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Attorneys for Plaintiffs

Assigned for All Purposes:
Judge Melissa R. McCormick
Dept. CX105

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

MELANIE ROSE BURCIAGA, TROY TRAN,
TRISH TRAM NGUYEN, DEBBIE COCHRAN,
AND JUAN DIEGO OROZCO
Plaintiffs,

v.

GKN AEROSPACE SERVICES LIMITED, a UK
Limited Liability Company, GKN AEROSPACE
CAMARILLO, INC., a California Corporation, GKN
CHEM-TRONICS, INC., a California Corporation,
GKN AEROSPACE TRANSPARENCY SYSTEMS,
INC., a California Corporation, DOES 1 through 100,
inclusive;

Defendants.

Case No. 30-2026-01572320-CU-TT-CXC

**CLASS ACTION COMPLAINT FOR
DAMAGES**

CAUSES OF ACTION:

- 1. NEGLIGENCE**
- 2. TRESPASS**
- 3. PRIVATE NUISANCE**
- 4. PUBLIC NUISANCE**
- 5. NEGLIGENT INFLECTION OF
EMOTIONAL DISTRESS**
- 6. ULTRAHAZARDOUS ACTIVITY**

DEMAND FOR JURY TRIAL

1 Plaintiffs Melanie Rose Burciaga, Troy Tran, Trish Tram Nguyen, Debbie Cochran, and
2 Juan Diego Orozco, (collectively “Plaintiffs”) hereby bring this complaint against Defendants
3 GKN Aerospace Services Limited, GKN Aerospace Camarillo, Inc., GKN Chem-Tronics, Inc.,
4 GKN Aerospace Transparency Systems, Inc., and DOES 1-100, inclusive, and in support
5 therefore, allege as follows:

6 **INTRODUCTION**

7 1. Over 50,000 people in Garden Grove, Orange County, California and nearby areas
8 were issued mandatory evacuation orders due to the threat of a chemical leak or explosion on Friday
9 May 22, 2026. The leak was initially discovered on Thursday May 21, 2026 when firefighters
10 responded to the GKN Aerospace facility located at 12122 Western Ave, Garden Grove, CA 92841.

11 2. Firefighters and other responders struggled to contain a pressurized tank filled with
12 7,000 gallons of methyl methacrylate, a highly volatile chemical used in plastics manufacturing,
13 that threatened to burst from the tank or explode due to a “thermal runaway” reaction.

14 3. Craig Covey, a division chief for the Orange County Fire Authority, warned that one
15 of two outcomes appeared inevitable: either the tank would burst and cause a massive chemical
16 leak or the chemicals would cause an explosion.

17 4. Police went house to house knocking on people’s doors and advising them that they
18 had to leave immediately, giving them just a few minutes to gather clothes, pets, and essentials
19 before leaving, unsure how long it would be until they would be allowed to return.¹

20 5. Governor Gavin Newsom declared a state of emergency for Orange County on
21 Saturday Afternoon.

22 6. The EPA has warned that even short-term exposure to methyl methacrylate can cause
23 skin and eye irritation, respiratory issues, and can cause dizziness and lethargy.²

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27 ¹ Los Angeles Times, <https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-closures-and-updates#p=evacuees-discuss-suing-gkn-aerospace-at-shelter-we-had-to-spend-our-last-paycheck>.

28 ² NY Times, <https://www.nytimes.com/2026/05/22/us/methyl-methacrylate-garden-grove-chemical-leak.html>.

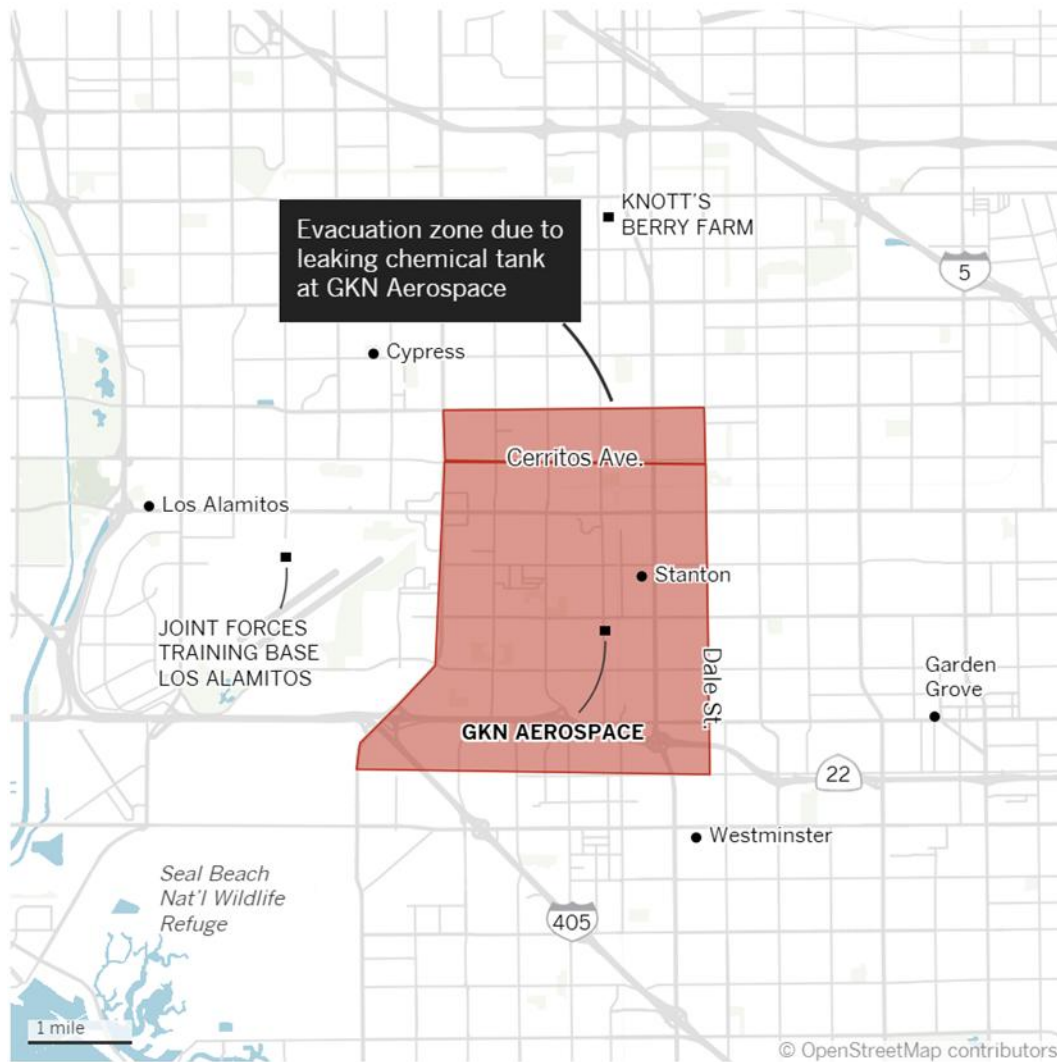


Figure 1: Source: Los Angeles Times. <https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-closures-and-updates>.



Figure 2: Source: Los Angeles Times

FACTUAL ALLEGATIONS

7. GKN Aerospace’s facility in Garden Grove is “the world’s leading provider of military transparency systems and commercial aircraft transparencies,”³ where the company designs, tests, and makes windscreens, canopies, and windows for military and commercial aircraft, including for the F-35 and for the Boeing 787 Dreamliner.

8. GKN Aerospace is a multinational aerospace “tier one” supplier that designs and makes structures and parts for commercial and military aircraft with facilities in 12 countries. GKN Aerospace has a significant presence in the US and in California, with facilities across the country and three manufacturing facilities or offices in California, including the Garden Grove facility. GKN Aerospace is based in Birmingham, England. Defendants include the parent company GKN

³ GKN Aerospace Website, <https://www.gknaerospace.com/locations/americas/usa/?office=gardengrovecalifornia>.

1 Aerospace Services Limited and its subsidiaries, including those based in California
2 (“Defendants”).

3 9. The Garden Grove facility has been operating since 2004 and Defendants have been
4 expanding the facility to include a new production line to be completed in 2027.

5 10. Garden Grove is a densely populated city in Orange County, approximately 30 miles
6 south of Los Angeles with a population of about 170,000 people.

7 11. Stanton is located to the north of the Garden Grove facility and has a population of
8 37,000 people.

9 12. Westminster is located to the south of the Garden Grove facility and has a population
10 of about 90,000 people.

11 13. Anaheim is located north of Garden Grove and has a population of about 346,000
12 people.

13 14. Within two miles of the GNK Aerospace chemical leak are several schools, including
14 the Patton Elementary School, the Loyal Barker Elementary School, and the Garden Park
15 Elementary School.

16 15. Within five miles of the GNK Aerospace chemical leak are several parks and
17 recreation areas, including the Chapman Sports Park, Eastgate Park, the Navy Golf Course, and
18 Manzanita Park.

19 16. In January 2025 GNK Aerospace settled with the South Coast Air Quality
20 Management District (“South Coast AQMD”) for or \$909,935.95 over violations of permit
21 requirements, record-keeping requirements and nitrogen oxide emissions from the Garden Grove
22 facility.

23 17. In 2018, GNK Aerospace was penalized by the California Department of Industrial
24 Relations for failing to ensure that all machinery and equipment in service was inspected and
25 maintained at its Garden Grove facility following an April 2018 inspection.

26 18. Firefighters responded on Thursday May 21 to the GKN facility and found that one of
27 three tanks containing the dangerous chemical Methyl methacrylate was becoming highly
28 pressurized due to an increase in temperature within the tank. Over the course of several days they

1 attempted to maintain the temperature in a safe range, but the temperature of the tank continued to
2 rise. Efforts to introduce a chemical neutralizer through a valve in the tank failed because of a fault
3 in the valve due to the Defendants failure to properly maintain the storage tanks and the valves.

4 19. The temperature control of the tank failed due to the defendants' failure to safely and
5 lawfully maintain and operate its Garden Grove facility or in the alternative due to the defendants'
6 failure to build the tank in a reliable and safe way.

7 20. As a gas, Methyl methacrylate is heavier than the atmosphere and settles close to the
8 ground and can also travel to an ignition source, presenting a hazard for anyone in the area of the
9 leak. Methyl Methacrylate is highly volatile, meaning that it begins to emit vapors at temperatures
10 as low as 50 degrees Fahrenheit.

11 21. Methyl methacrylate can cause irritation to the skin, eyes, and lungs after only very
12 short periods of time and cause shortness of breath, dizziness, and headaches. Long term exposure
13 to the chemical can cause chronic breathing problems and birth defects. Exposure to high volumes
14 of the chemical over time can lead to organ death.

15 22. The potential and actual chemical leak is harming the residents of Garden Grove and
16 the surrounding towns. This chemical leak if uncontained will impair the health of residents of
17 Orange County including the named plaintiffs and impair their ability to return to their residences.

18 23. In sum, Defendants negligently failed to construct, operate, and maintain the Garden
19 Grove facility where they store and use extraordinarily hazardous chemicals.

20 24. Defendants' failure to abate the fluid and gas leak is releasing hazardous gases,
21 chemicals, pollutants, and contaminants into Plaintiffs' land, homes, and/or their persons. These
22 leaks, releases, emissions, and/or migration of noxious odors, hazardous gases, chemicals,
23 pollutants, and contaminants into Plaintiffs' land, homes, and/or their persons constitute an invasion
24 of Plaintiffs' property.

25 25. The leaks, releases, emissions, and/or migration of noxious odors, hazardous gases,
26 chemicals, pollutants, and contaminants into Plaintiffs' land, homes, and/or their persons has
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1 substantially impaired Plaintiffs' use and enjoyment of both their property and all of the public
2 property located in the area.

3 26. The mandatory and enforced evacuation of members of the class substantially
4 impaired their use and enjoyment of their property and caused them severe emotional distress due
5 to the fear of being injured by exposure to dangerous chemicals and due to the uncertainty of when
6 they would be able to return to their homes.

7 27. Each reference in this Complaint to "Defendant," "Defendants" or a specifically
8 named Defendant also refers to the DOE defendants named in the same cause of action.

9 **JURISDICTION AND VENUE**

10 28. Each Defendant transacts a substantial amount of business and/or have agents within
11 Orange County. The unlawful acts alleged herein took place in Orange County. The unlawful acts
12 alleged herein have a direct effect on Plaintiffs and those similarly situated within Orange County.
13 Further, the amount in controversy exceeds the jurisdictional minimum, exclusive of interests and
14 costs.

15 29. Venue is proper in this Court pursuant to California Civil Procedure sections 395 and
16 395.5 since Defendant GKN Aerospace Transparency Systems, Inc. is headquartered in Orange
17 County and is regularly engaged in transactions in Orange County, and the action that caused
18 injuries to Plaintiffs occurred in Orange County.

19 **PARTIES**

20 30. Plaintiffs Melanie Rose Burciaga, Troy Tran, Trish Tram Nguyen, Debbie Cochran,
21 and Juan Diego Orozco (collectively "Plaintiffs") are individuals who currently and at all times
22 relevant to this action, reside or own businesses and property in Orange County, California. Their
23 residences, businesses, and property are located in Garden Grove, Anaheim, Stanton, and
24 Westminster, California, as well as other surrounding cities and townships nearby the Defendants'
25 Garden Grove facility and within the evacuation zone.

26 31. Plaintiff Melanie Rose Burciaga is a resident of Westminster had just given birth to
27 her and her husband's first child when they were forced to evacuate from the hospital and could not
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1 return home. Burciaga suffered from acute distress and panic due to having to evacuate with their
2 newborn baby.

3 32. Plaintiff Troy Tran is a resident of Stanton who evacuated with his wife on May 23,
4 2026 from their home after the area of evacuation was expanded.

5 33. Plaintiff Trish Tram Nguyen Garden Grove, California. She is a dental hygienist and
6 also a businesswoman. She is currently the owner of Cosmo Beauty College (“CBC”). She was
7 forced to evacuate due to the chemical leak at the Garden Grove facility. CBC is a California
8 corporation with its principal place of business in Garden Grove, California. CBC offers programs
9 in cosmetology, barbering, esthetics, and manicuring with over 70 students. CBC was forced to
10 close due to the chemical leak.

11 34. Plaintiff Debbie Cohran is a resident of Garden Grove who lives within 500 feet of
12 the Garden Grove facility. She was not told to evacuate until several hours after the leak started on
13 Thursday May 21st. She experienced nausea and headaches for several days afterwards.

14 35. Plaintiff Juan Diego Orozco is a resident of Garden Grove employed in construction.
15 He was part of a crew repairing a street on Thursday May 21st in Garden Grove. After work he
16 experienced a headache which worsened. He went to the hospital for treatment after he had
17 difficulty breathing and was vomiting.

18 36. Defendant GKN Aerospace Services Limited is a UK based company with its
19 headquarters in Birmingham, England. Upon information and belief, GKN Aerospace Services
20 Limited is the parent company and owner of Defendants GKN Aerospace Camarillo, Inc., GKN
21 Chem-Tronics, Inc., GKN Aerospace Transparency Systems, Inc.

22 37. GKN Aerospace Camarillo, Inc., is a California corporation with its principal place of
23 business in Camarillo, California.

24 38. Defendant GKN Chem-Tronics, Inc., is a California Corporation with its principal
25 place of business in El Cajon, California.

26 39. Defendant GKN Aerospace Transparency Systems, Inc., is a California Corporation
27 with its principal place of business in Garden Grove, California.
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1 40. Does 1 through 100, inclusive are the partners, agents, employees or principals, and
2 the co-conspirators of the named Defendants, and of each other whose true names and capacities
3 are currently unknown to Plaintiffs; the named defendants and Does 1 through 100, inclusive,
4 performed the acts and conduct herein alleged, aided and abetted the performance thereof, or
5 knowingly acquiesced in, ratified, and accepted the benefits of such acts and conduct; and therefore,
6 Does 1 through 100, inclusive, are liable to Plaintiffs to the extent of the liability of the named
7 Defendants. Plaintiffs will seek leave of the Court to amend its Complaint to reflect the true names
8 and capacities of the Defendants designated herein as DOES when such identities and capacities
9 become known.

10 41. Based on information and belief, Plaintiffs allege that at all times mentioned herein,
11 each and every Defendant was acting as an agent and/or employee of each of the other Defendants,
12 and at all relevant times mentioned was acting within the course and scope of said agency and/or
13 employment with the full knowledge, permission, and consent of each of the other Defendants. In
14 addition, each of the acts and/or omissions of each Defendant alleged herein were made known to,
15 and ratified by, each of the other Defendants.

16 **CLASS ACTION ALLEGATIONS**

17 42. Plaintiffs bring this case as a class action on behalf of themselves and all other
18 similarly situated individuals as a class action pursuant to California Code of Civil Procedure 382.

19 43. Plaintiffs seek to represent all California residents who have been displaced, exposed
20 to the noxious odors, hazardous gases, chemicals, pollutants, and contaminants emanating from the
21 chemical leak at the Defendants' Garden Grove facility, since the leak was discovered. The
22 proposed class ("Class") is comprised entirely of California residents who live in, work in, or
23 own property or businesses in Orange County within 10 miles of the Defendants' Garden Grove
24 facility.

25 44. This action is perfectly suited for class action treatment since a well-defined
26 community of interest in the litigation exists and the class is easily ascertainable. The
27 aforementioned class definition identifies a group of unnamed plaintiffs by a set of shared
28 characteristics adequate for an individual to identify him or herself as a member of the group with

1 the right to recover. The class members may receive proper and sufficient notice either directly or
2 through publication.

3 45. Commonality and Predominance: Defendants' conduct and the scope of its impact
4 raise common issues of fact and law among all members of the class, and common questions of law
5 or fact are substantially similar and predominate over questions that may affect only individual
6 class members. Defendants' unreasonable construction, operation, or maintenance of the Garden
7 Grove facility is a common nucleus of operative fact linking every class member. Each member of
8 the proposed class claims that Defendants negligently constructed, operated, and/or maintained
9 their Garden Grove facility, which resulted in harmful pollutants and noxious odors to actually and
10 potentially invade their land and property, causing the class members to have to flee and causing
11 diminished use and enjoyment of their properties, polluted land and air in and around Plaintiffs'
12 properties, and adverse health effects. In addition, each member of the proposed class also claims
13 that the Defendants have intentionally, recklessly, and/or negligently failed to abate the leak of
14 harmful pollutants and noxious odors. And while slight variations in the individual damage claims
15 may occur, common questions of law or fact regarding Defendants' liability substantially
16 predominate over any questions affecting only individual class members such that the class
17 members should be permitted for the fair and efficient adjudication of this controversy.
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20 46. Plaintiffs assert that they intend to prove Defendants were responsible for class-wide
21 harm with admissions from Defendants, expert testimony, scientific evidence of the pollutants'
22 dispersion, and illustrative testimony from the Plaintiffs themselves and the neighbor-declarants
23 who reside throughout the class area. Almost identical evidence will be required to establish the
24 level and duration of Defendants' emissions, the reasonableness of Defendants' operations, and the
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causal connection between the injuries allegedly suffered and Defendants' liability. This evidence is common to all class members and will require substantial trial time.

47. Common questions of law and fact common to Plaintiffs and the class members include, but are not limited to, the following:

- a. Whether Defendants operated their Garden Grove facility lawfully and with proper environmental permits;
- b. Whether Defendants acted reasonably in the construction, operation, and/or maintenance of the chemical storage and other facilities at the Garden Grove facility.
- c. Whether Defendants were negligent in the construction, operation, and/or maintenance of the Garden Grove facility;
- d. Whether Defendants were negligent in their attempts to abate the fluid and gas leak from the Garden Grove facility;
- e. Whether Defendants owed a duty to the class members;
- f. Whether Defendants breached that duty;
- g. Whether the breach of that duty was the proximate cause of the actual and potential chemical leak crisis that began on May 21, 2026;
- h. Whether gases and other chemicals have been leaked, released or emitted into the area of the Garden Grove facility that would pose a threat to the health and safety of the class members;
- i. Whether it was reasonably foreseeable that Defendants' failure to properly construct, operate or maintain the Garden Grove facility and its chemical storage tanks would result in harm to the class members;

- 1 j. Whether uncontrolled leak of noxious odors, hazardous gases, chemicals,
2 pollutants, and contaminants into the area around Defendants' Garden Grove
3 facility constitutes an unlawful trespass;
- 4 k. As to the Diminution Subclass, whether the chemical leak and subsequent
5 evacuation has caused a significant and permanent diminution in the value of
6 property in the area near the Garden Grove facility.
- 7 l. As to the Exposure Related Illness Subclass, whether the uncontrolled emission of
8 noxious gasses from the Defendants' facility is the proximate cause of their
9 injuries;
- 10 m. As to the Medical Monitoring Subclass, whether the uncontrolled emission of
11 noxious gasses and chemicals from the Defendants' Garden Grove facility poses
12 serious long-term health risks which require future medical monitoring;
- 13 n. Whether the class members suffered severe emotional distress because of their
14 actual or potential exposure to the chemical leak and to noxious gases emanating
15 from the facility and from having to evacuate their homes.
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18 48. Numerosity: The members of the Class are so numerous that a joinder of all members
19 would be impracticable. Plaintiffs estimate that approximately 50,000 people live within the
20 evacuation areas and actually evacuated. While the exact number of members of the Class is
21 presently unknown to Plaintiffs and can only be determined through discovery, Plaintiffs believe
22 the Class is likely to include thousands of members.

23 49. Typicality: Plaintiffs' claims are typical of the claims of the class. Plaintiffs and all
24 putative class members are subject to the same chemical leak at the Garden Grove facility.
25 Defendants' course of conduct in violation of law as alleged herein has caused Plaintiffs and class
26 members to sustain the same or similar injuries and damages.

27 50. The claims of each Plaintiff/subclass representative are typical of the claims of the
28 members of each subclass. The claims arise out of the same events, practices, and conduct of the

1 Defendants. The legal theories asserted by each subclass representative are the same as the legal
2 theories asserted by the members of that subclass.

3 51. Adequacy of Representation: Plaintiffs and all putative class members do not have
4 any conflicts of interest with other class members due to the great degree of commonality, and will
5 prosecute the case vigorously on behalf of the class and subclasses. Counsel representing Plaintiffs
6 and the class are competent and experienced in litigating large environmental class actions.
7 Plaintiffs will fairly and adequately represent and protect the interests of the class members. Thus,
8 the named Plaintiffs are committed to deliver relief for the class and have retained experienced class
9 action counsel.

10 52. Superiority of class action: A class action is superior to other available means for the
11 fair and efficient adjudication of this controversy. Individual joinder of all class members is not
12 practicable, and questions of law and fact common to the class predominate over any questions
13 affecting only individual members of the class. Each class member has been damaged and is entitled
14 to recovery as a direct result of Defendants' conduct with respect to the chemical leak at
15 Defendants' Garden Grove facility. Moreover, the complexity of this litigation and potential of
16 recovery for individuals renders separate adjudication impracticable. Thus, class action treatment
17 provides optimal resolution of all the class members claims in a manner most efficient and
18 economical for both the parties and the judicial system.

19 **CLAIMS FOR RELIEF**

20 **FIRST CLAIM FOR RELIEF**

21 **NEGLIGENCE / NEGLIGENCE PER SE (CALIFORNIA LAW)**

22 CALIFORNIA EVIDENCE CODE § 669

23 (Against Defendants)

24 53. Plaintiffs re-allege and incorporate the foregoing paragraphs as though fully set forth
25 herein, and bring this claim on behalf of the Class, the Diminution Subclass, Exposure Related
26 Illness Subclass, and Medical Monitoring subclass.

1 54. Plaintiffs are individuals who each own or rent residential property or own businesses
2 or other property within a short distance of the Garden Grove facility owned and/or operated by
3 Defendants.

4 55. Defendants own, operate, or service a manufacturing facility that uses highly volatile
5 and dangerous chemicals Plaintiffs' residences and property. Defendants thus have a duty to use
6 reasonable care in the construction, operation, maintenance and abandonment of all such operations
7 and equipment. Defendants possessed a significant duty that was commensurate with and
8 proportionate to the serious danger posed by these activities.

9 56. Defendants breached that duty by negligently and carelessly constructing, operating,
10 and/or maintaining the Garden Grove facility and its chemical storage tanks. This negligence
11 directly and foreseeably caused actual leaks, releases, emissions, and/or migration of noxious odors,
12 hazardous gases, chemicals, pollutants, and contaminants into Plaintiffs' land, property and homes.

13 57. Defendants knew or should have known that their operations would result in the leaks,
14 releases, emissions, and/or migration of pollutants including but not limited to noxious odors,
15 hazardous gases, chemicals, pollutants, and contaminants, and that such pollutants would
16 contaminate Plaintiffs' land, homes, and/or persons.

17 58. The breach of their duty to Plaintiffs by Defendants directly increased the
18 concentration of noxious odors, hazardous gases, chemicals, pollutants, and contaminants on
19 Plaintiffs' land, property and person to such an extent that Plaintiff has suffered both personal and
20 property damage.

21 59. The breach of duty by Defendants was the legal and proximate cause of the injuries
22 and damages suffered by Plaintiffs. The damages caused by the breach included polluted land and
23 air in and around Plaintiffs' properties and adverse health effects suffered by Plaintiffs due to
24 exposure.

25 60. Additionally, Defendants had an obligation not to violate the law with respect to
26 construction, operation, and maintenance of its Garden Grove facility.

27 61. By reason of said negligence and carelessness of the aforesaid Defendants, and each
28 of them, and as a proximate result thereof, plaintiffs received severe injuries to their bodies. The

1 injuries sustained by plaintiffs have greatly impaired their health, strength and activity and have
2 thereby caused and continued to cause them great mental, physical and nervous pain and suffering
3 and an extreme shock to their nervous systems. Plaintiffs are informed and believe, and thereon
4 allege, that said injuries will result in some disability to plaintiffs, all to his damage in an amount
5 according to proof

6 62. As a further, direct and proximate result of the negligence of Defendants, and each of
7 them, as herein alleged, plaintiffs were required to, and did employ, and continues to employ,
8 physicians, surgeons, and others for medical care of said injuries, and did incur medical, and
9 incidental expenses in an amount according to proof. Plaintiffs are informed, and thereon allege,
10 that they will incur further medical and incidental expenses for the care and treatment of said
11 injuries, the amount of which is unknown at this time, all to their further damage in an amount
12 according to proof.

13 63. As a further, direct and proximate result of the negligence of defendants, and each of
14 them, as herein alleged, plaintiffs were prevented from performing their usual occupations, or any
15 occupation whatsoever, or has otherwise suffered a reduction in their capacities to work, and as a
16 result has been damaged in an amount according to proof. Plaintiffs are informed and believe, and
17 on such information and belief allege, that by reason of said carelessness and negligence of
18 defendants, and each of them, plaintiffs will, in the future, be prevented from attending to their
19 usual occupations for an undetermined period of time, or will continue to have a reduced capacity
20 to earn income, all to their further damage in an amount according to proof.

21 64. Defendants have shown a willful disregard for public health and health and safety of
22 Plaintiffs, to others similarly situated, and the community through its failure to abate the harm.

23 65. Defendants failed to meet the standard of care set by the above statutes and
24 regulations, which were intended for the benefit of individuals such as Plaintiffs, making
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1 Defendants' conduct negligent per se. As a result of violation of the above statutes, Plaintiffs
2 suffered injuries and damages as alleged herein.

3 66. Plaintiffs are within the class of persons the above statutes and regulations are
4 designed to protect, and their injuries are the type of harm these statutes are designed to prevent.

5 67. Defendants' actions resulted in the pollution of air and deprived residents of Garden
6 Grove and the surrounding areas of their ability to live in their homes free of health problems.
7 Defendants took these actions with a willful and knowing disregard of the rights and safety of the
8 community. Plaintiffs should, therefore, be awarded punitive and exemplary damages under Civil
9 Code section 3294 sufficient to punish Defendants for engaging in this conduct and to deter similar
10 conduct in the future.

11 68. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to
12 suffer, the loss of the quiet use and enjoyment of its property in addition to all of their general
13 damages in an amount to be set forth according to proof at trial.

14 69. In addition, Plaintiffs should be awarded attorney's fees under Code of Civil
15 Procedure section 1021.5 because the successful prosecution of this action will confer a significant
16 benefit both pecuniary and non-pecuniary on the general public and a large group of persons by
17 abating environmental harm and preventing future harm to residents of Garden Grove and the
18 surrounding areas. Further, the necessity and financial burden of private enforcement makes such
19 an award appropriate as the litigation is not economically feasible or viable for Plaintiffs to pursue
20 on their own at their own expense, and such fees should not in the interest of justice be paid out of
21 the recovery, if any.

22 70. Plaintiffs furthermore need medical monitoring as a result of the toxic exposure given
23 the prolonged exposure to and other toxic chemicals and the increased chance of developing more
24 serious disease as a result of this exposure.

SECOND CLAIM FOR RELIEF
TRESPASS (CALIFORNIA LAW)

CALIFORNIA CIVIL CODE § 3334

(Against Defendants)

71. Plaintiffs re-allege and incorporate paragraphs one through fifty-two as though fully set forth herein, and bring this claim on behalf of the Class, the Diminution Subclass, Exposure Related Illness Subclass, and Medical Monitoring subclass.

72. In the construction, operation, and/or maintenance of the Garden Grove facility and its chemical storage tanks owned and/or operated by Defendants, Defendants intentionally, recklessly, willfully, and/or negligently caused dangerous levels of noxious odors, hazardous gases, chemicals, pollutants, and contaminants to enter onto Plaintiffs' properties by leaks, releases, emissions, and/or migration from the Garden Grove facility.

73. Plaintiffs did not give permission for this entry.

74. Plaintiffs suffered harm from Defendants' conduct including, but not limited to, polluted land and air in and around Plaintiffs' property and adverse health effects due to exposure.

75. Defendants' actions were a substantial factor in causing the harm to the Plaintiffs as there were no other independent causes of the trespass onto Plaintiffs' properties.

76. Defendants' actions resulted in the pollution of air and deprived residents of Garden Grove and the surrounding areas of their ability to live in their homes free of health problems. Defendants took these actions with a willful and knowing disregard of the rights and safety of the community. Plaintiffs should, therefore, be awarded punitive and exemplary damages under Civil Code section 3294 sufficient to punish Defendants for engaging in this conduct and to deter similar conduct in the future.

77. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to suffer, the loss of the quiet use and enjoyment of its property in addition to all of their general

1 damages in an amount to be set forth according to proof at trial. These acts have also damaged
2 Plaintiffs' property.

3 78. By reason of said negligence and carelessness of the aforesaid Defendants, and each
4 of them, and as a proximate result thereof, plaintiffs received severe injuries to their bodies. The
5 injuries sustained by plaintiffs have greatly impaired their health, strength and activity and have
6 thereby caused and continued to cause them great mental, physical and nervous pain and suffering
7 and an extreme shock to their nervous systems. Plaintiffs are informed and believe, and thereon
8 allege, that said injuries will result in some disability to plaintiffs, all to his damage in an amount
9 according to proof.

10 79. As a further, direct and proximate result of the negligence of defendants, and each of
11 them, as herein alleged, plaintiffs were prevented from performing their usual occupations, or any
12 occupation whatsoever, or has otherwise suffered a reduction in their capacities to work, and as a
13 result has been damaged in an amount according to proof. Plaintiffs are informed and believe, and
14 on such information and belief allege, that by reason of said carelessness and negligence of
15 defendants, and each of them, plaintiffs will, in the future, be prevented from attending to their
16 usual occupations for an undetermined period of time, or will continue to have a reduced capacity
17 to earn income, all to their further damage in an amount according to proof.

18 80. In addition, Plaintiffs should be awarded attorney's fees under Code of Civil
19 Procedure section 1021.5 because the successful prosecution of this action will confer a significant
20 benefit both pecuniary and non-pecuniary on the general public and a large group of persons by
21 abating environmental harm and preventing future harm to residents of Garden Grove and the
22 surrounding areas. Further, the necessity and financial burden of private enforcement makes such
23 an award appropriate as the litigation is not economically feasible or viable for Plaintiffs to pursue
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1 on their own at their own expense, and such fees should not in the interest of justice be paid out of
2 the recovery, if any.

3 81. Plaintiffs furthermore need medical monitoring as a result of the toxic exposure given
4 the prolonged exposure to methyl methacrylate and other toxic chemicals and the increased chance
5 of developing more serious disease as a result of this exposure.

6 **THIRD CLAIM FOR RELIEF**
7 **PRIVATE NUISANCE (CALIFORNIA LAW)**

8 CALIFORNIA CIVIL CODE § 3479

9 (Against Defendants)

10 82. Plaintiffs re-allege and incorporate paragraphs one through fifty-two as though fully
11 set forth herein, and bring this claim on behalf of the Class, the Diminution Subclass, Exposure
12 Related Illness Subclass, and Medical Monitoring subclass.

13 83. Defendants failed to exercise reasonable care in the course of constructing, operating,
14 and/or maintaining their Garden Grove facility and its and continue to allow leaks, releases,
15 emissions, and/or migration of pollutants to the surrounding area including Plaintiffs' properties.
16 Defendants created a condition that is harmful to Plaintiffs' health and free use of their properties
17 so as to seriously interfere with comfortable enjoyment of their life and property, including creating
18 conditions such that Plaintiffs had to physically flee from their homes. Plaintiffs suffer from the
19 ongoing contamination of the air surrounding their homes and the threat of continued leaks,
20 releases, emissions, and/or migration of pollutants to the surrounding area including Plaintiffs'
21 property.

22 84. The continuing condition created by the Defendants harmed Plaintiffs. This harm
23 includes, but is not limited to, polluted land and air in and around Plaintiffs' properties and adverse
24 health effects due to exposure.

25 85. Plaintiffs did not consent to Defendants' conduct.

26 86. An ordinary person of reasonable sensibility would reasonably be annoyed and/or
27 disturbed by the conditions created by Defendants.
28

1 87. Defendants' aforementioned conduct constitutes a nuisance within the meaning of
2 section 3749 of the Civil Code in that it is injurious to health and/or offensive to the senses of
3 Plaintiffs and/or unreasonably interferes with the comfortable enjoyment of Plaintiffs' land and/or
4 the free and customary use of Plaintiffs' property.

5 88. Defendants' conduct, including constructing, operating, and/or maintaining the
6 Garden Grove facility and its chemical storage tanks was a substantial factor, and likely the only
7 cognizable factor, in causing the harm. Further, continuing harm remains due to the current and
8 ongoing contamination of Plaintiffs' properties.

9 89. The seriousness of Defendants' conduct referenced above outweighs the public
10 benefits of the Defendants' operation of its manufacturing facility because chemical and gas leaks
11 seriously deprive Plaintiffs of peaceful enjoyment of their homes and pollute the air of the
12 surrounding properties and neighborhoods. In comparison, the social value and primary purpose
13 of such activity is the maximization of profit for corporations with no incentive to take precautions
14 to ensure the safety and environmental integrity of the storage facility.

15 90. Plaintiffs have no speedy, plain, or adequate remedy of law for the injuries presently
16 being suffered or for the aggravation of such injuries. Unless the nuisance created by Defendants is
17 restrained by a preliminary and permanent injunction, Plaintiffs will suffer great and irreparable
18 injury in that dangerous levels of noxious odors, hazardous gases, chemicals, pollutants, and
19 contaminants will continue to emanate from Defendants' Garden Grove facility, pollute the air,
20 Plaintiffs' properties, and continue to damage the right of Plaintiffs and their families to live in their
21 homes without harmful exposure.

22 91. Defendants' actions resulted in the pollution of air and deprived residents of Orange
23 County of their ability to live in their homes free of health problems. Defendants took these actions
24 with a willful and knowing disregard of the rights and safety of the community. Plaintiffs should,
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1 therefore, be awarded punitive and exemplary damages under Civil Code section 3294 sufficient to
2 punish Defendants for engaging in this conduct and to deter similar conduct in the future.

3 92. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to
4 suffer, the loss of the quiet use and enjoyment of its property in addition to all of their general
5 damages in an amount to be set forth according to proof at trial.

6 93. By reason of said negligence and carelessness of the aforesaid Defendants, and each
7 of them, and as a proximate result thereof, plaintiffs received severe injuries to their bodies. The
8 injuries sustained by plaintiffs have greatly impaired their health, strength and activity and have
9 thereby caused and continued to cause them great mental, physical and nervous pain and suffering
10 and an extreme shock to their nervous systems. Plaintiffs are informed and believe, and thereon
11 allege, that said injuries will result in some disability to plaintiffs, all to his damage in an amount
12 according to proof

13 94. As a further, direct and proximate result of the negligence of Defendants, and each of
14 them, as herein alleged, plaintiffs were required to, and did employ, and continues to employ,
15 physicians, surgeons, and others for medical care of said injuries, and did incur medical, and
16 incidental expenses in an amount according to proof. Plaintiffs are informed, and thereon allege,
17 that they will incur further medical and incidental expenses for the care and treatment of said
18 injuries, the amount of which is unknown at this time, all to their further damage in an amount
19 according to proof.

20 95. As a further, direct and proximate result of the negligence of defendants, and each of
21 them, as herein alleged, plaintiffs were prevented from performing their usual occupations, or any
22 occupation whatsoever, or has otherwise suffered a reduction in their capacities to work, and as a
23 result has been damaged in an amount according to proof. Plaintiffs are informed and believe, and
24 on such information and belief allege, that by reason of said carelessness and negligence of
25 defendants, and each of them, plaintiffs will, in the future, be prevented from attending to their
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1 usual occupations for an undetermined period of time, or will continue to have a reduced capacity
2 to earn income, all to their further damage in an amount according to proof.

3 96. In addition, Plaintiffs should be awarded attorney's fees under Code of Civil
4 Procedure section 1021.5 because the successful prosecution of this action will confer a significant
5 benefit both pecuniary and non-pecuniary on the general public and a large group of persons by
6 abating environmental harm and preventing future harm to residents of Garden Grove and the
7 surrounding areas. Further, the necessity and financial burden of private enforcement makes such
8 an award appropriate as the litigation is not economically feasible or viable for Plaintiffs to pursue
9 on their own at their own expense, and such fees should not in the interest of justice be paid out of
10 the recovery, if any.

11 97. Plaintiffs furthermore need medical monitoring as a result of the toxic exposure given
12 the prolonged exposure to methyl methacrylate and other toxic chemicals and the increased chance
13 of developing more serious disease as a result of this exposure.

14 **FOURTH CLAIM FOR RELIEF**

15 **PUBLIC NUISANCE (CALIFORNIA LAW)**

16 CALIFORNIA CIVIL CODE § 3480

17 (Against Defendants)

18 98. Plaintiffs re-allege and incorporate paragraphs one through fifty-two as though fully
19 set forth herein, and bring this claim on behalf of the Class, the Diminution Subclass, Exposure
20 Related Illness Subclass, and Medical Monitoring subclass.

21 99. Defendants failed to exercise reasonable care in the course of constructing, operating,
22 and/or maintaining the Garden Grove facility and its chemical storage tanks, and continue to allow
23 noxious odors, hazardous gases, chemicals, pollutants, and contaminants to be leaked, released,
24 emitted or migrated to the surrounding areas including Plaintiffs' properties. Defendants created a
25 continuing condition that is harmful to Plaintiffs' health and free use of their homes so as to
26 seriously interfere with comfortable enjoyment of their life and property.

27 100. The continuing conditions created by the Defendants harmed residents in Garden
28 Grove and the areas, and a substantial number of people at the same time. The harmful condition

1 includes pollution of the Plaintiffs' land, homes, and persons from noxious odors, hazardous gases,
2 chemicals, pollutants, and contaminants emanating and/or migrating from Defendants' Garden
3 Grove facility.

4 101. Plaintiffs did not consent to the Defendants' conduct.

5 102. Defendants' aforementioned conduct constitutes a nuisance within the meaning of
6 section 3749 of the Civil Code in that it is injurious to health and/or offensive to the senses of
7 Plaintiffs and/or unreasonably interferes with the comfortable enjoyment of Plaintiffs' properties
8 and/or the free use, in the customary manner, of Plaintiffs' properties.

9 103. As a result of Defendants' conduct, Plaintiffs suffered a type of harm that is different
10 from the type of harm suffered by the general public. Specifically, Plaintiffs have lost the use and
11 enjoyment of their land, including, but not limited to exposure to an array of pollutants in their
12 persons and on their land, and the continuing threat of leaks, releases, emissions, and/or migration
13 of dangerous levels of noxious odors, hazardous gases, chemicals, pollutants, and contaminants.

14 104. An ordinary person of reasonable sensibilities would be reasonably annoyed and/or
15 disturbed by the condition created by Defendants.

16 105. The seriousness of Defendants' conduct referenced above outweighs the public
17 benefits of the Defendants' Garden Grove facility operations because gas leaks seriously deprive
18 Plaintiffs of peaceful enjoyment of their homes and pollute the air of the surrounding properties
19 and neighborhoods. In comparison, the social value and primary purpose of such activity is the
20 maximization of profit for corporations with no incentive to take precautions to ensure the safety
21 and environmental integrity of the storage facility.

22 106. Defendants' conduct, including constructing, operating, and/or maintaining the
23 Garden Grove facility was a substantial factor, and likely the only cognizable factor, in causing the
24 harm. Further, continuing harm remains due to the current and ongoing contamination of Plaintiffs'
25 properties.

26 107. Plaintiffs further allege that as a consequence of Defendants' acts and/or failures to
27 act, this public nuisance must be abated.
28

1 108. Plaintiffs have no speedy, plain, or adequate remedy of law for the injuries presently
2 being suffered or for the aggravation of such injuries. Unless the nuisance created by Defendants is
3 restrained by a preliminary and permanent injunction, Plaintiffs will suffer great and irreparable
4 injury in that dangerous levels of noxious odors, hazardous gases, chemicals, pollutants, and
5 contaminants will continue to emanate from Defendants' Garden Grove facility, pollute the air,
6 Plaintiffs' properties, and continue to damage the right of Plaintiffs and their families to live in their
7 homes without harmful exposure.

8 109. Defendants' actions resulted in the pollution of air and deprived residents of Garen
9 Grove and the surrounding areas of their ability to live in their homes free of health problems.
10 Defendants took these actions with a willful and knowing disregard of the rights and safety of the
11 community. Plaintiffs should, therefore, be awarded punitive and exemplary damages under Civil
12 Code section 3294 sufficient to punish Defendants for engaging in this conduct and to deter similar
13 conduct in the future.

14 110. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to
15 suffer, the loss of the quiet use and enjoyment of its property in addition to all of their general
16 damages in an amount to be set forth according to proof at trial.

17 111. By reason of said negligence and carelessness of the aforesaid Defendants, and each
18 of them, and as a proximate result thereof, plaintiffs received severe injuries to their bodies. The
19 injuries sustained by plaintiffs have greatly impaired their health, strength and activity and have
20 thereby caused and continued to cause them great mental, physical and nervous pain and suffering
21 and an extreme shock to their nervous systems. Plaintiffs are informed and believe, and thereon
22 allege, that said injuries will result in some disability to plaintiffs, all to his damage in an amount
23 according to proof

24 112. As a further, direct and proximate result of the negligence of Defendants, and each of
25 them, as herein alleged, plaintiffs were prevented from performing their usual occupations, or any
26 occupation whatsoever, or has otherwise suffered a reduction in their capacities to work, and as a
27 result has been damaged in an amount according to proof. Plaintiffs are informed and believe, and
28 on such information and belief allege, that by reason of said carelessness and negligence of

1 defendants, and each of them, plaintiffs will, in the future, be prevented from attending to their
2 usual occupations for an undetermined period of time, or will continue to have a reduced capacity
3 to earn income, all to their further damage in an amount according to proof.

4 113. In addition, Plaintiffs should be awarded attorney's fees under Code of Civil
5 Procedure section 1021.5 because the successful prosecution of this action will confer a significant
6 benefit both pecuniary and non-pecuniary on the general public and a large group of persons by
7 abating environmental harm and preventing future harm to residents of Garden Grove and the
8 surrounding areas. Further, the necessity and financial burden of private enforcement makes such
9 an award appropriate as the litigation is not economically feasible or viable for Plaintiffs to pursue
10 on their own at their own expense, and such fees should not in the interest of justice be paid out of
11 the recovery, if any.

12 **FIFTH CLAIM FOR RELIEF**

13 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (CALIFORNIA LAW)⁴**

14 (Against Defendants)

15 1. Plaintiffs re-allege and incorporate the foregoing paragraphs one through fifty-two as
16 though fully set forth herein, and bring this claim on behalf of the Class, the Diminution Subclass,
17 Exposure Related Illness Subclass, and Medical Monitoring subclass.

18 2. Plaintiffs are individuals who each own or rent residential property or own businesses
19 or other property within a short distance of the Garden Grove facility owned and/or operated by
20 Defendants.

21 3. Defendants own, operate, or service a manufacturing facility that uses highly volatile
22 and dangerous chemicals Plaintiffs' residences and property. Defendants thus have a duty to use
23 reasonable care in the construction, operation, maintenance and abandonment of all such operations
24
25
26

27 ⁴ Negligent infliction of emotional distress is not a separate tort under California law but is instead a type of
28 negligence. *Eriksson v. Nunnink*, 183 Cal. Rptr. 3d 234 (Ct. App. 2015). However, for the sake of clarity Plaintiffs set
forth this claim as a separate cause of action.

1 and equipment. Defendants' possessed a significant duty that was commensurate with and
2 proportionate to the serious danger posed by these activities.

3 4. Defendants breached that duty by negligently and carelessly constructing, operating,
4 and/or maintaining the Garden Grove facility and its chemical storage tanks. This negligence
5 directly and foreseeably caused actual leaks, releases, emissions, and/or migration of noxious odors,
6 hazardous gases, chemicals, pollutants, and contaminants into Plaintiffs' land, property and homes.

7 5. Defendants knew or should have known that their operations would result in the leaks,
8 releases, emissions, and/or migration of pollutants including but not limited to noxious odors,
9 hazardous gases, chemicals, pollutants, and contaminants, and that such pollutants would
10 contaminate Plaintiffs' land, homes, and/or persons.

11 6. The breach of their duty to Plaintiffs by Defendants directly increased the
12 concentration of noxious odors, hazardous gases, chemicals, pollutants, and contaminants on
13 Plaintiffs' land, property and person to such an extent that Plaintiff has suffered both personal and
14 property damage.

15 7. The breach of duty by Defendants was the legal and proximate cause of the injuries
16 and damages suffered by Plaintiffs.

17 8. As a result of Defendants' negligent conduct, Plaintiffs were forced to evacuate their
18 homes, causing them fear, anxiety, and uncertainty about when, if ever, they would be able to return
19 to their homes. This constitutes severe emotional distress.

20 9. The harm to Plaintiffs was foreseeable because of their proximity to the Garden Grove
21 facility.

22 10. Plaintiffs were further harmed to the extent they witnessed their children, spouses, or
23 other close relatives suffer actual injury as a result of Defendants' conduct, causing them severe
24 emotional distress.

SIXTH CLAIM FOR RELIEF
ULTRAHAZARDOUS ACTIVITY

(Against Defendants)

11. Plaintiffs re-allege and incorporate the foregoing paragraphs one through fifty-two as though fully set forth herein, and bring this claim on behalf of the Class, the Diminution Subclass, Exposure Related Illness Subclass, and Medical Monitoring subclass.

12. Defendants' conduct including the storage and use of the highly volatile chemical methyl methacrylate as well as other chemicals at their Garden Grove facility constituted an ultrahazardous activity for which Defendants should be strictly liable.

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

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

15. In the alternative, Plaintiffs allege that even if Defendants exercised reasonable care, the risk from the storage and use of these inherently dangerous chemicals cannot be mitigated. The actual and potential leak of these chemicals constituted such a crisis that 50,000 people had to evacuate their homes and the Governor of California had to declare a state of emergency.

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

17. The Defendants' Garden Grove facility is located in a densely populated suburb of Los Angeles, close to Disney Land, as well as several schools and recreation areas. Thousands of people live in very close proximity to the facility. The use and storage of methyl methacrylate and

1 other dangerous chemicals at the Defendants' facility is not an appropriate activity given its close
2 proximity to so many people and their homes.

3 18. The value of the Defendants' activity is minimal compared to the risks. Defendants do
4 not provide important services to the immediate community, for example, but instead manufacture
5 certain systems, including specialized transparencies, for military and commercial aircraft.

6
7 **PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiffs request relief against Defendants as follows:

- 9 A. A judgment in favor of Plaintiffs on all claims;
10 B. An award to Plaintiffs for the amount of damages, including property damage, as
11 proven at trial;
12 C. An award to Plaintiffs for punitive damages;
13 D. An immediate temporary injunction against Defendants to prevent further harm to
14 Plaintiffs and to include provisions for further ongoing monitoring of Plaintiffs'
15 property and potential remediation by Defendants;
16 E. The cost of future medical monitoring;
17 F. For reasonable attorneys' fees pursuant to California Code of Civil Procedure,
18 section 1021.5;
19 G. For interest at the legal rate on all amounts awarded;
20 H. Such other and further relief as this Court may deem just and proper.

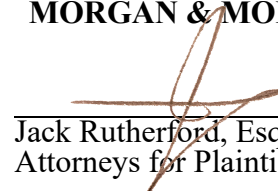
21 **DEMAND FOR JURY TRIAL**

22 Plaintiffs hereby demand trial by jury on all issues triable of right by jury.

23 **DATE: May 26, 2026**

MORGAN & MORGAN, LLP

24
25 **By:**

26 
27 _____
28 Jack Rutherford, Esq.
Attorneys for Plaintiffs