

Brian Panish, Esq. (SBN 116060)
panish@psbirlaw.com
Jesse Creed, Esq.
jcreed@psbirlaw.com
Panish Shea & Boyle LLP
11111 Santa Monica Blvd., Ste. 700
Los Angeles, CA 90025
Tel: (310) 477-1700
Fax: (310) 477-1699

Rene F. Rocha III, Esq.*
LA Bar No. 34411
rrocha@forthepeople.com
Morgan & Morgan
Complex Litigation Group
909 Poydras St., Ste. 1625
New Orleans, LA 70112

Jack Rutherford (SBN 268669)
jack.rutherford@forthepeople.com
Morgan & Morgan
Complex Litigation Group
12300 Wilshire Blvd, Ste 200
Los Angeles, CA 90025
Tel: (213) 755-8981
Fax: (213) 757-6101

Frank M. Petosa, Esq.*
FL Bar No. 972754
fpetosa@forthepeople.com
Morgan & Morgan
Complex Litigation Group
8151 Peters Road, Ste 4000
Plantation, FL 33324
P: (954) 318-0268
F: (954) 327-3018

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

* Pro Hac Vice pending

Attorneys for Plaintiffs

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

NANCY GREENE, individually and on behalf of
all others similarly situated, RAYMOND
MICHAEL NICOSIA, individually and on behalf
of all others similarly situated, RAED ALKILANI,
individually and on behalf of all others similarly
situated, and SHASTA MASON, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

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. 30-2026-01580157-CU-TT-CXC

**CLASS ACTION AND INDIVIDUAL
COMPLAINT FOR DAMAGES**

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

DEMAND FOR JURY TRIAL

Plaintiffs Nancy Greene, Raymond Michael Nicosia, Raed Alkilani, and Shasta Mason,
(collectively "Plaintiffs") hereby bring this complaint against Defendants GKN Aerospace
Camarillo, Inc., GKN Chem-Tronics, Inc., GKN Aerospace Transparency Systems, Inc., and DOES

1-100, inclusive, and in support therefore, allege as follows:

INTRODUCTION

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

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

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

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

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

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

7. This disaster was not an act of God or an unpredictable accident but the foreseeable result of Defendants’ decision-making and their knowing, reckless, and negligent failure to take reasonable measures and comply with applicable federal and state regulations and permitting to store and use the chemicals at issue and otherwise safely operate the Garden Grove facility.

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>.

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

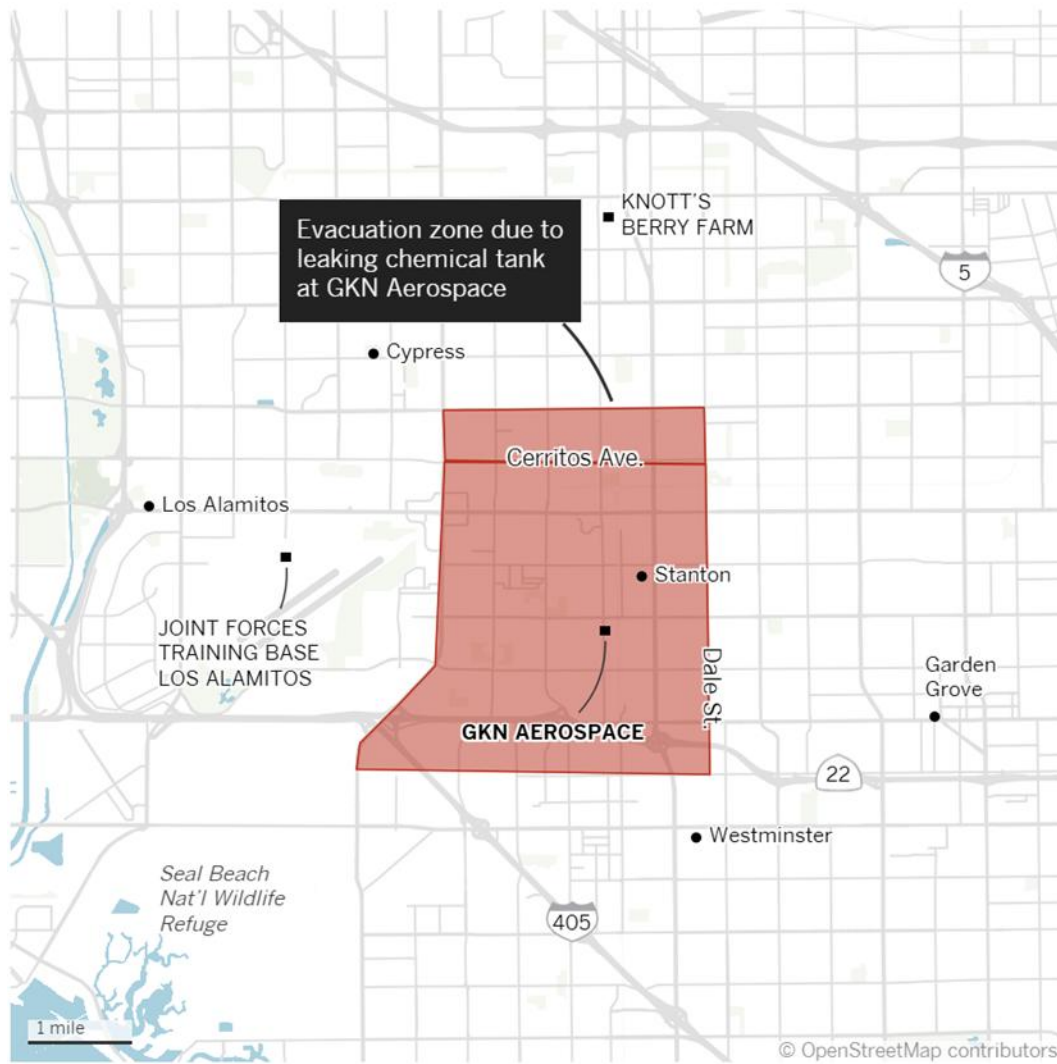


Figure 1: Source: Los Angeles Times. <https://www.latimes.com/california/live/garden-grove-gas-leak-live-evacuation-maps-closures-and-updates>.



Figure 2: Source: Los Angeles Times

FACTUAL ALLEGATIONS

8. GKN Aerospace Transparency Systems' 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 ("the Garden Grove facility").

9. Upon information and belief, the Garden Grove facility is owned and operated by GKN Aerospace Transparency Systems, Inc. Defendants herein include GKN Aerospace Transparency Systems, Inc. ("GKN Aerospace") and other affiliates or subsidiaries of GKN Aerospace Services Limited that are based in and operate in California ("Defendants").

10. The Garden Grove facility has been operating since 2004, and Defendants have been

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

expanding the facility to include a new production line to be completed in 2027.

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

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

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

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

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

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

17. Schools in the area closed during the evacuation and remained closed through the rest of the school year.

18. In January 2025 Defendant GKN Aerospace settled with the South Coast Air Quality Management District ("South Coast AQMD") for or \$909,935.95 over violations of permit requirements, record-keeping requirements and nitrogen oxide emissions from the Garden Grove facility.

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

20. Upon information and belief, Defendants failed to comply with industry standards by, including but not limited to: (a) failing to maintain a continuous temperature monitoring system; (b) failing to maintain an adequate cooling system; (c) failing to maintain a functioning tank valve; (d) failing to have a pre-installed short stopping system capable of delivering a neutralizing agent

1 immediately after the reaction was discovered; and (e) failing to implement adequate emergency
2 response procedures.

3 21. Firefighters responded on Thursday May 21 to the GKN facility and found that one of
4 three tanks containing the dangerous chemical Methyl methacrylate was becoming highly
5 pressurized due to an increase in temperature within the tank. Over the course of several days, they
6 attempted to maintain the temperature in a safe range, but the temperature of the tank continued to
7 rise. Efforts to introduce a chemical neutralizer through a valve in the tank failed because of a fault
8 in the valve due to the Defendants' failure to properly maintain the storage tanks and the valves.

9 22. The temperature control of the tank failed due to the defendants' failure to safely and
10 lawfully maintain and operate its Garden Grove facility or in the alternative due to the defendants'
11 failure to build the tank in a reliable and safe way.

12 23. As a gas, methyl methacrylate is heavier than the atmosphere and settles close to the
13 ground and can also travel to an ignition source, presenting a hazard for anyone in the area of the
14 leak. Methyl methacrylate is highly volatile, meaning that it begins to emit vapors at temperatures
15 as low as 50 degrees Fahrenheit.

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

20 25. The potential and actual chemical leak harmed the residents of Garden Grove and the
21 surrounding towns. This chemical leak impaired the health of residents of Orange County including
22 the named plaintiffs and impaired their ability to return to their residences.

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

25 27. Defendants' failure to abate the fluid and gas leak released hazardous gases,
26 chemicals, pollutants, and contaminants into Plaintiffs' land, homes, and/or their persons. These
27 leaks, releases, emissions, and/or migration of noxious odors, hazardous gases, chemicals,
28

1 pollutants, and contaminants into Plaintiffs' land, homes, and/or their persons constitute an invasion
2 of Plaintiffs' property.

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

7 29. The mandatory and enforced evacuation of members of the class substantially
8 impaired their use and enjoyment of their property and caused them severe emotional distress due
9 to the fear of being injured by exposure to dangerous chemicals and due to the uncertainty of when
10 they would be able to return to their homes.

11 30. The Orange County Fire Authority's mandatory evacuation orders, the closure of
12 Garden Grove Unified School District campuses, the suspension of commercial operations across
13 the evacuation zone, and the public-safety response described in the foregoing paragraphs were the
14 direct and proximate consequence of Defendants' loss of control over the MMA storage tank at the
15 Garden Grove Facility. The evacuation orders, school closures, and business disruption would not
16 have been issued or required but for Defendants' conduct. Defendants' conduct was a substantial
17 factor in producing the public-safety threat that compelled the official emergency response and in
18 producing the consequential damages to Plaintiffs and the surrounding community.

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

21 **JURISDICTION AND VENUE**

22 32. Each Defendant transacts a substantial amount of business and/or have agents within
23 Orange County. The unlawful acts alleged herein took place in Orange County. The unlawful acts
24 alleged herein have a direct effect on Plaintiffs and those similarly situated within Orange County.
25 Further, the amount in controversy exceeds the jurisdictional minimum, exclusive of interests and
26 costs.

27 33. Venue is proper in this Court pursuant to California Civil Procedure sections 395 and
28 395.5 since Defendant GKN Aerospace Transparency Systems, Inc. is headquartered in Orange

County and is regularly engaged in transactions in Orange County, and the action that caused injuries to Plaintiffs occurred in Orange County.

PARTIES

34. Plaintiffs Nancy Greene, Raymond Michael Nicosia, Raed Alkilani, and Shasta Mason (collectively “Plaintiffs”) are individuals who currently and at all times relevant to this action reside or own businesses and property in Orange County, California. Their residences, businesses, and property are located in Garden Grove, Anaheim, Stanton, and/or Westminster, California, as well as other surrounding cities and towns near the Defendants’ Garden Grove facility and within the evacuation zone.

35. Plaintiff Nancy Greene lives about one block away from the Garden Grove facility in Stanton, California. She and her daughter received a notice to evacuate their home on Thursday May 21, 2026. They were advised the next day that they could return home, but then authorities issued a second evacuation order, and Greene and her family had to leave again upon renewed evacuation orders for several days. Upon reentering their home for the first time on May 22, 2026, they suffered from exposure to chemicals in the air from the Garden Grove facility and developed rashes on their skin and experienced nausea and vomiting as well as trouble breathing, all symptoms consistent with exposure to methyl methacrylate. Plaintiff Greene takes medication for a medical condition and did not have access to her medication while she was away from her home. Plaintiff Greene experienced emotional distress as a result of having to evacuate, her exposure to the chemicals in the air, and from the uncertainty of not knowing if she would ever be able to return to her home, as well as due to not having her medication.

36. Plaintiff Raymond Michael Nicosia also lives about a block away from the Garden Grove facility in Garden Grove, California. He owns his home. Plaintiff Nicosia was 69 years old at the time and is blind. A seeing eye dog assists him. On the morning of Friday May 22, he was outside his home waiting for his brother to pick him up and take him to a doctor’s appointment. Instead, police ushered him from his home and made him evacuate, taking him to a nearby hospital. Plaintiff takes medication which he had difficulty obtaining during the time he was away from his home for six days. He was and continues to be concerned about his home’s exposure to chemicals.

1 He detected strong chemical smells remaining upon his return to his home. He suffered emotional
2 distress as a result of having to evacuate, being without his medications, and the uncertainty of
3 whether he would be able to return to his home. Upon information and belief, his home's value was
4 adversely affected due to the chemical leak and its proximity to the facility.

5 37. Plaintiff Shasta Mason also lives about one block away from the Garden Grove facility
6 in Stanton, California. Plaintiff Mason has two young daughters. While she was at work on Saturday
7 May 23, her daughter called her telling her that sheriffs were at the door, telling them they needed
8 to evacuate. Plaintiff Mason rushed home and picked up her daughters and what few belongings
9 they could take. She had to use her whole paycheck to pay for several nights at a hotel, as well as
10 food and other items for her and her family while they could not return to their home. She did not
11 know how long they would be gone. They were able to return after five days. During this time, she
12 had to miss work to take care of her daughters, whose school was closed. Her youngest daughter
13 cried throughout the first two days they were gone due to her concern that her family would be
14 homeless and they would lose all their possessions. This incident and its impact on her family
15 caused Plaintiff Mason emotional distress due to the uncertainty about when they would be able to
16 return and the financial burden having to evacuate placed on her. Plaintiff Mason also suffers from
17 a medical condition and reported that her nose was burning when they returned home, consistent
18 with chemical exposure.

19 38. Plaintiff Raed Alkilani lives in Anaheim, California, two miles from the Garden Grove
20 facility and within the evacuation zone. He and his household, including his son and his roommate,
21 had to abruptly evacuate on or about Saturday May 23, leaving their belongings behind. Plaintiff
22 Alkilani runs a trucking business from his home office, and his business was severely disrupted
23 during this time, resulting in significant losses each day that his business had to remain closed. His
24 son was not able to go to work or attend his college. Plaintiff Alkilani and his family suffered from
25 emotional distress due to the uncertainty of when they would be able to return. Plaintiff Alkilani
26 also suffered emotional distress due to the disruption of his business and the financial losses
27 incurred due to the evacuation.

28 39. GKN Aerospace Camarillo, Inc., is a California corporation with its principal place of

1 business in Camarillo, California.

2 40. Defendant GKN Chem-Tronics, Inc., is a California Corporation with its principal
3 place of business in El Cajon, California.

4 41. Defendant GKN Aerospace Transparency Systems, Inc., is a California Corporation
5 with its principal place of business in Garden Grove, California.

6 42. Based upon information and belief, all Defendants are involved in the operations of
7 the Garden Grove facility.

8 43. Does 1 through 100, inclusive are the partners, agents, employees or principals, and
9 the co-conspirators of the named Defendants, and of each other whose true names and capacities
10 are currently unknown to Plaintiffs; the named defendants and Does 1 through 100, inclusive,
11 performed the acts and conduct herein alleged, aided and abetted the performance thereof, or
12 knowingly acquiesced in, ratified, and accepted the benefits of such acts and conduct; and therefore,
13 Does 1 through 100, inclusive, are liable to Plaintiffs to the extent of the liability of the named
14 Defendants. Plaintiffs will seek leave of the Court to amend its Complaint to reflect the true names
15 and capacities of the Defendants designated herein as DOES when such identities and capacities
16 become known.

17 44. Based on information and belief, Plaintiffs allege that at all times mentioned herein,
18 each and every Defendant was acting as an agent and/or employee of each of the other Defendants,
19 and at all relevant times mentioned was acting within the course and scope of said agency and/or
20 employment with the full knowledge, permission, and consent of each of the other Defendants. In
21 addition, each of the acts and/or omissions of each Defendant alleged herein were made known to,
22 and ratified by, each of the other Defendants.

23 **CLASS ACTION ALLEGATIONS**

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

26 46. Plaintiffs seek to represent all California residents who have been displaced, exposed
27 to the noxious odors, hazardous gases, chemicals, pollutants, and contaminants emanating from the
28 chemical leak at the Defendants' Garden Grove facility, since the leak was discovered. The

1 proposed class ("Class") is comprised entirely of California residents who live in, work in, or own
2 property or businesses in Orange County within 10 miles of the Defendants' Garden Grove facility.

3 47. This action is perfectly suited for class action treatment since a well-defined
4 community of interest in the litigation exists and the class is easily ascertainable. The class
5 definition identifies a group of unnamed plaintiffs by a set of shared characteristics adequate for an
6 individual to identify him or herself as a member of the group with the right to recover. The class
7 members may receive proper and sufficient notice either directly or through publication.

8 48. Commonality and Predominance: Defendants' conduct and the scope of its impact
9 raise common issues of fact and law among all members of the class, and common questions of law
10 or fact are substantially similar and predominate over questions that may affect only individual
11 class members. Defendants' unreasonable construction, operation, or maintenance of the Garden
12 Grove facility is a common nucleus of operative fact linking every class member. Each member of
13 the proposed class claims that Defendants negligently constructed, operated, and/or maintained
14 their Garden Grove facility, which resulted in harmful pollutants and noxious odors to actually and
15 potentially invade their land and property, causing the class members to have to flee and causing
16 diminished use and enjoyment of their properties, polluted land and air in and around Plaintiffs'
17 properties, and adverse health effects. In addition, each member of the proposed class also claims
18 that the Defendants have intentionally, recklessly, and/or negligently failed to abate the leak of
19 harmful pollutants and noxious odors. And while slight variations in the individual damage claims
20 may occur, common questions of law or fact regarding Defendants' liability substantially
21 predominate over any questions affecting only individual class members such that the class
22 members should be permitted for the fair and efficient adjudication of this controversy.

23 49. Plaintiffs assert that they intend to prove Defendants were responsible for class-wide
24 harm with admissions from Defendants, expert testimony, scientific evidence of the pollutants'
25 dispersion, and illustrative testimony from the Plaintiffs themselves and the neighbor-declarants
26 who reside throughout the class area. Almost identical evidence will be required to establish the
27 level and duration of Defendants' emissions, the reasonableness of Defendants' operations, and the
28

1 causal connection between the injuries allegedly suffered and Defendants' liability. This evidence
2 is common to all class members and will require substantial trial time.

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

- 5 a. Whether Defendants operated their Garden Grove facility lawfully and with proper
6 environmental permits;
- 7 b. Whether Defendants acted reasonably in the construction, operation, and/or
8 maintenance of the chemical storage and other facilities at the Garden Grove
9 facility.
- 10 c. Whether Defendants were negligent in the construction, operation, and/or
11 maintenance of the Garden Grove facility;
- 12 d. Whether Defendants were negligent in their attempts to abate the fluid and gas
13 leak from the Garden Grove facility;
- 14 e. Whether Defendants owed a duty to the class members;
- 15 f. Whether Defendants breached that duty;
- 16 g. Whether the breach of that duty was the proximate cause of the actual and potential
17 chemical leak crisis that began on May 21, 2026;
- 18 h. Whether gases and other chemicals have been leaked, released or emitted into the
19 area of the Garden Grove facility that would pose a threat to the health and safety
20 of the class members;
- 21 i. Whether it was reasonably foreseeable that Defendants' failure to properly
22 construct, operate or maintain the Garden Grove facility and its chemical storage
23 tanks would result in harm to the class members;
- 24 j. Whether uncontrolled leak of noxious odors, hazardous gases, chemicals,
25 pollutants, and contaminants into the area around Defendants' Garden Grove
26 facility constitutes an unlawful trespass;

1 k. As to the Diminution Subclass, whether the chemical leak and subsequent
2 evacuation has caused a significant and permanent diminution in the value of
3 property in the area near the Garden Grove facility.

4 l. As to the Exposure Related Illness Subclass, whether the uncontrolled emission of
5 noxious gases from the Defendants' facility is the proximate cause of their injuries;

6 m. As to the Medical Monitoring Subclass, whether the uncontrolled emission of
7 noxious gases and chemicals from the Defendants' Garden Grove facility poses
8 serious long-term health risks which require future medical monitoring;

9 n. Whether the class members suffered severe emotional distress because of their
10 actual or potential exposure to the chemical leak and to noxious gases emanating
11 from the facility and from having to evacuate their homes.

12 51. Numerosity: The members of the Class are so numerous that a joinder of all members
13 would be impracticable. Plaintiffs estimate that 50,000 people live within the evacuation area and
14 were actually evacuated. The exact number of members of the Class is presently unknown to
15 Plaintiffs and can only be determined through discovery, Plaintiffs believe the Class is likely to
16 include thousands of members.

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

21 53. The claims of each Plaintiff/subclass representative are typical of the claims of the
22 members of each subclass. The claims arise out of the same events, practices, and conduct of the
23 Defendants. The legal theories asserted by each subclass representative are the same as the legal
24 theories asserted by the members of that subclass.

25 54. Adequacy of Representation: Plaintiffs and all putative class members do not have
26 any conflicts of interest with other class members due to the great degree of commonality and will
27 prosecute the case vigorously on behalf of the class and subclasses. Counsel representing Plaintiffs
28 and the class are competent and experienced in litigating large environmental class actions.

1 Plaintiffs will fairly and adequately represent and protect the interests of the class members. Thus,
2 the named Plaintiffs are committed to deliver relief for the class and have retained experienced class
3 action counsel.

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

13
14 **CLAIMS FOR RELIEF**
15 **FIRST CLAIM FOR RELIEF**
16 **NEGLIGENCE / NEGLIGENCE PER SE (CALIFORNIA LAW)**
17 CALIFORNIA EVIDENCE CODE § 669
18 (Against All Defendants)

19 56. Plaintiffs re-allege and incorporate the foregoing paragraphs as though fully set forth
20 herein and bring this claim on behalf of themselves and the Class and all subclasses.

21 57. Plaintiffs are individuals who each own or rent residential property or own businesses
22 or other property within a short distance of the Garden Grove facility owned and/or operated by
23 Defendants.

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

59. Defendants breached that duty by negligently and carelessly constructing, operating,
and/or maintaining the Garden Grove facility and its chemical storage tanks. This negligence

1 directly and foreseeably caused actual leaks, releases, emissions, and/or migration of noxious odors,
2 hazardous gases, chemicals, pollutants, and contaminants into Plaintiffs' land, property and homes.

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

7 61. The breach of their duty to Plaintiffs by Defendants directly increased the
8 concentration of noxious odors, hazardous gases, chemicals, pollutants, and contaminants on
9 Plaintiffs' land, property and person to such an extent that Plaintiff has suffered both personal and
10 property damage.

11 62. The breach of duty by Defendants was the legal and proximate cause of the injuries
12 and damages suffered by Plaintiffs. The damages caused by the breach included polluted land and
13 air in and around Plaintiffs' properties and adverse health effects suffered by Plaintiffs due to
14 exposure.

15 63. Additionally, Defendants had an obligation not to violate the law with respect to
16 construction, operation, and maintenance of its Garden Grove facility.

17 64. 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 65. As a further, direct and proximate result of the negligence of Defendants, and each of
25 them, as herein alleged, plaintiffs were required to, and did employ, and continues to employ,
26 physicians, surgeons, and others for medical care of said injuries, and did incur medical, and
27 incidental expenses in an amount according to proof. Plaintiffs are informed, and thereon allege,
28 that they will incur further medical and incidental expenses for the care and treatment of said

1 injuries, the amount of which is unknown at this time, all to their further damage in an amount
2 according to proof.

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

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

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

17 69. Plaintiffs are within the class of persons the above statutes and regulations are
18 designed to protect, and their injuries are the type of harm these statutes are designed to prevent.

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

25 71. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to
26 suffer, the loss of the quiet use and enjoyment of its property in addition to all their general damages
27 in an amount to be set forth according to proof at trial.
28

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

9 73. Plaintiffs furthermore need medical monitoring as a result of the toxic exposure given
10 the prolonged exposure to other toxic chemicals and the increased chance of developing more
11 serious disease as a result of this exposure.

12 **SECOND CLAIM FOR RELIEF**
13 **TRESPASS (CALIFORNIA LAW)**
14 CALIFORNIA CIVIL CODE § 3334
 (Against All Defendants)

15 74. Plaintiffs re-allege and incorporate paragraphs one through fifty-five as though fully
16 set forth herein, and bring this claim on behalf of themselves, the Class, and all subclasses.

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

22 76. Plaintiffs did not give permission for this entry.

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

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

27 79. Defendants' actions resulted in the pollution of air and deprived residents of Garden
28 Grove and the surrounding areas of their ability to live in their homes free of health problems.

1 Defendants took these actions with a willful and knowing disregard for the rights and safety of the
2 community. Plaintiffs should, therefore, be awarded punitive and exemplary damages under Civil
3 Code section 3294 sufficient to punish Defendants for engaging in this conduct and to deter similar
4 conduct in the future.

5 80. As a further result of this wrongful conduct, Plaintiffs suffered, and will continue to
6 suffer, the loss of the quiet use and enjoyment of its property in addition to all their general damages
7 in an amount to be set forth, according to proof at trial. These acts have also damaged Plaintiffs'
8 property.

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

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

24 83. In addition, Plaintiffs should be awarded attorney's fees under Code of Civil
25 Procedure section 1021.5 because the successful prosecution of this action will confer a significant
26 benefit both pecuniary and non-pecuniary on the general public and a large group of persons by
27 abating environmental harm and preventing future harm to residents of Garden Grove and the
28 surrounding areas. Further, the necessity and financial burden of private enforcement make such

1 an award appropriate as the litigation is not economically feasible or viable for Plaintiffs to pursue
2 on their own at their own expense, and such fees should not in the interest of justice be paid out of
3 the recovery, if any.

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

7 **THIRD CLAIM FOR RELIEF**
8 **PRIVATE NUISANCE (CALIFORNIA LAW)**
9 CALIFORNIA CIVIL CODE § 3479
(Against All Defendants)

10 85. Plaintiffs re-allege and incorporate paragraphs one through fifty-five as though fully
11 set forth herein, and bring this claim on behalf of themselves, the Class, and all subclasses.

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

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

24 88. Plaintiffs did not consent to Defendants' conduct.

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

27 90. Defendants' aforementioned conduct constitutes a nuisance within the meaning of
28 section 3749 of the Civil Code in that it is injurious to health and/or offensive to the senses of

1 Plaintiffs and/or unreasonably interferes with the comfortable enjoyment of Plaintiffs' land and/or
2 the free and customary use of Plaintiffs' property.

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

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

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

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

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

28 96. By reason of said negligence and carelessness of the aforesaid Defendants, and each

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

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

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

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

1 the recovery, if any.

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

5 **FOURTH CLAIM FOR RELIEF**
6 **PUBLIC NUISANCE (CALIFORNIA LAW)**
7 CALIFORNIA CIVIL CODE § 3480
(Against All Defendants)

8 101. Plaintiffs re-allege and incorporate paragraphs one through fifty-five as though fully
9 set forth herein, and bring this claim on behalf of themselves, the Class, and all subclasses.

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

16 103. The continuing conditions created by the Defendants harmed residents in Garden
17 Grove and the areas, and a substantial number of people at the same time. The harmful condition
18 includes pollution of the Plaintiffs' land, homes, and persons from noxious odors, hazardous gases,
19 chemicals, pollutants, and contaminants emanating and/or migrating from Defendants' Garden
20 Grove facility.

21 104. Plaintiffs did not consent to the Defendants' conduct.

22 105. Defendants' conduct constitutes a nuisance within the meaning of section 3749 of the
23 Civil Code in that it is injurious to health and/or offensive to the senses of Plaintiffs and/or
24 unreasonably interferes with the comfortable enjoyment of Plaintiffs' properties and/or the free use,
25 in the customary manner, of Plaintiffs' properties.

26 106. As a result of Defendants' conduct, Plaintiffs suffered a type of harm that is different
27 from the type of harm suffered by the general public. Specifically, Plaintiffs have lost the use and
28 enjoyment of their land, including, but not limited to exposure to an array of pollutants in their

1 persons and on their land, and the continuing threat of leaks, releases, emissions, and/or migration
2 of dangerous levels of noxious odors, hazardous gases, chemicals, pollutants, and contaminants.

3 107. An ordinary person of reasonable sensibilities would be reasonably annoyed and/or
4 disturbed by the conditions created by Defendants.

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

11 109. Defendants' conduct, including constructing, operating, and/or maintaining the
12 Garden Grove facility was a substantial factor, and likely the only cognizable factor, in causing the
13 harm. Further, continuing harm remains due to the current and ongoing contamination of Plaintiffs'
14 properties.

15 110. Plaintiffs further allege that as a consequence of Defendants' acts and/or failures to
16 act, this public nuisance must be abated.

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

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

1 conduct in the future.

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

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

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

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

28 ///

FIFTH CLAIM FOR RELIEF
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (CALIFORNIA LAW)⁴
(Against All Defendants)

1. Plaintiffs re-allege and incorporate paragraphs one through fifty-five as though fully set forth herein, and bring this claim on behalf of themselves, the Class, and all subclasses.

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

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

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

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

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

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

⁴ Negligent infliction of emotional distress is not a separate tort under California law but is instead a type of 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 8. As a result of Defendants' negligent conduct, Plaintiffs were forced to evacuate their
2 homes, causing them fear, anxiety, and uncertainty about when, if ever, they would be able to return
3 to their homes. This constitutes severe emotional distress.

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

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

9 **SIXTH CLAIM FOR RELIEF**
10 **ULTRAHAZARDOUS ACTIVITY**
 (Against All Defendants)

11 11. Plaintiffs re-allege and incorporate paragraphs one through fifty-five as though fully
12 set forth herein, and bring this claim on behalf of themselves, the Class, and all subclasses.

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

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

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

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

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

1 17. The Defendants' Garden Grove facility is located in a densely populated suburb of
2 Los Angeles, close to Disney Land, as well as several schools and recreation areas. Thousands of
3 people live in very close proximity to the facility. The use and storage of methyl methacrylate and
4 other dangerous chemicals at the Defendants' facility is not an appropriate activity given its close
5 proximity to so many people and their homes.

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

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiffs request relief against Defendants as follows:

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

23 **DEMAND FOR JURY TRIAL**

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

25 Dated: June 25, 2026

MORGAN & MORGAN CALIFORNIA, LLP

26
27 By: _____

28 
 Jack Griffith Rutherford, Esq.
 Attorneys for Plaintiffs