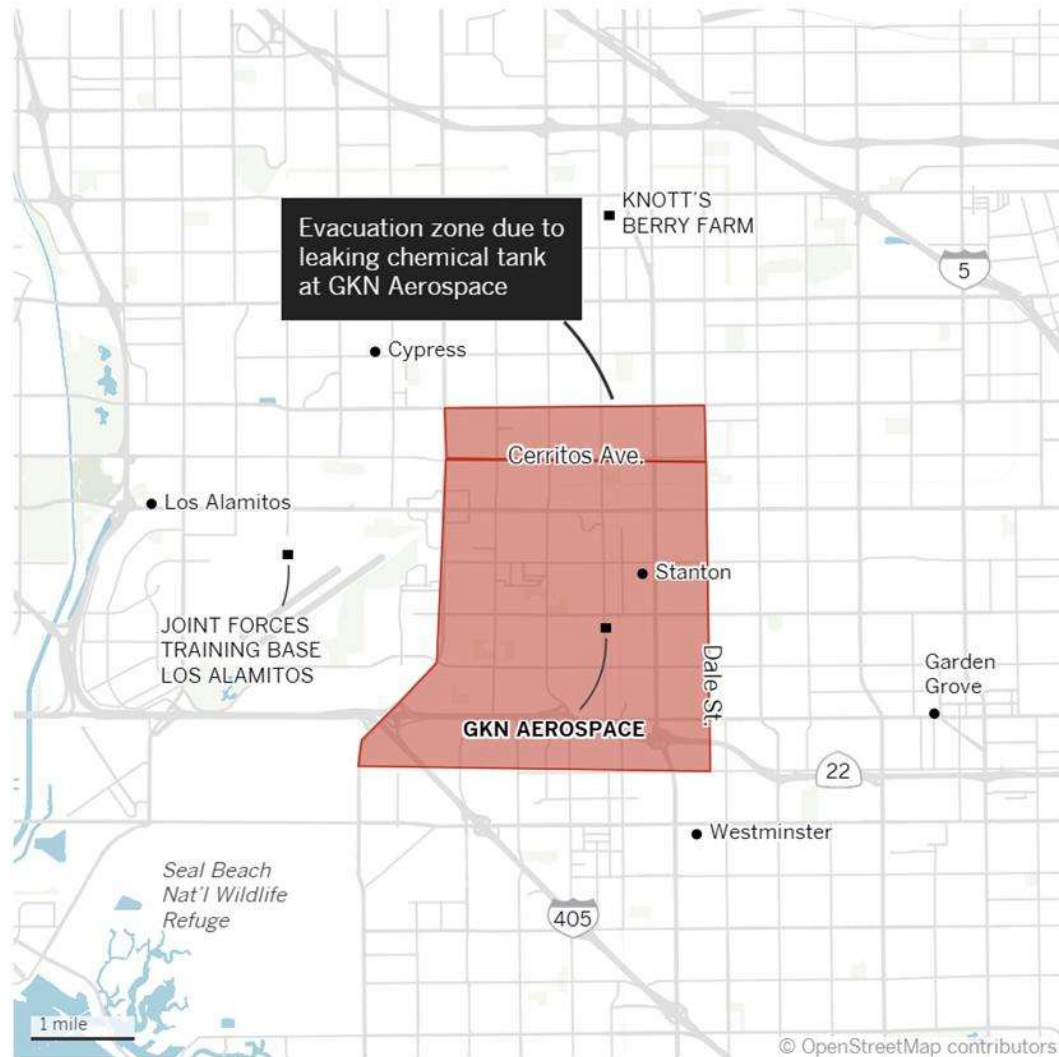
14 4. The emergency was not an unavoidable act of nature. It occurred at a fixed industrial premises
15 under GKN's ownership, operation, custody, and control. GKN had years of notice that the
16 Facility was subject to hazardous-materials, air-quality, recordkeeping, equipment, and
17 maintenance obligations; yet the alleged tank and valve failures created the very kind of
18 community-wide displacement and chemical exposure risk those duties are intended to prevent.

19 5. Plaintiffs include residents, tenants, homeowners, employees, medically vulnerable persons,
20 parents, small-business owners, and other California citizens who were forced to evacuate, lost
21 the use and enjoyment of homes and businesses, incurred out-of-pocket evacuation and lodging
22 expenses, lost wages or business income, suffered physical symptoms consistent with MMA
23 exposure, suffered emotional distress from the threat of explosion and chemical exposure, and
24 sustained property-related losses requiring individualized proof.

25 6. Because each Plaintiff's damages turn on location, exposure pathway, evacuation timing,
26 medical vulnerability, work schedule, business type, property condition, and out-of-pocket

27
28 ¹ Los Angeles Times, "Garden Grove Gas Leak Live: Evacuation Maps, Closures and Updates" (May 2026),
evacuation zone map depicting approximately nine-square-mile mandatory evacuation area surrounding the GKN
Aerospace facility.

1 losses, individualized issues predominate as to damages and many causation issues. Plaintiffs
2 bring this case together for efficiency as fewer than 100 California plaintiffs, but they preserve
3 separate individual claims and do not seek class or representative treatment.



21 *Figure 1. Public evacuation-zone map depicting the area ordered evacuated during the Garden Grove GKN Aerospace methyl*
22 *methacrylate emergency.*²

23
24
25
26
27
28 ² Los Angeles Times live coverage, "Garden Grove gas leak live evacuation maps, closures and updates" (May 2026),
evacuation-zone map; OpenStreetMap contributors. Figures are illustrative public-source images/maps reproduced
from counsel-provided materials; Plaintiffs reserve the right to substitute authenticated exhibits after discovery.



Figure 2. Aerial photograph of emergency cooling/suppression operations directed at storage tanks at the GKN Aerospace facility in Garden Grove.³

II. JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction under article VI, section 10 of the California Constitution and California Code of Civil Procedure section 410.10 because this is a civil action arising under California law and the amount in controversy exceeds the jurisdictional minimum of the Superior Court.
8. Venue is proper in Orange County under Code of Civil Procedure sections 395(a) and 395.5 because the acts and omissions giving rise to this action occurred in Orange County; Defendant GKN operated the relevant Facility in Orange County; Plaintiffs' injuries and losses occurred in Orange County; and GKN transacts business and maintains its relevant facility in Orange County.
9. The Court has personal jurisdiction over GKN because GKN is a California corporation and/or conducts substantial, continuous, and systematic business in California, including at the Garden Grove Facility where the events occurred. Personal jurisdiction also exists because the claims

³ Los Angeles Times photograph by Allen J. Schaben, "Remote fire suppression hoses spray water on large storage tanks at the GKN Aerospace facility in Garden Grove," May 2026.

1 arise directly from GKN's California operations and California premises.

2 **III. PARTIES**

3 **A. Plaintiffs**

4 10. Plaintiffs are California citizens who resided, worked, owned property, operated businesses,
5 attended school, received medical care, or were otherwise present within or near the evacuation
6 and affected zones during the May 2026 GKN Aerospace hazardous-materials incident.

7 11. Resident Plaintiffs were forced to leave homes, apartments, rooms, or other dwellings under
8 mandatory evacuation orders or emergency conditions. Their damages include temporary
9 housing, mileage and fuel, replacement clothing and supplies, increased food costs, spoiled food,
10 pet boarding, childcare, medication replacement, cleaning costs, property-related losses, loss of
11 use and enjoyment, physical symptoms, fear, anxiety, inconvenience, and emotional distress.

12 12. Business Plaintiffs owned or operated businesses within or near the affected area. Their damages
13 include business interruption, lost revenue, lost profits, loss of customers and goodwill,
14 employee scheduling losses, spoiled inventory, lost appointments, delayed services, relocation
15 and reopening costs, extra cleaning, and disruption of existing economic relationships with
16 customers, vendors, students, patients, employees, and clients.

17 13. Employee Plaintiffs lost wages, tips, commissions, overtime opportunities, work shifts, and/or
18 employment opportunities because their workplaces were closed, inaccessible, unsafe, or subject
19 to evacuation orders. Some Employee Plaintiffs also incurred additional transportation,
20 childcare, and medical costs.

21 14. Medically Vulnerable Plaintiffs include infants, elders, pregnant persons, persons with
22 disabilities, persons with asthma or other respiratory conditions, persons requiring prescription
23 medication, persons receiving dialysis, chemotherapy, oxygen therapy, home health care, or
24 other ongoing treatment, and persons whose medical conditions made evacuation more difficult
25 and exposure more dangerous.

26 15. Each Plaintiff seeks only that Plaintiff's own individual damages and equitable relief. No
27 Plaintiff seeks to recover damages belonging to absent persons, and no Plaintiff seeks
28 adjudication of absent persons' claims.

1 **B. Defendant GKN Aerospace Transparency Systems Inc.**

2 16. Defendant GKN AEROSPACE TRANSPARENCY SYSTEMS INC. ("GKN") is, and at all
3 relevant times was, a California corporation. Publicly available materials identify GKN's Garden
4 Grove site at 12122 Western Avenue, Garden Grove, California 92841, as a GKN Aerospace
5 facility for transparency systems and commercial aircraft transparencies.

6 17. At all relevant times, GKN owned, leased, occupied, operated, managed, maintained, inspected,
7 repaired, controlled, and/or had the right to control the Facility, including the MMA tank,
8 associated piping, valves, instrumentation, containment, fire protection, emergency response
9 equipment, policies, procedures, and personnel involved in storage and handling of MMA.

10 18. At all relevant times, GKN was responsible for safely storing and handling MMA, maintaining
11 the tank and all connected equipment, implementing hazardous-materials response plans,
12 training employees, notifying public agencies and emergency responders, complying with
13 permits and regulatory obligations, protecting surrounding residents and businesses from
14 foreseeable releases, and preventing conditions that would cause mass evacuation.

15 **C. Doe Defendants**

16 19. Plaintiffs are ignorant of the true names and capacities of Defendants sued herein as DOES 1
17 through 100, inclusive, and therefore sue those Defendants by fictitious names under Code of
18 Civil Procedure section 474. Plaintiffs will amend this Complaint to allege the true names and
19 capacities of Doe Defendants when ascertained.

20 20. Plaintiffs are informed and believe, and on that basis allege, that each Doe Defendant was
21 responsible in some manner for the events and damages alleged herein, including by ownership,
22 operation, management, maintenance, repair, inspection, design, engineering, staffing, training,
23 emergency response, environmental compliance, hazardous-materials compliance, or
24 ratification.

25 21. Plaintiffs are informed and believe, and on that basis allege, that each Defendant was the agent,
26 employee, representative, contractor, subcontractor, consultant, joint venturer, partner,
27 predecessor, successor, alter ego, or co-conspirator of the others and acted within the course and
28 scope of that relationship, or ratified the acts and omissions alleged herein.

1 **IV. FACTUAL ALLEGATIONS**

2 **A. The Garden Grove Facility**

3 22. The Facility is located at 12122 Western Avenue in Garden Grove, California, in a densely
4 populated urban and suburban region of Orange County near residential neighborhoods, schools,
5 small businesses, medical providers, places of worship, parks, and major transportation
6 corridors.

7 23. GKN's public location page describes the Garden Grove site as a provider of military
8 transparency systems and commercial aircraft transparencies and lists its address as 12122
9 Western Avenue, Garden Grove, California 92841. Plaintiffs do not challenge any federal
10 procurement specification or federal military design requirement; their claims concern only local
11 premises safety, hazardous-materials storage, tank maintenance, emergency planning, and
12 California tort duties.⁴

13 24. The Facility used, stored, and handled MMA in bulk. Because MMA is flammable, volatile,
14 reactive under thermal/inhibitor-failure conditions, and capable of vapor migration, safe
15 operation required conservative engineering controls and community-protective safeguards
16 proportionate to the surrounding population density.

17 25. Reasonable safeguards for a bulk MMA tank include, at minimum: adequate tank design and
18 mechanical integrity; scheduled inspections; corrosion and fatigue evaluation; functioning
19 valves and transfer systems; inhibitor monitoring and replenishment; temperature and pressure
20 monitoring; alarms; emergency venting and pressure relief; cooling systems; secondary
21 containment; trained personnel; written emergency procedures; coordinated plans with local
22 responders; accurate inventory reporting; and immediate mitigation of any release or threatened
23 release.

24 **B. MMA Hazards Were Well Known**

25 26. MMA, CAS No. 80-62-6, is a colorless volatile liquid with an acrid/fruity odor. Public safety
26 sources classify it as a flammable liquid and identify inhalation, skin, and eye exposure routes
27

28 _____
⁴ GKN Aerospace, "Garden Grove - California" location page, identifying the Garden Grove site and address.

1 affecting the eyes, skin, nose, throat, and respiratory system.⁵

2 27. The CDC/NIOSH Pocket Guide identifies MMA as having a flash point around 50 degrees
3 Fahrenheit and states that it may polymerize if subjected to heat, oxidizers, or ultraviolet light
4 and that it usually contains an inhibitor such as hydroquinone. Such public safety information is
5 relevant to GKN's notice and the foreseeability of thermal runaway, overpressure, vapor
6 migration, and emergency evacuation.⁶

7 28. The EPA's hazardous-air-pollutant summary states that MMA is irritating to skin, eyes, and
8 mucous membranes and that respiratory effects have been reported following acute and chronic
9 inhalation exposures. Reported acute respiratory symptoms include chest tightness, dyspnea,
10 coughing, wheezing, and reduced peak flow; neurological symptoms have also been reported
11 following acute exposure.⁷

12 29. NOAA's CAMEO Chemicals database states that MMA may polymerize if contaminated or
13 subjected to heat and that polymerization in a container can subject the container to violent
14 rupture. This risk made prompt cooling, pressure control, emergency transfer, and valve
15 operability critical safety functions.⁸

16 30. MMA vapors can migrate and accumulate in ways that create exposure and ignition risks.
17 Plaintiffs are informed and believe that during the incident, MMA vapors, odor, aerosols,
18 combustion byproducts, polymerization byproducts, contaminated water, or other hazardous
19 substances migrated or threatened to migrate beyond the Facility and into surrounding residential
20 and commercial areas.

21 31. Because the Facility was located in a populated area, foreseeable harm from loss of MMA control
22 included not only worker injury, but offsite evacuation, respiratory symptoms, property
23 contamination, business closures, emotional distress, and community disruption.

24 **C. Prior Notice and Regulatory History**

25 _____
26 ⁵ U.S. EPA, "Methyl Methacrylate Hazard Summary," CAS No. 80-62-6; CDC/NIOSH, "NIOSH Pocket Guide to
27 Chemical Hazards: Methyl Methacrylate."

28 ⁶ CDC/NIOSH, "NIOSH Pocket Guide to Chemical Hazards: Methyl Methacrylate," identifying exposure routes,
symptoms, flash point, and reactivity/inhibitor information.

⁷ U.S. EPA, "Methyl Methacrylate Hazard Summary," Technology Transfer Network Air Toxics materials, CAS No.
80-62-6.

⁸ NOAA CAMEO Chemicals, methyl methacrylate monomer/inhibited datasheet and reactivity hazard summary.

1 32. Before the May 2026 incident, GKN had actual and constructive notice that the Facility required
2 strict environmental, hazardous-materials, equipment-maintenance, and emergency-response
3 compliance. GKN's own industry, permits, safety data sheets, chemical supplier instructions,
4 public agency regulations, and prior enforcement history all placed it on notice of the need for
5 strict controls.

6 33. A South Coast Air Quality Management District settlement agreement identifies GKN
7 Aerospace Transparency Systems Inc. as a California corporation located at 12122 Western
8 Avenue, Garden Grove, California 92841, South Coast AQMD Facility ID No. 140961. The
9 agreement states that the District contended GKN was subject to District rules and regulations
10 and that the District contended violations of, among other things, Rules 109, 203, 1146, and
11 1147. GKN denied liability and did not admit the District's contentions; however, the settlement
12 and public penalty report are relevant to notice, regulatory history, and foreseeability.⁹

13 34. South Coast AQMD's March 7, 2025 Civil Filings and Civil Penalties Report lists GKN
14 Aerospace Transparency Systems Inc., Facility ID No. 140961, settled January 9, 2025, with a
15 total settlement of \$909,935.95. The same report identifies rules including recordkeeping for
16 volatile organic compound emissions, permits to construct and operate, storage of organic
17 liquids, solvent usage, and other air-quality requirements.¹⁰

18 35. The settlement agreement states that it does not limit or excuse GKN's duty to comply with all
19 applicable permit conditions, orders, statutes, rules, and regulations. Plaintiffs allege that despite
20 this notice, GKN failed to bring the MMA storage system, tank, valves, monitoring systems,
21 emergency transfer capability, and response plans into a reasonably safe condition before May
22 21, 2026.

23 36. Publicly filed litigation materials and prior complaints also allege that GKN had been cited in
24 2018 by the California Department of Industrial Relations/Cal-OSHA for inspection and
25 maintenance failures at the Garden Grove facility. Plaintiffs will seek the underlying Cal-OSHA
26

27 ⁹ South Coast AQMD/GKN Settlement Agreement, GKN Aerospace Transparency Systems Inc. and South Coast
AQMD, Facility ID No. 140961.

28 ¹⁰ South Coast AQMD Board Meeting Date March 7, 2025, Agenda No. 7, Civil Filings and Civil Penalties Report,
listing GKN settlement dated January 9, 2025, total settlement \$909,935.95.

1 records, maintenance logs, inspection records, and abatement evidence in discovery.

2 37. At a minimum, the regulatory history put GKN and its managing agents on notice that the
3 Facility was not merely an ordinary commercial premises; it was a hazardous-materials facility
4 whose failures could cause offsite harm to the surrounding community.

5 **D. Timeline of the May 2026 Incident**

6 38. On or about May 21, 2026, emergency responders were called to the GKN Facility after a leak
7 and/or threatened release involving an MMA storage tank. The City of Garden Grove reported
8 that the Orange County Fire Authority was on scene responding to an industrial chemical leak
9 and that evacuation orders were issued for nearby areas.¹¹

10 39. Plaintiffs are informed and believe that responders identified abnormal temperature and pressure
11 conditions within the MMA tank, consistent with exothermic polymerization and thermal
12 runaway. Cooling operations began, including applying water to the exterior of the tank and
13 affected equipment to reduce the risk of rupture, fire, vapor release, or explosion.

14 40. On or about May 22, 2026, evacuation orders were reissued and expanded. Garden Grove public
15 updates reported that evacuation orders were reissued for specific areas and that evacuation
16 centers were opened, and later stated that the mandatory evacuation area was expanded due to
17 changing conditions while mitigation operations continued.

18 41. The City reported that damage to a valve on the tank created additional operational challenges
19 and prevented complete mitigation at that time. Plaintiffs allege that the valve damage and
20 inability to complete mitigation are direct evidence of defective maintenance, inadequate
21 mechanical integrity, inadequate emergency planning, and failure to maintain a reasonably safe
22 hazardous-materials system.

23 42. On May 23, 2026, the Governor of California issued a state-of-emergency proclamation for
24 Orange County following the hazardous chemical incident at an aerospace facility that resulted
25 in the evacuation of tens of thousands of residents from the surrounding area. The proclamation
26 directed Cal OES and state agencies to support Orange County and impacted local jurisdictions
27

28 ¹¹ City of Garden Grove, "Hazardous Materials Incident," public updates regarding evacuation orders, operational challenges, and tank-valve damage, last updated May 28, 2026.

and made additional emergency response resources available.¹²

43. On May 25, 2026, Garden Grove reported that local law enforcement reduced the evacuation zone to the area between Orangewood, Dale, Garden Grove Boulevard, and Knott in response to the ongoing issue, confirming that mandatory evacuation conditions persisted for days for at least part of the community.

44. On May 29, 2026, Orange County and the Orange County Health Care Agency reported that the incident had transitioned from emergency response to cleanup and disposal. The County stated that HCA, serving as CUPA, would lead multi-agency site cleanup and waste removal activities and that air monitoring would occur at the GKN fence line and in the community under South Coast AQMD oversight with EPA technical advisory support.¹³

45. The multi-day emergency response, evacuation orders, shelter operations, cleanup transition, and continued air monitoring are consistent with a significant hazardous-materials emergency posing foreseeable risk to public health, property, and community stability.



Figure 3. Broadcast map of current affected areas during the Garden Grove chemical tank emergency.¹⁴

¹² Governor of California, "Governor Newsom proclaims state of emergency in Orange County in response to ongoing chemical incident in Garden Grove" (May 23, 2026), official press release.

¹³ County of Orange, "GKN Aerospace HazMat incident" (May 29, 2026); OCHCA cleanup/disposal phase press release (May 29, 2026).

¹⁴ ABC7 Los Angeles/KABC-TV, "Current Affected Areas" map screenshot (May 2026).



Figure 4. Evacuees leaving the Garden Grove Sports & Recreation Center during shelter operations.¹⁵

¹⁵ Ethan Swope/AP, Patch photograph of evacuees (May 2026).

1 **E. Defendants' Wrongful Acts and Omissions**

2 46. Plaintiffs are informed and believe, and on that basis allege, that GKN and Does 1 through 100
3 engaged in negligent, reckless, unlawful, and/or despicable conduct, including but not limited to
4 the following acts and omissions:

- 5 a. failing to inspect, maintain, repair, and replace the MMA storage tank and associated
6 equipment in a reasonably safe condition;
- 7 b. failing to maintain valve integrity and emergency transfer/neutralization capability
8 necessary to remove or stabilize MMA during a thermal event;
- 9 c. failing to maintain adequate polymerization inhibitor levels and oxygen/inhibitor
10 conditions necessary to prevent uncontrolled polymerization;
- 11 d. failing to maintain temperature, pressure, level, and vapor monitoring systems with
12 appropriate alarms, redundancy, and emergency shutdown functions;
- 13 e. failing to maintain adequate emergency cooling, fire suppression, ventilation,
14 containment, and pressure-relief systems;
- 15 f. failing to conduct process hazard analyses, mechanical integrity reviews, management-
16 of-change reviews, and hazard assessments proportionate to the risk posed by bulk MMA
17 storage in a populated area;
- 18 g. failing to maintain accurate hazardous-materials inventories, site maps, emergency
19 response plans, evacuation procedures, and employee training under California
20 hazardous-materials business plan requirements;¹⁶
- 21 h. failing to respond adequately to prior South Coast AQMD enforcement history and prior
22 safety/maintenance issues;
- 23 i. failing to timely warn surrounding residents, businesses, schools, workers, and local
24 agencies of foreseeable chemical release, vapor migration, or explosion risks;
- 25 j. failing to abate a dangerous and continuing nuisance after the incident began and failing
26 to prevent chemical, vapor, odor, aerosol, or contaminated-water intrusion onto
27

28 ¹⁶ CalEPA, "Hazardous Materials Business Plan Program" and "Hazardous Materials Business Plan FAQ."

1 neighboring properties;

2 k. storing a large quantity of volatile and reactive MMA at a densely populated location
3 without safeguards sufficient to prevent offsite displacement and injury;

4 l. placing financial, production, or operational convenience over community safety despite
5 known hazards and prior regulatory notice.

6 **F. Individualized Damages**

7 47. Plaintiffs' damages are individualized. Each Plaintiff's harm depends on that Plaintiff's home or
8 business location, evacuation timing, duration of displacement, route of exposure, property
9 condition, medical vulnerabilities, employment schedule, business revenue, out-of-pocket costs,
10 and need for follow-up medical care.

11 48. Economic damages include temporary housing, meals, fuel, transportation, childcare, pet care,
12 replacement clothing, replacement medications, medical expenses, cleaning and remediation
13 costs, lost wages, lost tips, lost commissions, lost business income, spoiled inventory, canceled
14 appointments, delayed contracts, and other out-of-pocket losses.

15 49. Property damages include loss of use, loss of quiet enjoyment, invasion by vapors or particulates,
16 odors, chemical residues, contamination concerns, damaged or spoiled personal property, and
17 costs of investigation, cleaning, air testing, surface testing, remediation, replacement, and
18 monitoring.

19 50. Physical injuries and symptoms include, depending on the Plaintiff, eye irritation, throat
20 irritation, cough, wheezing, shortness of breath, headache, nausea, dizziness, skin irritation,
21 anxiety-related physical manifestations, sleep disruption, and exacerbation of preexisting
22 respiratory or medical conditions.

23 51. Non-economic damages include fear of explosion, fear of chemical exposure, evacuation trauma,
24 anxiety over the safety of children, elders, pets, businesses, and property, annoyance, discomfort,
25 inconvenience, loss of normal routine, loss of home enjoyment, and distress from uncertainty
26 regarding long-term health and property effects.

27 52. Business Plaintiffs' damages include lost revenue and profits, interruption of existing
28 customer/client/student/patient relationships, loss of goodwill, extra expenses to reopen, and loss

1 or impairment of business personal property.

2 53. Plaintiffs seek medical monitoring for exposed Plaintiffs where reliable medical expert evidence
3 shows that MMA exposure or associated incident-related exposure significantly increased their
4 need for periodic diagnostic testing or medical surveillance.

5 **FIRST CAUSE OF ACTION**

6 **Negligence**

7 **(All Plaintiffs Against All Defendants)**

8 54. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.

9 55. Defendants owed Plaintiffs duties of reasonable care to operate, maintain, inspect, repair,
10 monitor, and control the Facility and MMA storage system in a manner that would not create
11 unreasonable risk of chemical release, vapor exposure, explosion, evacuation, property invasion,
12 business interruption, or personal injury to surrounding residents, workers, businesses, and
13 property occupants.

14 56. Defendants breached these duties by the acts and omissions alleged above, including inadequate
15 tank and valve maintenance, inadequate inhibitor and temperature controls, inadequate
16 emergency transfer/neutralization capability, inadequate emergency planning, inadequate
17 employee training, inadequate warnings, and inadequate abatement.

18 57. Defendants knew or should have known that failure to maintain the MMA system safely would
19 foreseeably cause the exact type of harm that occurred: thermal instability, emergency response,
20 evacuation, vapor exposure, property interference, lost wages, business interruption, medical
21 symptoms, and emotional distress.

22 58. Defendants' negligence was a substantial factor in causing Plaintiffs' injuries and damages.
23 Plaintiffs are entitled to compensatory damages according to proof, including economic
24 damages, non-economic damages, property damages, personal injury damages, and all other
25 recoverable loss.

26 59. Defendants' conduct was malicious, oppressive, and/or fraudulent within the meaning of Civil
27 Code section 3294. Defendants knew the bulk storage of MMA presented serious hazards; knew
28 the Facility was surrounded by residents and businesses; knew the tank, valves, maintenance

1 systems, permits, and emergency plans required rigorous compliance; and knew prior regulatory
2 history showed a need for corrective action.

3 60. Despite that knowledge, Defendants consciously disregarded Plaintiffs' rights and safety by
4 continuing to store and handle thousands of gallons of MMA without adequate safeguards,
5 without adequate mechanical integrity, without adequate emergency transfer capability, without
6 adequate warnings, and without adequate abatement.

7 61. Plaintiffs are informed and believe that officers, directors, and/or managing agents of GKN
8 authorized, approved, ratified, or personally participated in decisions concerning budget,
9 maintenance, staffing, regulatory compliance, inventory levels, production priorities, tank
10 replacement, valve repair, emergency planning, and incident response.

11 62. Plaintiffs will seek punitive and exemplary damages in an amount sufficient to punish
12 Defendants and deter similar misconduct, subject to proof by clear and convincing evidence and
13 all requirements of Civil Code section 3294.

14 **SECOND CAUSE OF ACTION**

15 **Negligence Per Se**

16 **(All Plaintiffs Against All Defendants)**

17 63. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.

18 64. Defendants violated California statutes, California regulations, local air district rules, permit
19 conditions, and safety orders designed to protect persons and property from hazardous-material
20 releases, threatened releases, unsafe equipment, inadequate emergency response, and air-quality
21 hazards. Plaintiffs plead negligence per se under Evidence Code section 669 and also plead such
22 violations as evidence of breach of ordinary care.

23 65. The applicable enactments include, without limitation, California Health and Safety Code
24 sections 25500 et seq., including sections 25505, 25507, and 25508.1, and implementing
25 hazardous-materials business plan regulations in California Code of Regulations, title 19,
26 division 5, chapter 1, including sections 5030.2, 5030.3, 5030.9, and 5030.10, requiring
27 hazardous-materials inventory reporting, site maps, emergency response plans/procedures, and
28 employee training for facilities handling hazardous materials in reportable quantities.

1 66. The applicable enactments also include South Coast AQMD rules, regulations, permit
2 conditions, and compliance obligations, including but not limited to rules concerning VOC
3 recordkeeping, permits to construct and operate, storage of organic liquids, solvent usage, and
4 emissions controls, as further identified through discovery.

5 67. The applicable enactments also include California occupational safety regulations, including title
6 8, California Code of Regulations section 3328, requiring machinery and equipment in service
7 to be inspected and maintained as recommended by the manufacturer when available, prohibiting
8 use of machinery and equipment with defective hazardous parts, requiring equipment to be
9 maintained in safe operating condition, and limiting maintenance and repair to qualified persons.
10 These regulations are pled at minimum as evidence of notice, breach, and the standard of
11 reasonable care.

12 68. Plaintiffs are within the class of persons the hazardous-materials and air-quality enactments were
13 designed to protect, including members of the public, nearby occupants, responders, workers,
14 and property owners threatened by hazardous-material releases and unsafe industrial operations.
15 Plaintiffs' injuries are the type of injuries those enactments were designed to prevent.

16 69. Defendants' violations were a substantial factor in causing Plaintiffs' harm. Plaintiffs are entitled
17 to damages according to proof.

18 70. Nothing in this cause of action asserts a private federal cause of action. Federal materials, if any,
19 are referenced only as background or evidence of notice and not as essential elements of
20 Plaintiffs' claims.

21 **THIRD CAUSE OF ACTION**

22 **Strict Liability - Abnormally Dangerous / Ultrahazardous Activity**

23 **(All Plaintiffs Against All Defendants)**

24 71. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.

25 72. Defendants' bulk storage and handling of thousands of gallons of volatile, flammable, thermally
26 unstable MMA in an aging tank in a densely populated area constituted an abnormally dangerous
27 and ultrahazardous activity under California law.

28 73. The activity presented a high degree of risk because MMA can ignite, vaporize, migrate, and

polymerize exothermically, and because loss of control in a closed tank can generate heat, pressure, rupture, fire, explosion, and toxic or irritating vapor release.

74. The likely harm was great: mandatory evacuation of tens of thousands, respiratory exposure, property invasion, loss of use of homes, business closures, and risk of catastrophic explosion. The multi-day emergency confirms the seriousness of the danger.

75. The risk could not be eliminated entirely by the exercise of reasonable care once GKN elected to store bulk MMA in this location and configuration. Even if reasonable care reduced the risk, the residual risk of thermal runaway, release, and evacuation remained abnormally dangerous to the surrounding community.

76. Bulk storage of thousands of gallons of MMA is not a matter of common usage by ordinary residents or businesses. It is a specialized industrial activity inappropriate to a location surrounded by residential neighborhoods, schools, small businesses, and public roads unless extraordinary safeguards are maintained.

77. The value of Defendants' activity to Defendants was outweighed by the dangerous attributes of storing bulk MMA in the surrounding community, particularly where safer storage, reduced inventory, alternative siting, improved safeguards, or relocation could have reduced community risk.

78. Defendants are strictly liable for the harm proximately caused by the abnormally dangerous activity, including evacuation costs, personal injuries, property invasion, nuisance damages, business interruption, and emotional distress.

FOURTH CAUSE OF ACTION

Private Nuisance - Continuing and, in the Alternative, Permanent

(Property Plaintiffs Against All Defendants)

79. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.

80. Defendants' conduct created a condition that was harmful to health, offensive to the senses, and obstructive of Plaintiffs' free use of their homes, apartments, businesses, and other properties, interfering with comfortable enjoyment of life and property within the meaning of Civil Code section 3479.

1 81. The interference was substantial. Plaintiffs were forced to evacuate, lost access to homes and
2 businesses, experienced odors or exposure concerns, suffered property contamination concerns,
3 incurred cleaning and relocation expenses, lost normal use and enjoyment, and could not occupy
4 their property without fear and disruption.

5 82. The interference was unreasonable. A reasonable person would not be expected to tolerate a
6 multi-day chemical tank emergency, mandatory evacuation, threatened explosion, vapor
7 exposure risk, and continuing cleanup/monitoring caused by a neighboring industrial facility's
8 failure to safely maintain a bulk MMA storage system.

9 83. Plaintiffs did not consent to Defendants' conduct or to the migration or threatened migration of
10 MMA vapors, odors, particulates, aerosols, byproducts, or contaminated water onto or near their
11 properties.

12 84. The nuisance is continuing to the extent MMA residues, odors, contamination, cleanup activities,
13 monitoring needs, abatement failures, fear of recurrence, or ongoing unsafe storage practices
14 continue to interfere with Plaintiffs' use and enjoyment. In the alternative, if the trier of fact
15 determines the nuisance is permanent, Plaintiffs seek all damages recoverable for permanent
16 nuisance.

17 85. Plaintiffs are entitled to damages according to proof and to abatement and injunctive relief
18 requiring Defendants to eliminate unsafe conditions and prevent recurrence.

19 **FIFTH CAUSE OF ACTION**

20 **Public Nuisance**

21 **(All Plaintiffs Against All Defendants)**

22 86. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.

23 87. Defendants' conduct created a public nuisance under Civil Code sections 3479 and 3480 and
24 Penal Code section 370 by creating a hazardous condition injurious to health, offensive to the
25 senses, and obstructive to the free use of property so as to interfere with comfortable enjoyment
26 of life or property by an entire community or neighborhood.

27 88. The nuisance affected a substantial number of persons at the same time, including residents,
28 workers, families, businesses, schools, medical patients, and community members in Garden

Grove and nearby Orange County communities subject to evacuation orders, road closures, shelter operations, chemical exposure risk, and cleanup/monitoring activities.

89. Plaintiffs suffered special injury different in kind from the general public within the meaning of Civil Code section 3493, including individualized evacuation costs, lost wages, medical symptoms, property intrusion, business interruption, displacement, property loss of use, and emotional distress not shared equally by the general public.

90. The seriousness of the harm outweighs the social utility of Defendants' conduct in maintaining a bulk MMA tank in an unsafe condition. Defendants' conduct was a substantial factor in causing the public nuisance and Plaintiffs' special injuries.

91. Plaintiffs seek damages, abatement, injunctive relief, and all other relief permitted by California nuisance law.

SIXTH CAUSE OF ACTION

Trespass to Land

(All Plaintiffs Against All Defendants)

92. Plaintiffs re-allege and incorporate by reference each and every allegation contained in the preceding paragraphs as though fully set forth herein.

93. At all relevant times, Plaintiffs owned, leased, occupied, possessed, controlled, and/or had the right to possess residential and commercial real property located within and around the evacuation zone established as a result of the MMA storage tank emergency at Defendants' Garden Grove facility.

94. Defendants owned, operated, managed, maintained, and controlled the GKN Aerospace facility located at 12122 Western Avenue, Garden Grove, California, including the MMA storage tank, associated piping, containment systems, emergency response systems, and related equipment.

95. Defendants intentionally, negligently, recklessly, and/or unlawfully stored, maintained, handled, monitored, and controlled large quantities of methyl methacrylate ("MMA"), a hazardous, volatile, flammable, and thermally unstable chemical substance.

96. As a direct and proximate result of Defendants' conduct, MMA vapors, chemical particulates, airborne contaminants, hazardous byproducts, odors, fumes, aerosolized compounds, and/or

1 contaminated firefighting water escaped from Defendants' facility and physically entered, settled
2 upon, migrated onto, and invaded Plaintiffs' real property without Plaintiffs' permission or
3 consent.

4 97. The migration and physical intrusion of MMA vapors, airborne contaminants, chemical
5 particles, and related hazardous substances onto Plaintiffs' property constituted an intentional,
6 negligent, or reckless physical invasion of Plaintiffs' possessory interests in their land.

7 98. Defendants intended the acts that resulted in the storage, handling, and release of MMA and
8 related hazardous substances, or alternatively knew or reasonably should have known with
9 substantial certainty that the migration of such substances onto neighboring properties would
10 occur if reasonable care was not exercised.

11 99. The invasion of Plaintiffs' properties was foreseeable given the volatile nature of MMA, the
12 thermal runaway condition of the storage tank, the release of chemical vapors into the
13 surrounding environment, the prolonged emergency response operations, and the close
14 proximity of thousands of homes and businesses to Defendants' facility.

15 100. Plaintiffs did not consent to the entry, migration, deposition, intrusion, or presence of MMA
16 vapors, chemical contaminants, hazardous particulates, odors, fumes, or contaminated runoff
17 upon their properties.

18 101. Defendants' conduct substantially interfered with Plaintiffs' exclusive possession,
19 occupancy, control, and use of their properties.

20 102. As a direct and proximate result of Defendants' trespass, Plaintiffs suffered damages
21 including, but not limited to:

- 22 a. Loss of possession and use of their properties during mandatory evacuation orders;
- 23 b. Loss of the right to exclusive occupancy and enjoyment of their properties;
- 24 c. Contamination and physical invasion of real property;
- 25 d. Costs of investigation, testing, cleaning, remediation, and decontamination;
- 26 e. Diminution in property value;
- 27 f. Loss of use and enjoyment of real property;
- 28 g. Emotional distress associated with contamination of homes and businesses;

- 1 h. Business interruption losses; and
- 2 i. Other economic and non-economic damages according to proof.
- 3 103. The physical invasion of Plaintiffs' properties by MMA vapors, airborne contaminants,
4 chemical particles, hazardous substances, and related byproducts was a substantial factor in
5 causing Plaintiffs' damages.
- 6 104. Defendants' conduct was carried out with conscious disregard for the rights and safety of
7 neighboring property owners and occupants. Defendants knew of the dangerous nature of MMA,
8 knew of prior regulatory violations and safety deficiencies at the Facility, knew of the aging
9 condition of the storage system, and nevertheless failed to take reasonable corrective action to
10 prevent the release and migration of hazardous substances into the surrounding community.
- 11 105. As a direct and proximate result of Defendants' trespass, Plaintiffs are entitled to recover
12 compensatory damages, consequential damages, restoration and remediation costs, loss-of-use
13 damages, emotional distress damages where permitted by law, punitive damages according to
14 proof, and all other relief allowed by law.
- 15 106. Plaintiffs further seek injunctive and equitable relief requiring Defendants to investigate,
16 remediate, remove, monitor, and abate all contamination originating from the Facility that has
17 migrated onto Plaintiffs' properties.

18 **SEVENTH CAUSE OF ACTION**

19 **Negligent Infliction of Emotional Distress**

20 **(All Plaintiffs Against All Defendants)**

- 21 107. Plaintiffs incorporate every preceding paragraph as though fully set forth herein.
- 22 108. At all relevant times, Defendants owned, operated, managed, maintained, and controlled the
23 GKN Aerospace facility located at 12122 Western Avenue, Garden Grove, California, including
24 the storage, handling, monitoring, and maintenance of approximately 7,000 gallons of methyl
25 methacrylate ("MMA"), a highly flammable and thermally unstable hazardous substance.
- 26 109. Defendants owed Plaintiffs a duty to exercise reasonable care in the ownership, operation,
27 maintenance, inspection, monitoring, repair, and control of the Facility and its hazardous
28 chemical storage systems so as to avoid causing foreseeable injury, including foreseeable

emotional harm, to residents, business owners, employees, customers, and other persons located within the surrounding community.

110. Defendants breached their duty of reasonable care by, among other things:

- a. Failing to properly inspect, maintain, repair, and replace the aging MMA storage tank;
- b. Failing to maintain safe operating conditions for the storage and handling of MMA;
- c. Failing to maintain adequate thermal monitoring, emergency response, and safety systems;
- d. Failing to correct known hazardous conditions despite prior regulatory citations, compliance orders, notices of violation, and substantial civil penalties;
- e. Failing to implement adequate safeguards to prevent thermal runaway, toxic vapor releases, and the resulting risk of catastrophic explosion; and
- f. Otherwise negligently operating and maintaining a hazardous chemical storage system within a densely populated residential and commercial community.

111. Defendants knew, or in the exercise of reasonable care should have known, that failure to properly maintain and operate the MMA storage system created a foreseeable risk of a chemical emergency, toxic release, mass evacuation, catastrophic explosion, serious bodily injury, death, and severe emotional trauma to members of the surrounding community.

112. As a direct and proximate result of Defendants' negligence, the MMA storage tank entered a thermal runaway condition beginning on or about May 21, 2026, creating an imminent risk of catastrophic tank failure and a Boiling Liquid Expanding Vapor Explosion ("BLEVE"), resulting in mandatory evacuation orders affecting approximately 50,000 residents and businesses throughout Garden Grove and surrounding communities.

113. Plaintiffs were within the zone of danger created by Defendants' conduct and were directly exposed to the consequences of the chemical emergency, including mandatory evacuation orders, toxic vapor concerns, road closures, emergency response operations, shelter-in-place warnings, uncertainty regarding the stability of the storage tank, and the continuing threat of catastrophic explosion.

114. As a direct result of Defendants' negligence, Plaintiffs suffered serious emotional distress,

1 including but not limited to fear, anxiety, panic, terror, shock, helplessness, worry, mental
2 anguish, sleep disturbance, emotional trauma, loss of security, and fear for their own safety and
3 the safety of their families, homes, businesses, pets, and personal property.

4 115. Plaintiffs' emotional distress was serious and substantial. Many Plaintiffs were forced to
5 abruptly evacuate their homes without knowing whether they would be permitted to return,
6 whether their homes would remain intact, whether they had been exposed to hazardous
7 chemicals, or whether a catastrophic explosion would occur while they remained displaced.

8 116. Plaintiffs further suffered emotional distress from witnessing the effects of the emergency
9 upon their spouses, children, elderly family members, medically vulnerable relatives,
10 employees, customers, and other loved ones who were displaced, exposed to hazardous
11 conditions, or otherwise affected by the incident.

12 117. Defendants' negligence was a substantial factor in causing Plaintiffs' serious emotional
13 distress and resulting damages.

14 118. As a direct and proximate result of Defendants' conduct, Plaintiffs have sustained and
15 continue to sustain emotional distress damages in amounts to be proven at trial.

16 119. Plaintiffs are therefore entitled to recover all damages allowed by law, including damages
17 for past and future emotional distress, mental suffering, anxiety, fear, inconvenience, loss of
18 enjoyment of life, and related non-economic losses according to proof at trial.

19 **EIGHTH CAUSE OF ACTION**

20 **Negligent Interference with Prospective Economic Advantage**

21 **(Business Plaintiffs Against All Defendants)**

22 120. Plaintiffs reallege and incorporate by reference each and every preceding paragraph as
23 though fully set forth herein.

24 121. This cause of action is brought by those Plaintiffs who owned, operated, managed, or
25 otherwise maintained businesses within the mandatory evacuation zone established as a result of
26 the MMA storage tank emergency at Defendants' Garden Grove facility ("Business Owner
27 Plaintiffs").

28 122. At all relevant times, Business Owner Plaintiffs maintained existing economic relationships

1 with customers, clients, patients, vendors, suppliers, contractors, students, tenants, and other
2 third parties that carried a reasonable probability of future economic benefit. These relationships
3 generated recurring revenue, future appointments, scheduled transactions, contractual
4 obligations, anticipated sales, ongoing customer patronage, and other prospective economic
5 advantages.

6 123. Defendants knew or reasonably should have known that their facility was located within a
7 densely populated commercial and residential area containing numerous businesses whose
8 continued operation depended upon uninterrupted customer access, employee attendance,
9 vendor deliveries, and public access to the surrounding area.

10 124. Defendants knew or reasonably should have known that a failure to exercise reasonable care
11 in the storage, maintenance, monitoring, and handling of approximately 7,000 gallons of methyl
12 methacrylate would create a substantial risk of a chemical emergency requiring mass
13 evacuations, business closures, restricted access zones, road closures, and disruption of
14 surrounding commercial activity.

15 125. Defendants further knew or reasonably should have known that such an emergency would
16 foreseeably disrupt the existing economic relationships between surrounding businesses and
17 their customers, clients, vendors, students, patients, and other third parties.

18 126. Defendants failed to exercise reasonable care by, among other things:

- 19 a. Failing to properly inspect, maintain, repair, and replace the aging MMA storage tank;
- 20 b. Failing to maintain the tank and associated equipment in safe operating condition;
- 21 c. Failing to maintain adequate polymerization inhibitor levels;
- 22 d. Failing to maintain functioning emergency response systems and valves;
- 23 e. Failing to comply with prior SCAQMD compliance orders, notices of violation, and
24 corrective action requirements;
- 25 f. Failing to correct known hazardous conditions despite prior regulatory citations and
26 penalties; and
- 27 g. Failing to implement reasonable safeguards necessary to prevent thermal runaway, toxic
28 vapor release, and the resulting evacuation emergency.

1 127. Defendants' conduct was independently wrongful because it violated numerous statutes,
2 regulations, permit requirements, and safety obligations governing the storage and handling of
3 hazardous substances, including but not limited to the California Accidental Release Prevention
4 Program (CalARP), applicable Cal-OSHA regulations, SCAQMD rules and permit conditions,
5 and other federal, state, and local safety requirements.

6 128. As a direct and foreseeable result of Defendants' negligent and wrongful conduct, mandatory
7 evacuation orders were issued affecting approximately 50,000 residents and numerous
8 businesses throughout Garden Grove, Westminster, Stanton, Anaheim, and surrounding
9 communities.

10 129. As a direct consequence of the evacuation orders and restricted-access zones, the economic
11 relationships maintained by Business Owner Plaintiffs were disrupted. Customers were unable
12 to access businesses, appointments were canceled, classes and services were suspended,
13 deliveries were interrupted, contracts were delayed, inventory was lost, and prospective
14 transactions failed to occur.

15 130. Business Owner Plaintiffs suffered harm including, but not limited to, lost revenues, lost
16 profits, loss of business opportunities, loss of customer goodwill, interruption of ongoing
17 commercial relationships, spoiled inventory, employee-related losses, and other economic
18 damages according to proof.

19 131. Defendants' negligent and independently wrongful conduct was a substantial factor in
20 causing the disruption of Business Owner Plaintiffs' economic relationships and the resulting
21 damages.

22 132. As a direct and proximate result of Defendants' conduct, Business Owner Plaintiffs are
23 entitled to recover all economic losses according to proof at trial.

24 **VI. PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

- 26 a. For compensatory damages for each Plaintiff individually, including economic damages and
27 non-economic damages according to proof;
28 b. For evacuation, relocation, temporary housing, meals, transportation, childcare, pet care,

- 1 medication replacement, emergency supplies, cleaning, testing, and other out-of-pocket
2 expenses according to proof;
- 3 c. For property damages, loss of use, loss of quiet enjoyment, restoration, remediation,
4 replacement, and investigation costs according to proof;
- 5 d. For past and future medical expenses according to proof;
- 6 e. For lost wages, lost tips, lost commissions, lost earning capacity, lost business income, lost
7 profits, lost business opportunities, loss of goodwill, and business interruption damages
8 according to proof;
- 9 f. For general damages, including physical pain, mental suffering, emotional distress, fear,
10 anxiety, annoyance, inconvenience, discomfort, and disruption of life according to proof;
- 11 g. For medical monitoring relief, including a court-supervised or otherwise enforceable medical
12 monitoring program for Exposed Plaintiffs where supported by expert evidence;
- 13 h. For abatement, preliminary and permanent injunctive relief, environmental testing,
14 preservation orders, and remedial measures necessary to eliminate the nuisance and prevent
15 recurrence;
- 16 i. For punitive and exemplary damages under Civil Code section 3294 according to proof;
- 17 j. For attorneys' fees where authorized, including under Code of Civil Procedure section 1021.5
18 to the extent Plaintiffs establish entitlement, and any other applicable statute or doctrine;
- 19 k. For costs of suit;
- 20 l. For prejudgment and post-judgment interest at the maximum legal rate; and
- 21 m. For such other and further relief as the Court deems just and proper.

22 **VII. DEMAND FOR JURY TRIAL**

23 Plaintiffs demand a trial by jury on all causes of action and issues.

24 DATED: June 9, 2026

THE VARTAZARIAN LAW FIRM

25
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