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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

GLADYS RODRIGUEZ and GREG LOPEZ,
individually; and GLADYS RODRIGUEZ as
Guardian Ad Litem for LRL, a minor, and
LGL, a minor,

Plaintiffs,

v.

SOUTHERN CALIFORNIA EDISON
COMPANY, a California corporation;
EDISON INTERNATIONAL, a California
corporation, and DOES 1 through 20,
inclusive,

Defendants.

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By J. Covarrubias, Deputy Clerk

Case No. **25STCV03208**

COMPLAINT

JURY TRIAL DEMANDED

- (1) NEGLIGENCE**
- (2) INVERSE CONDEMNATION**
- (3) PUBLIC NUISANCE**
- (4) PRIVATE NUISANCE**
- (5) PREMISES LIABILITY**
- (6) TRESPASS**
- (7) VIOLATION OF PUBLIC
UTILITIES CODE § 2106**
- (8) VIOLATION OF HEALTH &
SAFETY CODE § 13007**
- (9) NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS**

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I. INTRODUCTION

1. The Eaton Fire is the second-most destructive and the fifth-most deadly fire in California's history. Yet it is also only the most recent in a series of massive fires caused by electrical infrastructure owned, operated, and improperly maintained by Southern California Edison Company and Edison International.



(Photograph by Robert Gauthier / Los Angeles Times)

2. The Eaton Fire (the "Fire") broke out near Altadena, California on the evening of January 7, 2025 and, over the next few weeks consumed over 14,021 acres in Los Angeles County. According to Cal Fire, 9,418 structures were destroyed by the Fire. Tragically, the Eaton Fire also killed at least 17 people, and hundreds of thousands of residents were forced to evacuate. Countless remain displaced and facing an uncertain future.

3. The Eaton Fire started when a high-voltage transmission line in the hills above Altadena rained sparks down onto dry brush below. The equipment in question was operated by Defendants Southern California Edison ("SCE") and Edison International (collectively, "Edison"). Buffeted by strong winds, the Fire quickly spread, decimating the vibrant neighborhood of Altadena.

1 4. On January 27, 2025, after previous denials of any detected anomalies, Edison
2 revealed to state regulators that four SCE power lines over Eaton Canyon saw an increase in
3 electrical current or “surge” at 6:11 p.m. on January 7, right when the deadly Fire ignited. Since
4 then, evidence of significant abnormalities in Edison’s equipment has emerged, including
5 evidence of massive electrical faults on high-voltage transmission lines located in the Canyon
6 where the fire started.

7 5. Edison had a duty to safely operate and maintain its electrical infrastructure
8 properly. Edison violated that duty by knowingly operating aging, overloaded, and/or improperly
9 maintained infrastructure, and by not de-energizing that equipment in anticipated high-risk
10 conditions prior to the Fire. Edison has been sanctioned numerous times for its repeated failures
11 to mitigate fire risks, and for the fires caused by these failures.

12 6. Edison had duties to ensure that flammable vegetation surrounding its
13 infrastructure was trimmed, to utilize public safety power shutoffs when weather conditions made
14 it unsafe to keep its electrical equipment energized, and to otherwise ensure that its electrical
15 equipment was prepared to handle high-risk weather events. Edison breached its duties.

16 7. Instead of taking reasonable steps to prevent its electrical equipment from starting
17 a fire, Edison disregarded well-known risks. The Eaton Fire is a direct consequence of Edison’s
18 failure to meet its duties to the public.

19 8. For days leading up to start of the Fire, the National Weather Service (“NWS”)
20 had issued warnings about an upcoming windstorm in the Los Angeles area, and alerted the
21 public to a fire weather watch for parts of Los Angeles County, including Eaton Canyon.
22 Forecasters warned of a rare and particularly dangerous situation, and of the risk of rapid fire
23 growth should one ignite. The NWS also made clear that this weather event was expected to peak
24 beginning on January 7, 2025.

25 9. As expected, on the morning of January 7, 2025, the NWS formally issued a Red
26 Flag Warning. The NWS forecasted wind gusts as high as 100 mph, and extreme fire risk.

1 10. Recognizing the serious danger, Edison de-energized three low-voltage
2 distribution lines in Eaton Canyon. However, Edison neglected to de-energize a set of
3 transmission towers carrying high-energy power lines located in the Canyon.

4 11. Several eyewitness accounts, videos, and photographs from Eaton Canyon show
5 flames emerging from the base of Edison's transmission towers, including a photo taken just six
6 minutes after the reported ignition. *See Figure 1.*



18 (Figure 1, taken at 6:21 p.m. shortly after the Eaton Fire ignited at 6:15 p.m.)

19 12. Edison's history of causing catastrophic fires in Southern California is well
20 documented. In just the last decade, Edison's electrical equipment sparked the 2017 Thomas Fire
21 and the 2018 Woolsey Fire, both of which destroyed thousands of homes, caused billions of
22 dollars in damage, and displaced thousands of families.

23 13. In conscious disregard of serious warnings, Edison, as it has before, put
24 communities at risk by keeping their high-energy transmission towers energized. Just as before,
25 Edison's choices resulted in untold destruction.

26 14. Plaintiffs are victims of the Eaton Fire. They lost the family home they had fought
27 to afford and deeply loved to the Fire. Plaintiffs' elderly neighbor was tragically killed by the fire.
28 Plaintiffs, including their two young children, are displaced, grieving, and traumatized. They now

bring this Complaint and Demand for Jury Trial against Edison to seek damages for the harm it caused and hold Edison accountable. Because of Edison's egregious conduct, Plaintiffs seek punitive damages in addition to compensatory damages.

II. JURISDICTION AND VENUE

15. This Court has subject matter jurisdiction over this matter pursuant to California Code of Civil Procedure § 395(a) because, at all times relevant, Defendants have resided in, been incorporated in, or done significant business in the State of California, so as to render the exercise of jurisdiction over Defendants by California courts consistent with traditional notions of fair play and substantial justice. The amount in controversy exceeds the jurisdictional minimum of this Court.

16. Venue is proper in this County pursuant to California Code of Civil Procedure § 395.5 because, at all times relevant, Defendants have had their principal place of business in the County of Los Angeles. Plaintiffs currently reside in Los Angeles County, and the home they lost to the Fire was located in Los Angeles County.

III. PLAINTIFFS GLADYS RODRIGUEZ, GREG LOPEZ, LRL, AND LGL

17. Plaintiffs Gladys Rodriguez, Greg Lopez, and their two children are citizens and residents of California.

18. The Eaton Fire destroyed their home at 3511 Monterosa Drive in Altadena, California. It also destroyed their landscaping, hardscaping, and their personal possessions. This includes the loss of irreplaceable sentimental items and five mature olive trees. Ms. Rodriguez and Mr. Lopez are artists: Ms. Rodriguez is a TV writer and producer and lost irreplaceable signed scripts and awards in the Fire. Mr. Lopez is a graphic designer and musician and lost irreplaceable art, instruments, and a large amount of graphic design equipment. Plaintiffs had completed an expensive remodel of their Altadena home just prior to the Fire destroying everything.

19. Ms. Rodriguez and Mr. Lopez are both the children of Mexican immigrants who worked hard to build new lives for their families. Ms. Rodriguez and Mr. Lopez saved for years to buy their Altadena home. Plaintiffs purchased their new home when Ms. Rodriguez was nine

1 months pregnant with their daughter, and they moved in just one week after their daughter was
2 born.

3 20. The house represented all that Ms. Rodriguez, Mr. Lopez, and their parents had
4 achieved. They viewed their house as a symbol of progress and were proud that they would be
5 able to build generational wealth and pass the house on to their children.

6 21. The Eaton Fire forced Plaintiffs and their two children, ages three and six, to
7 evacuate. Ms. Rodriguez fled in haste with her two children and their dog as the Fire approached
8 their home. They could see the Fire approaching as they fled, and the air was filled with smoke.
9 Ms. Rodriguez drove through thick smoke with her children screaming in the backseat, and their
10 dog barking. Ms. Rodriguez drove the family three miles to the Hilton in Pasadena with fire
11 visible in the rearview mirror, trees blowing into the street, and embers coming towards them.
12 The terrifying drive took at least 40 minutes because of the traffic and chaos caused by the fire
13 and evacuations. Mr. Lopez left shortly after his wife and children. As he was leaving, he
14 witnessed the first house on their block catch fire.

15 22. The family has been displaced since the Fire, separated from Altadena and the
16 friends and community they love.

17 23. Plaintiffs are severely traumatized. The whole family is seeking therapy, and they
18 are particularly struggling with the disruption to their lives caused by the Fire. Ms. Rodriguez and
19 Mr. Lopez are trying to remain strong for their young children, but they are heartbroken. Both
20 Ms. Rodriguez and Mr. Lopez are suffering from anxiety, insomnia, and depression.

21 24. The Fire and evacuation have caused Plaintiffs economic losses, stress, emotional
22 distress, inconvenience, and anxiety.

23 25. Plaintiffs suffered major losses in an amount according to proof at trial.

24 **IV. THE DEFENDANTS**

25 **A. The Edison Defendants**

26 19. At all times herein mentioned Defendants Southern California Edison Company
27 (“SCE”) and Edison International (collectively, “Edison” or the “Edison Defendants”) were
28

1 corporations authorized to do business, and doing business, in the State of California, with their
2 principal place of business in the County of Los Angeles, State of California.

3 20. SCE is both an “Electrical Corporation” and a “Public Utility” pursuant to,
4 respectively, Sections 218(a) and 216(a) of the California Public Utilities Code. SCE is in the
5 business of providing electricity to the residents and businesses of Central, Coastal, and Southern
6 California and, more particularly, to Plaintiffs’ residence and property through a network of
7 electrical transmission and distribution lines.

8 21. SCE, based in Los Angeles County, is one of the nation’s largest electric utilities,
9 serving a 50,000 square-mile area within Central, Coastal, and Southern California.

10 22. Defendant Edison International is an energy-based holding company
11 headquartered in Rosemead, and it is the parent company of Defendant SCE. Edison International
12 subsidiaries provide customers with public utility services, and services relating to the generation
13 of energy, generation of electricity, transmission of electricity and natural gas, and the
14 distribution of energy.

15 23. Edison International is a publicly traded company that owns and/or manages an
16 “Electric Plant” as defined in Section 217 of the Public Utilities Code, and, like its subsidiary,
17 SCE, is both an “Electric Corporation” and a “Public Utility” pursuant to, respectively, Sections
18 218(a) and 216(a) of the Public Utilities Code. It develops and operates energy infrastructure
19 assets related to the production and distribution of energy such as power plants, electric lines,
20 natural gas pipelines and liquefied natural gas receipt terminals. Edison International’s total assets
21 are approximately \$82 billion. Edison International has a market cap of nearly \$21 billion.

22 24. Plaintiffs allege on information and belief that the Edison Defendants are jointly
23 and severally liable for each other’s negligence, misconduct, and wrongdoing as alleged herein, in
24 that:

25 a. The Edison Defendants operate as a single business enterprise operating
26 out of the same building located at 2244 Walnut Grove Ave, Rosemead, California for the
27 purpose of effectuating and carrying out Edison’s business and operations and/or for the benefit
28 of Edison International;

- 1 b. The Edison Defendants do not operate as completely separate entities, but
2 rather, integrate their resources to achieve a common business purpose;
- 3 c. SCE is so organized and controlled, and its decisions, affairs, and business
4 so conducted as to make it a mere instrumentality, agent, conduit, or adjunct of Edison
5 International;
- 6 d. SCE's income results from function integration, centralization of
7 management, and economies of scale with Edison International;
- 8 e. The Edison Defendants' officers and management are intertwined and do
9 not act completely independent of one another;
- 10 f. The Edison Defendants' officers and managers act in the interest of Edison
11 as a single enterprise;
- 12 g. Edison International has control and authority to choose and appoint
13 Edison's board members as well as its other top officers and managers;
- 14 h. Despite the fact that they are both Electric Companies and Public Utilities,
15 the Edison Defendants do not compete with one another, but have been structured and organized
16 and their business effectuated so as to create a synergistic, integrated single enterprise where
17 various components operate in concert one with another;
- 18 i. Edison International maintains unified administrative control over SCE;
- 19 j. The Edison Defendants are insured by the same carriers and provide
20 uniform or similar pension, health, life, and disability insurance plans for employees;
- 21 k. The Edison Defendants have unified 401(k) plans, pension and investment
22 plans, bonus programs, vacation policies, and paid time off from work schedules and policies;
- 23 l. The Edison Defendants invest funds from their programs and plans by a
24 consolidated and/or coordinated Benefits Committee controlled by SCE and administered by
25 common trustees and administrators;
- 26 m. The Edison Defendants have unified personnel policies and practices
27 and/or a consolidated personnel organization or structure;
- 28

1 n. The Edison Defendants have unified accounting policies and practices
2 dictated by Edison International and/or common or integrated accounting organizations or
3 personnel;

4 o. The Edison Defendants are represented by common legal counsel;

5 p. Edison International's officers, directors, and other management make
6 policies and decisions to be effectuated by Edison and/or otherwise play roles in providing
7 directions and making decisions for Edison;

8 q. Edison International's officers, directors, and other management direct
9 certain financial decisions for Edison including the amount and nature of capital outlays;

10 r. Edison International's written guidelines, policies, and procedures control
11 Edison's employees, policies, and practices;

12 s. Edison International files consolidated earnings statements factoring in all
13 revenue and losses from Edison, as well as consolidated tax returns, including those seeking tax
14 relief; and/or, without limitation;

15 t. Edison International generally directs and controls Edison's relationship
16 with, requests to, and responses to inquiries from, the California Public Utilities Commission
17 ("CPUC") and uses such direction and control for the benefit of Edison International.

18 25. Plaintiffs are informed and believe that the Defendants herein were agents and/or
19 employees of the other and, in acting and/or failing to act as alleged herein, the Edison
20 Defendants, and each of them, were acting in the course and scope of said agency and/or
21 employment relationship.

22 26. At all times mentioned herein, Edison was a supplier of electricity to members of
23 the public. As part of supplying electricity to members of the public, Edison installed,
24 constructed, built, maintained, and operated overhead power lines, together with supporting poles
25 and appurtenances, for the purpose of conducting electricity for delivery to members of the
26 general public. Furthermore, Edison is responsible for maintaining vegetation near, around, and
27 in proximity to its electrical equipment in compliance with State and Federal Regulations,
28

specifically including, but not limited to, Public Resource Code § 4292, Public Resource Code § 4293, CPUC General Order 95, and CPUC General Order 165.

27. Edison is a privately-owned public utility, which enjoys a state-protected monopoly or quasi-monopoly, derived from its exclusive franchise provided by the State of California and is more akin to a governmental entity than a purely private entity and runs its utility affairs like a governmental entity. Edison's monopoly is guaranteed and safeguarded by the CPUC, which possesses the power to refuse to issue certificates of public convenience and necessity to permit potential competition to enter the market.

28. The policy justifications underlying inverse condemnation liability are that individual property owners should not have to contribute disproportionately to the risks from public improvements made to benefit the community as a whole. Under the rules and regulations set forth by the CPUC, amounts that Edison must pay in inverse condemnation can be included in its rates and spread among the entire group of rate payers so long as it is acting as a reasonable and prudent manager of its electric distribution systems.

B. Doe Defendants

29. The true names of Does 1 through 20, whether individual, corporate, associate, or otherwise, are unknown to Plaintiffs who, under California Code of Civil Procedure § 474, sue these Defendants under fictitious names.

30. Each of the fictitiously named Defendants is responsible in some manner for the conduct alleged herein, including, without limitation, by way of conspiracy, aiding, abetting, furnishing the means for, and/or acting in capacities that create agency, respondeat superior, and/or predecessor- or successor-in-interest relationships with the other Defendants.

31. The Doe Defendants are private individuals, associations, partnerships, corporations, or other entities that actively assisted and participated in the negligent and wrongful conduct alleged herein in ways that are currently unknown to Plaintiffs. Some or all of the Doe Defendants may be residents of the State of California. Plaintiffs may amend or seek to amend this Complaint to allege the true names, capacities, and responsibility of these Doe Defendants

once they are ascertained, and to add additional facts and/or legal theories. Plaintiffs make all allegations contained in this Complaint against all Defendants, including Does 1 through 20.

V. FACTUAL ALLEGATIONS

A. Edison Was Aware of Extreme Fire Risk Conditions But Failed to Implement Known Effective Safety Strategies

32. Fire risk has been increasing in California in recent years, and Edison was aware of the increased incidence and risk of fire.¹ This year, Southern California was particularly dry in January, further increasing fire risks. According to the New York Times, “[m]ost locations south of Ventura County have recorded about a quarter-inch of rain or less in the past eight months, while the Los Angeles area has received only sprinklings of rain since April.”² The parched vegetation was primed to burn.

33. Adding to the fire-prone conditions, dry, warm winds coming from inland areas—the “Santa Ana” winds—swept into the parched region at the beginning of the year. This prompted the NWS to issue severe fire warnings. For several days leading up to January 7, 2025, the NWS warned the public about the upcoming high wind event and accompanying fire risk.³

34. As early as January 3, 2025, the NWS posted “A Fire Weather Watch is in effect Tuesday-Friday for portions of LA/Ventura Counties. There is the potential for damaging north to northeast winds, that are likely to peak Tuesday-Wednesday.”⁴

¹ *Current Emergency Incidents*, Cal Fire, <https://www.fire.ca.gov/incidents>

² *Dry Vegetation Fuels L.A. Fires as Wind Speeds Drop*, The New York Times, January 11, 2025, <https://www.nytimes.com/2025/01/11/us/mandeville-brentwood-fires-vegetation-winds.html#:~:text=Most%20locations%20south%20of%20Ventura, had%20a%20particularly%20dramatic%20effect.>

³ *Unusual ‘Life-Threatening and Destructive’ Winds Bring Risk of Winter Fires, Power Outages to Southern California*, Los Angeles Times, January 6, 2025, <https://www.latimes.com/california/story/2025-01-06/la-me-fire-january-weather-so-cal.>

⁴ NWSLosAngeles, X.com, National Weather Service Los Angeles, January 3, 2025 at 3:17 PM, <https://x.com/NWSLosAngeles/status/1875320550094147720>.

35. On January 5, 2025, the NWS warned the public that “[w]idespread damaging winds and extreme fire weather conditions are expected Tuesday afternoon through at least Wednesday.” The NWS also warned of “rapid fire growth.”⁵ A day later, the NWS again warned of a “A LIFE-THREATENING, DESTRUCTIVE, Widespread Windstorm” threatening Los Angeles County. The NWS warned of a “Dangerous Fire Weather situation” and highlighted Altadena as a location of great concern.⁶



(National Weather Service)

36. On January 7, 2025, the NWS issued a Red Flag Warning for Los Angeles County, which warned of “an increased risk of extreme winds and fire hazards across the region.”⁷ Wind gusts as high as 100 miles per hour were forecasted for Altadena.⁸

⁵ NWSLosAngeles, X.com, National Weather Service Los Angeles, January 5, 2025 at 5:02 PM, <https://x.com/NWSLosAngeles/status/1876071880299540786>.

⁶ NWSLosAngeles, X.com, National Weather Service Los Angeles, January 6, 2025, multiple posts, <https://x.com/nwslosangeles?lang=en>.

⁷ *County of Los Angeles Fire Department News Release*, Altadena Town Council, January 7, 2025, <https://altadenatowncouncil.org/2025/01/la-county-fire-the-national-weather-service-has->
Footnote continued on next page

**Particularly Dangerous Situation (PDS)
Red Flag Warnings**

EXTREME RISK – Take Immediate Action

*****3 PDS Areas*****




- **PDS Timing: Tuesday 4AM - Noon Wednesday**
- **Do NOT do anything that could spark a fire**
- **Have multiple ways to receive evacuation information**
- **Visit www.fire.ca.gov/prepare; Develop a wildfire action plan**
- **Peak winds for this next event will be weaker than those last week. Nevertheless, winds will be strong enough to potentially cause explosive fire growth**

Weather: 45-70 mph gusts, locally damaging; 8-15% relative humidity

Ventura & Los Angeles Counties

***** Important: Red Flag conditions (though weaker winds) are expected in other areas of Southern California *****

weather.gov/LosAngeles
Weather Forecast Office • Los Angeles/Oxnard, CA
Updated: Sunday January 12, 2025 at 1:30 pm

Follow:    @nwslosangeles

Listen: NOAA Weather Radio for Latest Warnings and Forecasts

(National Weather Service)

37. Edison knows the weather conditions and other factors that contribute to high fire risk and how to mitigate that risk to prevent fire from igniting. And Edison was warned of the high fire risk. But Edison failed to take appropriate actions to prevent the Eaton Fire.

38. In response to more frequent and severe wildfires, Edison implemented new policies in its updated 2023-2025 Wildfire Mitigation Plan (“WMP”) intended to “reduce the number of wildfires in California.”⁹ The plan “outlines actions [Edison is] taking to lower the risk of wildfires associated with our electrical system in high fire risk areas.”¹⁰

39. To mitigate fire risk, various utility companies in the West, including Edison, utilize so-called public safety power shutoffs (“PSPS”) during high wildfire risk conditions. This involves preemptively shutting off power, or de-energizing, power lines in at-risk areas. Because no electricity flows through the de-energized equipment, that equipment cannot spark and ignite a

Footnote continued from previous page
issued-a-red-flag-warning-for-los-angeles-county-effective-tuesday-january-7-2025-1000-am-with-fire-risk-extending-potentially-into-friday-this-wa/.

⁸ *Id.*

⁹ *Wildfire Mitigation Plan & Related Documents*, SCE Safety, <https://www.sce.com/safety/wild-fire-mitigation>.

¹⁰ *Id.*

1 fire—even if high winds or trees knock down power lines or otherwise disturb electrical
2 equipment.

3 40. In their WMP, Edison touts the effectiveness of using PSPS: “PSPS is a necessary
4 mitigation to protect public safety under extreme conditions.”¹¹ Edison’s plan contemplates using
5 wind speed as a threshold for implementing a PSPS and acknowledges that “during severe
6 conditions, there is heightened risk of ignitions at higher windspeeds primarily due to the
7 possibility of infrastructure damage which can cause wind-driven foreign objects or airborne
8 vegetation coming into contact with and damaging” Edison’s equipment.¹² The WMP recognizes
9 that during a high wind event “PSPS is necessary as a last resort mitigation measure to prevent
10 ignitions that may lead to significant wildfires.”¹³

11 41. Edison claims it “utilizes real-time weather station data and, if available,
12 information from SCE field observers on the ground for enhanced situational awareness to
13 forecast and monitor prevailing environmental conditions (e.g., wind gusts) that can lead to
14 potential damage to equipment or the potential for airborne vegetation or flying debris to contact
15 and damage equipment, to inform de-energization decisions.”¹⁴

16 42. Edison knows that shutting off power during severe weather conditions reduces
17 fire risks, and Edison knew that the weather conditions leading up to, and on January 7, 2025,
18 warranted a PSPS in and around the areas affected by the Eaton Fire.

19 43. Edison’s own guidelines recommend engineers consider cutting power to high-
20 voltage transmission lines when winds exceed 68 to 90 miles per hour.¹⁵ On the evening of
21 January 7, 2025, Edison’s lines were buffeted by winds that reached 100 miles per hour. But
22 Edison did not cut power to the transmission lines.

24 ¹¹ *Id.*

25 ¹² *Id.*

26 ¹³ *Id.*

26 ¹⁴ *Id.*

27 ¹⁵ *Flashes Then Flames: New Video of Eaton Fire Raises More Questions for Power Company*,
28 the New York Times, January 26, 2025, updated January, 28, 2025,
<https://www.nytimes.com/2025/01/26/us/los-angeles-eaton-fire-cause.html>.

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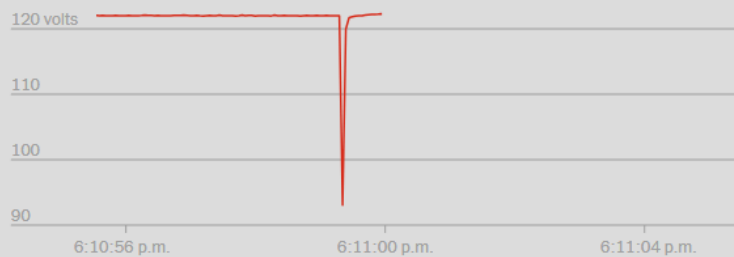
Major drops in voltage occurred at the same time as flashes known as arcing

6:10:59 p.m.

Footage from the Arco gas station



Voltage readings from a home near Eaton Canyon

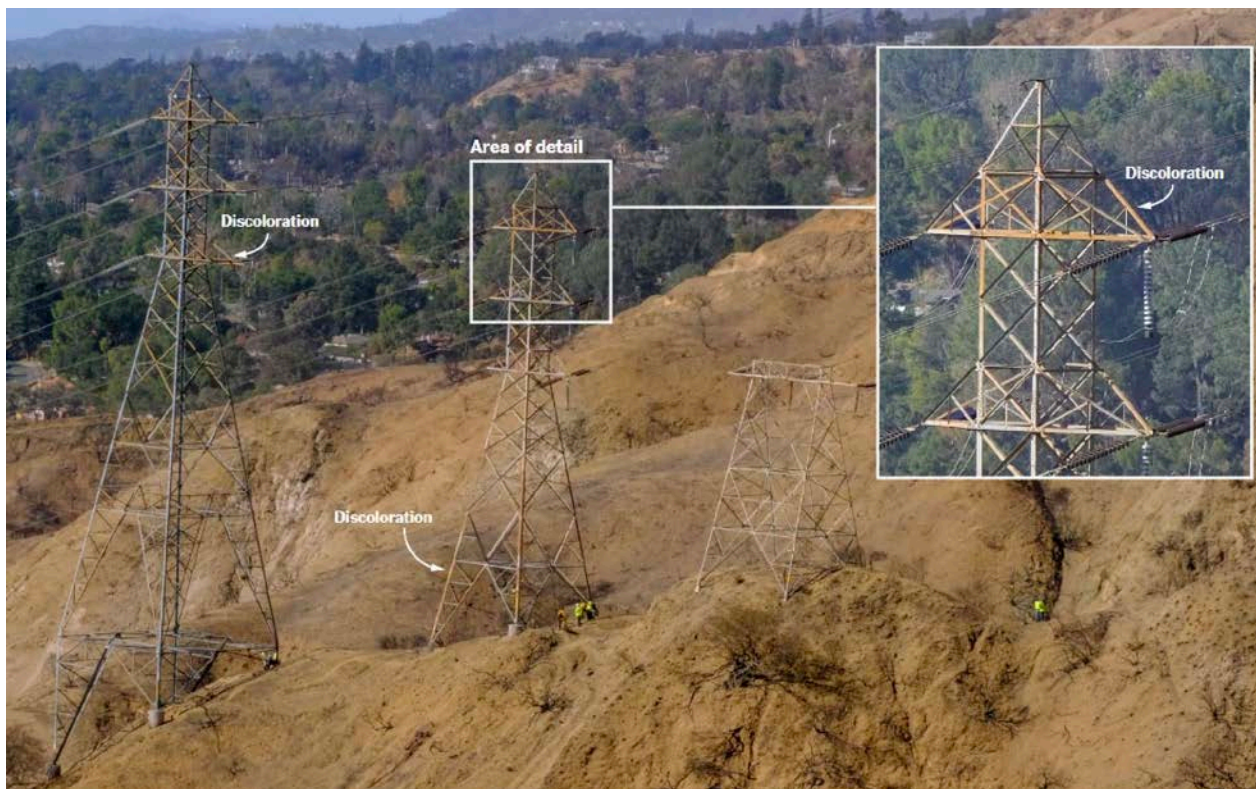


(The New York Times)

46. In the days following the start of the Eaton Fire, Edison insisted it had detected no anomalies with its equipment until well after the Fire started. However, on January 27, 2025, Edison admitted to state regulators in a court filing that four of their power lines did in fact see a surge in electrical current at the time the fire broke out. That equipment is now part of an expanded court order requiring Edison to preserve data and equipment that might have caused the blaze. Remarkably, Edison still purports to be unaware of the major faults Whisker Labs data shows.

47. Reporters from the New York Times, using the eyewitness photos and videos, located the transmission towers that appear to have sparked the Fire. In a January 26, 2025 news article, reporters from the Times described visible discoloration on the towers, and unusual metal debris found under the towers.²¹ See Figure 2 below.

²¹ *Flashes Then Flames*, the New York Times.



(Figure 2, Blacki Migliozi / The New York Times)

48. Questions have also been raised about decommissioned Edison equipment located in Eaton Canyon. Fire investigators reported scorch marks and other damage to the old equipment that suggest recent arcing,²² and could indicate re-energization due to a fault and/or arcing.²³

49. If Edison had de-energized its transmission system, implemented a PSPS, or taken other critical steps that the high winds and dry conditions warranted, the devastation caused by the Eaton Fire would have been prevented.

C. Edison Knew Their Transmission System Could Ignite a Major Fire

50. Edison's transmission system, which includes high-voltage power lines and supporting structures, is susceptible to causing fires. The system relies on steel towers to support high-voltage conductors, which are heavy and can flex and wear down over time. Conductors are composed of multiple strands of wire bundled together, and any damage to these strands can lead

²² *Did an idle power line reenergize and spark the Eaton Fire?* The Washington Post, February 1, 2025, <https://www.washingtonpost.com/weather/2025/02/01/eaton-fire-decommissioned-power-line/>.

²³ *Id.*

1 to sparks and ignitions. Jumpers, which are smaller conductors used to connect spans of
2 transmission lines, are also prone to wear and tear.

3 51. This system requires regular inspection and maintenance to perform safely.
4 Unfortunately, Edison consistently fails to maintain its equipment to prevent fires. Edison has a
5 documented history of regulatory violations related to its electrical infrastructure. Investigations
6 into previous fires, such as the Woolsey Fire, revealed multiple failures in maintaining minimum
7 clearances, managing vegetation, and properly inspecting and maintaining equipment. These
8 violations demonstrate a pattern of negligence and a disregard for public safety.

9 52. The Camp Fire in 2018 and the Kincade Fire in 2019 serve as stark reminders of
10 the consequences of failing to maintain transmission infrastructure in particular. Both fires were
11 caused by equipment failures in transmission systems similar to Edison's. The Camp Fire was
12 ignited when a worn metal hook on a transmission tower snapped, causing a conductor to fall and
13 spark a fire.²⁴ Similarly, the Kincade Fire was caused by a failed jumper cable on a transmission
14 line.²⁵ These incidents should have prompted Edison to take immediate and comprehensive action
15 to prevent similar failures in their own system.

16 **D. Edison's Responsibility**

17 **1. Edison Had a Non-Transferable, Non-Delegable Duty to Safely**
18 **Maintain Electrical Infrastructure and the Nearby Vegetation**

19 53. At all times prior to January 7, 2025, Edison had a non-transferable, non-delegable
20 duty to properly construct, inspect, repair, maintain, manage, and/or operate its power lines and/or
21 other electrical equipment and to keep vegetation properly trimmed at a safe distance so as to
22 prevent foreseeable contact with such electrical equipment.
23
24
25

26 ²⁴ *The Camp Fire Public Report*, Butte County District Attorney, <https://htv-prod-media.s3.amazonaws.com/files/pge-the-camp-fire-public-report-1592448040.pdf>.

27 ²⁵ *Kincade Fire Report*, CPUC, <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-and-enforcement-division/investigations-wildfires/public-sed-investigation-report-on-pge-2019-kincade-fire.pdf>.
28

1 54. In the construction, inspection, repair, maintenance, management, ownership,
2 and/or operation of its power lines and other electrical equipment, Edison had an obligation to
3 comply with a number of statutes, regulations, and standards, as detailed below.

4 55. Pursuant to Public Utilities Code § 451, “[e]very public utility shall furnish and
5 maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and
6 facilities . . . as are necessary to promote the safety, health, comfort, and convenience of its
7 patrons, employees, and the public.” To meet this safety mandate, Edison is required to comply
8 with a number of design standards for its electrical equipment, as stated in CPUC General Order
9 95.

10 56. Further, Edison must follow several standards to protect the public from the
11 consequences of vegetation and/or trees coming into contact with its power lines and other
12 electrical equipment. Pursuant to Public Resources Code § 4292, Edison is required to “maintain
13 around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning
14 arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not
15 less than 10 feet in each direction from the outer circumference of such pole or tower.” Also,
16 Public Resources Code § 4293 mandates Edison maintain clearances of four to ten feet for all of
17 its power lines, depending of their voltage.

18 57. Pursuant to CPUC General Order 165, Edison is also required to inspect its
19 distribution facilities to maintain a safe and reliable electric system. In particular, Edison must
20 conduct “detailed” inspections of all of its overhead transformers in urban areas at least every five
21 years.

22 58. Edison knew or should have known that such standards and regulations were
23 minimum standards. Further, Edison has a duty to manage, maintain, repair, and/or replace its
24 aging infrastructure to protect public safety. These objectives could and should have been
25 accomplished in a number of ways, including, but not limited to, putting electrical equipment
26 underground in wildfire-prone areas, increasing inspections, developing and implementing
27 protocols to shut down electrical operations in emergency situations, modernizing infrastructure,
28 and/or obtaining an independent audit of its risk management programs to ensure effectiveness.

1 **2. Foreseeable and Known Weather and Geographic Conditions**

2 59. At all times mentioned herein, Defendants were aware of the danger posed by
3 high winds and dry conditions.

4 60. Defendants were also aware that Southern California frequently experiences
5 Santa Ana wind conditions, which are highly conducive to the rapid spread of wildfires. In
6 California's dry season, the dry, hot, powerful Santa Ana winds—sometimes called the “fire” or
7 “devil” winds—blow inland from desert regions across the Mojave Desert.

8 61. The winds are a regular and foreseeable part of life in Southern California at the
9 time of year the Eaton Fire began. Everyone who lives and works in Southern California is
10 familiar with this type of wind event.

11 62. Defendants were aware that Southern California's natural environment, comprised
12 of chaparral, posed an additional risk of fire. Chaparral is a coastal biome that covers
13 approximately five percent of the state of California. Because of California's hot, dry summer and
14 fall, chaparral is one of the most fire-prone plant communities in North America.

15 63. Furthermore, in the presence of Santa Ana winds, the level of moisture in
16 chaparral plants drops, and they become even more flammable.

17 64. According to records maintained by Cal Fire, electrical equipment was
18 responsible for starting 350 wildfires in the Southern California region during 2015, the latest
19 year such statistics have been published.²⁶ Thus, Edison knew of the foreseeable danger of
20 wildfire from its power lines.

21 65. The catastrophic Thomas Fire that burned through Ventura County in 2017 and
22 the Woolsey Fire in 2018 put Edison on additional notice that Southern California was a high-
23 risk area, and of the severe consequences of failing to act appropriately under the circumstances.

24 66. Despite these warning signs and tragedies, Edison nevertheless failed to take
25 reasonable, preventive measures in the face of known risks.

26 _____
27 ²⁶ *Historical Wildfire Activity Statistics* (Redbooks), Cal Fire, [http://www.fire.ca.gov/fire_](http://www.fire.ca.gov/fire_protection/fire_protection_fire_info_redbooks_2015)
28 [protection/fire_protection_fire_info_redbooks_2015](http://www.fire.ca.gov/downloads/redbooks/2015_Redbook/2015_Redbook_Fires_SouthernRegion.pdf); *see e.g.*, Table 9. Number of Fires by
Cause, by Unit and by County—Southern Region at 15, http://www.fire.ca.gov/downloads/redbooks/2015_Redbook/2015_Redbook_Fires_SouthernRegion.pdf.

1 67. Defendants were specifically aware that they had a duty to maintain equipment
2 and the surrounding vegetation in compliance with CPUC regulations, and that a failure to do so
3 constituted negligence and would expose Plaintiffs to a serious risk of property damage and
4 economic losses caused by wildfires.

5 68. Edison International has been in business since 1886 in California, and SCE since
6 1896. Thus, Defendants were aware of the fire risk in the state—and their region in particular.

7 **3. Prior Safety Violations**

8 69. Edison knew about the significant risk of wildfires from its unsafe equipment,
9 and/or aging infrastructure for decades before the Eaton Fire began, and has been repeatedly fined
10 and/or cited for failing to mitigate these risks:

11 70. Since 2007, the CPUC has levied over \$78 million in fines against Edison for
12 electric and fire-related incidents.²⁷

13 71. The 1993 San Bernardino Mill Creek Fire was caused by a failure of Edison's
14 overhead power line equipment. The high winds caused a power line to break, spark a fire, and
15 damage a nearby home.

16 72. In 1997, Edison's failure to perform adequate vegetation management near its
17 distribution lines caused a 25,100 acre fire in Riverside County. Edison failed to trim trees near
18 and around its power lines.

19 73. In 1998, Edison signed an undisclosed settlement in relation to a fire in which
20 most of Stearns Wharf in Santa Barbara was burned. An investigation concluded that Edison was
21 responsible.

22 74. In 2006, Edison agreed to pay \$14 million to settle a federal suit stemming from
23 the 1994 Big Creek Forest Fire. The suit alleged that Edison did not comply with vegetation-
24 clearance requirements around a high-voltage transformer that exploded and ignited nearby dry
25 grass. The Government also alleged that Edison did not install appropriate animal guards at the
26

27 ²⁷ *Electric and Fire Related Fines*, CPUC
28 http://cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Safety/Electric_and_Fire_Related_Fines.pdf

1 location, and that Edison employees lacked the equipment to stop the fire before it went into the
2 forest.

3 75. Edison was also held responsible for its role in the 2007 Malibu Canyon Fire. The
4 fire began when three wooden utility poles snapped during high Santa Ana winds and ignited
5 nearby brush. The fire burned 3,836 acres and destroyed or damaged over 30 structures. The
6 CPUC alleged that at least one of the poles that fell was overloaded with telecommunications
7 equipment in violation of the applicable standards. It further alleged that Edison misled
8 investigators about the circumstances of the fire. Edison also agreed to conduct a safety audit and
9 remediation of its utility poles in the Malibu area. In 2013, the CPUC fined Edison \$37 million
10 for its role in this fire. Additionally, \$17 million of the settlement was required to be spent on
11 pole loading assessments and resulting remediation work in Malibu Canyon and surrounding
12 areas.

13 76. Under the settlement agreement with the CPUC, Edison admitted it violated the
14 law by not taking prompt action to prevent its poles in Malibu Canyon from becoming overloaded.
15 Further, Edison admitted that a replacement pole did not comply with the CPUC's safety
16 regulations for new construction, which should have caused Edison to take steps to remedy the
17 situation.²⁸

18 77. Edison was also found liable for the 2007 Nightsky Fire in Ventura County. The
19 fire burned 53 acres and started when sagging, overloaded power lines arced and sparked. A jury
20 determined that Edison had not properly maintained its lines, that there were problems with
21 insulators or conductors on Edison's poles, and that phase to ground faults, relay-tripping, and
22 phase-to-phase imbalances indicated the existence of a chronic, unfixed hazard.

23 78. In 2011, the United States Government successfully sued Edison for a wildfire in
24 the San Bernardino National Forest. A tree fell onto Edison power lines and emitted molten
25 aluminum, starting the fire. The Government alleged that Edison should have removed the tree
26

27 ²⁸ *Press Release, CPUC Staff Enter Settlement Agreement of \$37 Million with Southern*
28 *California Edison over 2007 Malibu Fire*, Cal. Pub. Utils. Comm'n (May 20, 2013),
<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M065/K515/65515418.PDF>.

1 prior to the fire during its inspection and maintenance. The Government received a \$9.4 million
2 verdict for fire suppression costs and rehabilitation of the forest.

3 79. In November and December of 2011, Santa Ana winds swept through Edison's
4 territory, knocking down utility facilities, uprooting trees, and causing prolonged power outages.
5 Over 200 wood utility poles and 1000 overhead electrical lines were affected. CPUC's Safety &
6 Enforcement Division performed an investigation and concluded that Edison and communication
7 providers who jointly owned utility poles violated the CPUC's standards because at least 21 poles
8 and 17 wires were overloaded in violation of safety factor requirements. The CPUC fined Edison
9 \$16.5 million.

10 80. In 2015, multiple power outages on Edison's secondary network system, the
11 electric distribution system that serves downtown Long Beach, occurred, including a five-day
12 outage from July 15 to July 20, 2015, and a four-day outage from July 30, 2015 to August 3,
13 2015. The Long Beach outages primarily affected 3,825 customers served by Edison's Long
14 Beach secondary network, but at times extended to 30,000 customers, including customers who
15 receive their power from radial circuits that also feed the secondary network. Along with these
16 outages, the failure of electric facilities caused fires in several underground structures, resulting in
17 explosions that blew manhole covers into the air.²⁹

18 81. Edison recently received a \$50,000 citation for a fatality that occurred at its
19 Whittier facility. On May 15, 2014, an Edison overhead conductor separated and fell to the
20 ground. A person came into contact with the downed conductor (which was energized) and was
21 electrocuted. The CPUC's Safety and Enforcement Division's investigators found that the
22 overhead conductor separated at an overhead connector, and that Edison did not maintain the
23 connector for its intended use.

24 82. In 2017, SCE caused the Thomas, Rye, and Liberty Fires.

25 83. The Thomas Fire of 2017 was, at the time, the largest fire in California history. It
26 burned more than 280,000 acres and destroyed 1,063 structures. The Thomas Fire is believed to

27 ²⁹ *Decision Adopting Settlement Agreement Between Southern California Edison Company and*
28 *the Safety and Enforcement Division Investigation 16-07-007, Cal. Pub. Utils. Comm'n (Oct. 15,*
2017), <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M196/K833/196833010.docx>.

1 have two origin points. SCE has already acknowledged in a press release and in an SEC filing
2 that its equipment was associated with one origin. After a thorough investigation, the Ventura
3 County Fire Department and Cal Fire determined both fires were caused by SCE equipment: one
4 fire was started by SCE power lines coming into contact during high winds and the other was
5 caused when a single energized conductor separated near an insulator on a SCE power pole.³⁰

6 84. The Rye Fire began near Rye Canyon Loop in Santa Clarita before it went on to
7 burn more than 6,000 acres and destroyed six structures in Los Angeles County.

8 85. The 2017 Liberty Fire burned 300 acres and destroyed one structure and one
9 outbuilding. SCE also released a press release acknowledging its equipment was associated with
10 the fire's ignition. Cal Fire has also reported SCE equipment was the cause of the Liberty Fire,
11 but its full report has not been released.

12 86. The 2018 Woolsey Fire ignited due to SCE electrical equipment failures.³¹ The
13 fire started when a loose transmission wire contacted a jumper wire, causing an arc flash that
14 ignited vegetation below. The Woolsey Fire burned 96,949 acres, destroyed 1,643 structures,
15 caused three fatalities, and prompted the evacuation of more than 295,000 people. The
16 investigation by the Safety and Enforcement Division identified multiple regulatory violations by
17 Edison, including failures in maintaining minimum clearances, managing vegetation, and
18 properly inspecting and maintaining their equipment. These violations directly contributed to the
19 ignition and spread of the Woolsey Fire.

20 87. Edison's extensive history of causing catastrophic fires is evidence of its repeated
21 failure to act responsibly and adhere to safety standards. This pattern of negligence demonstrates
22 a disregard for the safety of the communities it serves. Had Edison taken the necessary
23 precautions, such as properly maintaining its electrical infrastructure and utilizing safety

24
25 ³⁰ *VCFD Determines Cause of The Thomas Fire*, Ventura County Fire Dep't (Mar. 19, 2019) <https://vcfd.org/news/335-vcfd-determines-cause-of-the-thomas-fire>; *Koenigstein Fire Cause*
26 *Released*, Ventura County Fire Dep't (Mar. 19, 2019) [https://vcfd.org/news/336-koenigstein-](https://vcfd.org/news/336-koenigstein-fire-caused-released)
27 *fire-caused-released*

28 ³¹ *Investigation Report of the Woolsey Fire*, CPUC [https://www.cpuc.ca.gov/-/media/cpuc-](https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-and-enforcement-division/investigations-wildfires/sed-investigation-report---woolsey-fire---redacted.pdf)
website/divisions/safety-and-enforcement-division/investigations-wildfires/sed-investigation-
report---woolsey-fire---redacted.pdf

1 measures, the Eaton Fire could have been prevented. Edison's failure to act responsibly and
2 mitigate known risks has resulted in untold destruction and loss.

3 **FIRST CAUSE OF ACTION**
4 **Negligence**

5 88. Plaintiffs incorporate and re-allege each of the paragraphs above as though fully
6 set forth herein.

7 89. Defendants have a non-transferable, non-delegable duty to apply a level of care
8 commensurate with and proportionate to the danger of designing, engineering, constructing,
9 operating, and maintaining electrical transmission and distribution systems.

10 90. Defendants have a non-transferable, non-delegable duty of vigilant oversight in the
11 maintenance, use, operation, repair, and inspection appropriate to the changing conditions and
12 circumstances of their electrical transmission and distribution systems.

13 91. Defendants have special knowledge and expertise far above that of a layperson
14 that they were required to apply to the design, engineering, construction, use, operation,
15 inspection, repair, and maintenance of electrical lines, infrastructure, equipment, and vegetation
16 in order to assure safety under all the local conditions in their service area, including but not
17 limited to, those conditions identified herein.

18 92. Defendants negligently breached those duties by, among other things:

19 a. Failing to conduct reasonably prompt, proper, and frequent inspections of
20 the electrical transmission lines, wires, and associated equipment;

21 b. Failing to design, construct, monitor, and maintain high voltage
22 transmission and distribution lines in a manner that would avoid igniting and/or spreading fire
23 during foreseeable and expected long, dry seasons;

24 c. Failing to design, construct, operate, and maintain high voltage
25 transmission and distribution lines and equipment to withstand foreseeable conditions and avoid
26 igniting and/or spreading fires;

27 d. Failing to maintain and monitor high voltage transmission and distribution
28 lines in known fire-prone areas to avoid igniting and/or spreading fires;

- e. Failing to keep equipment in a safe condition at all times to prevent fires;
- f. Failing to inspect vegetation within proximity to energized transmission and distribution lines and maintain at a safe distance to avoid igniting and/or spreading fires;
- g. Failing to de-energize transmission towers during foreseeable and expected fire-prone conditions;
- h. Failing to de-energize electrical equipment after the fire's ignition;
- i. Failing to properly investigate, vet, hire, train, and supervise employees and agents responsible for maintenance and inspection of the distribution lines and proximate vegetation;
- j. Failing to implement and follow regulations and reasonably prudent practices to avoid igniting and/or spreading fire; and
- k. Failing to properly investigate, monitor, and maintain vegetation sufficient to mitigate the risk of fire.

93. The Eaton Fire was a direct, legal, and proximate result of Defendants' negligence. As a direct, proximate, and legal result of said negligence Plaintiffs suffered damages as alleged herein.

94. At all times mentioned herein, Defendants failed to properly inspect and maintain electrical infrastructure and equipment which they knew, given the then existing and known weather, climate, and fire conditions, posed a risk of harm to Plaintiffs, and to Plaintiffs' real and/or personal property. Defendants were aware that if their equipment sparked or the electrical infrastructure came in contact with vegetation that a fire would likely result. Defendants also knew that, given the existing and known weather, climate, and fire-risk conditions, said fire was likely to pose a risk of property damage, economic loss, personal injury, and/or death to the general public, including to Plaintiffs.

95. Over the past two decades, Defendants have been subject to numerous fines and penalties as a result of Edison's ongoing failure to abide by safety rules and regulations.

96. The damages and losses caused by the Eaton Fire are the result of Defendants' ongoing custom and practice of consciously disregarding the public's safety and failure to follow

1 statues, regulations, standards, and rules regarding their business operations. Despite having
2 caused death and injury to people and extensive damages and losses, Defendants have continued
3 to act in conscious disregard for the safety of others, and have ratified the unsafe conduct of their
4 employees.

5 97. Defendants, in order to cut costs, failed to properly inspect, operate and maintain
6 the subject electrical infrastructure with full knowledge that an incident was likely to result in a
7 fire that would burn and/or kill people, damage or destroy property, and/or cause harm to the
8 general public, including Plaintiffs.

9 98. Defendants' actions did in fact result in damages to Plaintiffs. Defendants failed to
10 make the proper inspections, failed to properly operate and maintain their lines, failed to properly
11 and timely remove or trim vegetation, failed to de-energize equipment despite the high-risk
12 conditions, and failed to safely operate their electrical infrastructure.

13 99. Defendants' negligence was a substantial factor in causing Plaintiffs' damages.

14 100. Defendants' failure to comply with their duties of care as described herein
15 proximately caused damage to Plaintiffs.

16 101. As a further direct and proximate result of Defendants' negligence, Plaintiffs
17 suffered damages including, but not limited to property damage, loss of cherished possessions,
18 economic loss, lost wages, emotional distress, annoyance, disturbance, inconvenience, mental
19 anguish, loss of quiet enjoyment of their property, and/or costs related to evacuation and/or
20 relocation.

21 102. Further, Defendants' conduct as alleged in this complaint was despicable and
22 subjected Plaintiffs to cruel and unjust hardship in conscious disregard of their rights, constituting
23 oppression, for which Defendants must be punished by punitive and exemplary damages in an
24 amount according to proof. Defendants' conduct evidences a conscious disregard for the safety of
25 others, including Plaintiffs. Defendants' conduct was and is despicable conduct and constitutes
26 malice as defined by Civil Code § 3294. An officer, director, or managing agent of Edison
27 personally committed, authorized, and/or ratified the despicable and wrongful conduct alleged in
28

1 this complaint. Plaintiffs are entitled to an award of punitive damages sufficient to punish and
2 make an example of Defendants.

3 **SECOND CAUSE OF ACTION**
4 **Inverse Condemnation**

5 103. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set
6 forth as though fully set forth herein.

7 104. Edison is a public entity for the purposes of the doctrine of inverse condemnation.

8 105. On or about January 7, 2025, Plaintiffs were owners and/or occupants of real
9 property and personal property located within Southern California.

10 106. Prior to and on January 7, 2025, Defendants deliberately designed, installed,
11 owned, operated, used, controlled, and/or maintained power lines and/or electrical distribution
12 infrastructure in Southern California for the purpose of providing electricity to the public.

13 107. Providing electricity to the public using power lines and/or electrical distribution
14 infrastructure is a public improvement made to benefit the community as a whole.

15 108. On or about January 7, 2025, as a direct, necessary, and legal result of Defendants'
16 deliberate installation, ownership, operation, use, control, and/or maintenance for a public use of
17 power lines and/or electrical distribution infrastructure, Defendants' transmission towers and/or
18 electrical distribution infrastructure sparked or otherwise came in contact with vegetation and
19 caused the Eaton Fire, which burned in excess of 14,021 acres, including property owned or
20 occupied by Plaintiffs. The fire took and/or damaged and/or destroyed Plaintiffs' real and/or
21 personal property.

22 109. The taking of and/or damage to Plaintiffs' property was proximately and
23 substantially caused by Defendants' deliberate actions. Defendants' deliberate installation,
24 ownership, operation, use, control, and/or maintenance for a public use of power lines and
25 equipment caused the Eaton Fire.

26 110. The taking of and/or damage to Plaintiffs' property arose out of the functioning of
27 Edison's power lines and/or electrical distribution infrastructure as deliberately designed,
28 constructed, altered, and maintained.

111. Plaintiffs have not received adequate compensation for the taking of and/or damage to and/or destruction of their property, thus constituting a taking or damaging of Plaintiffs' property by Defendants without just compensation.

112. As a direct and legal result of the above-described takings of and/or damages to Plaintiffs' property, including loss of use and interference with access, enjoyment and marketability of real property, and taking/damage/destruction of personal property, Plaintiffs have been damaged in amounts according to proof at trial.

113. Plaintiffs have incurred and will continue to incur attorneys', appraisal, and engineering fees and costs because of Defendants' conduct, in amounts that cannot yet be ascertained, but which are recoverable in this action under Code of Civil Procedure § 1036.

114. The damage to Plaintiffs' property is disproportionate to the risks from the public improvements made to benefit the community as a whole. Justice, fairness, and the California Constitution require that Plaintiffs be compensated for the injuries caused by Edison rather than allowing those injuries to remain disproportionately concentrated on them.

THIRD CAUSE OF ACTION Public Nuisance

115. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set forth as though fully set forth herein.

116. Defendants owed a non-transferable, non-delegable duty to the public, including Plaintiffs, to conduct their business, in particular the implementation of safety measures such as de-energization and the maintenance and/or operation of power lines, power poles, and/or electrical equipment on power poles, and adjacent vegetation in proximity to their electrical infrastructure in Southern California, in a manner that did not threaten harm or injury to the public welfare.

117. Defendants, by acting and/or failing to act, as alleged hereinabove, created a condition that was harmful to the health of the public, including Plaintiffs, and created a fire hazard and other potentially dangerous conditions to Plaintiffs' property, which interfered with

1 the comfortable occupancy, use, and/or enjoyment of Plaintiffs' property. This interference is
2 both substantial and unreasonable.

3 118. Plaintiffs did not consent, expressly or impliedly, to the wrongful conduct of
4 Defendants.

5 119. The hazardous condition which was created by and/or permitted to exist by
6 Defendants affected a substantial number of people at the same time within the general public,
7 including Plaintiffs, and constituted a public nuisance under Civil Code §§ 3479 and 3480 and
8 Public Resources Code § 4171. Further, the ensuing Eaton Fire constituted a public nuisance
9 under Public Resources Code § 4170.

10 120. The damaging effects of Defendants' creation of a fire hazard and the ensuing
11 Eaton Fire are ongoing and affect the public at large. There is a long-term risk of mudslides
12 and/or debris flows in the future because the region was destabilized by the Eaton Fire.

13 121. As a direct and legal result of the conduct of Defendants, Plaintiffs suffered harm
14 that is different from the type of harm suffered by the general public. Specifically, Plaintiffs have
15 lost the occupancy, possession, use, and/or enjoyment of their land, real, and/or personal property,
16 including, but not limited to: a reasonable and rational fear that the area is still dangerous; a
17 diminution in the fair market value of their property; an impairment of the ability to sell their
18 property; soils that have become hydrophobic; exposure to an array of toxic substances on their
19 land; and economic losses.

20 122. As a further direct and legal result of the conduct of Defendants, Plaintiffs have
21 suffered, and will continue to suffer, discomfort, anxiety, fear, worries, annoyance, and/or stress
22 attendant to the interference with Plaintiffs' occupancy, possession, use and/or enjoyment of their
23 property.

24 123. A reasonable, ordinary person would be annoyed or disturbed by the condition
25 created by Defendants, and the resulting Eaton Fire.

26 124. Defendants' conduct is unreasonable and the seriousness of the harm to the public,
27 including Plaintiffs, outweighs the social utility of Defendants' conduct. There is no social utility
28 associated with causing the Eaton Fire to destroy large cities and towns in Southern California.

1 125. The individual and/or collective conduct of Defendants set forth above resulting in
2 the Eaton Fire is not an isolated incident, but is ongoing and/or a repeated course of conduct, and
3 Defendants' prior conduct and/or failures have resulted in other fires and damage to the public.

4 126. The unreasonable conduct of Defendants is a direct and legal cause of the harm,
5 injury, and/or damage to the public, including Plaintiffs.

6 127. Defendants have individually and/or collectively failed to and refused to conduct
7 proper inspections and to properly trim, prune, and/or cut vegetation in order to ensure the safe
8 delivery of electricity to residents and businesses through the operation of power lines in the
9 affected area, and Defendants' individual and/or collective failure to do so exposed every member
10 of the public to a foreseeable danger of personal injury, death, and/or a loss of or destruction real
11 and personal property.

12 128. Defendants have individually and/or collectively failed to and refused to fully
13 implement safety strategies such as de-energizing their equipment during extremely high-risk
14 weather events, and Defendants' individual and/or collective failure to do so exposed every
15 member of the public to a foreseeable danger of personal injury, death, and/or a loss of or
16 destruction real and personal property.

17 129. Defendants' conduct set forth above constitutes a public nuisance within the
18 meaning of Civil Code §§ 3479 and 3480, Public Resources Code §§ 4104 and 4170, and Code of
19 Civil Procedure § 731. Under Civil Code § 3493, Plaintiffs have standing to maintain an action
20 for public nuisance because the nuisance is especially injurious to Plaintiffs because, as described
21 above, it is injurious and/or offensive to the senses of Plaintiffs, unreasonably interferes with the
22 comfortable enjoyment of their properties, and unlawfully obstructs the free use, in the customary
23 manner, of their properties.

24 130. For these reasons, Plaintiffs seek a permanent injunction ordering that Defendants
25 stop continued violation of Public Resource Code §§ 4292 and 4293 and CPUC General Order
26 95. Plaintiffs also seek an order directing Defendants to abate the existing and continuing
27 nuisance described above.

FOURTH CAUSE OF ACTION
Private Nuisance

131. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set forth as though fully set forth herein.

132. Plaintiffs own and/or occupy property at or near the site of the Eaton Fire. At all relevant times herein, Plaintiffs had a right to occupy, enjoy, and/or use this property without interference by Defendants.

133. Defendants' actions, conduct, omissions, negligence, trespass, and failure to act resulted in a fire hazard and a foreseeable obstruction to the free use of Plaintiffs' property, invaded the right of Plaintiffs to use this property, and interfered with Plaintiffs' enjoyment of their property, causing Plaintiffs unreasonable harm and substantial actual damages constituting a nuisance pursuant to California Civil Code § 3479.

134. As a direct and proximate result of Defendants' conduct, Plaintiffs sustained loss and damage, including but not limited to damage to property, discomfort, annoyance, and emotional distress, the amount of which will be proven at trial.

135. As a further direct and proximate result of the conduct of Defendants, Plaintiffs seek the reasonable cost of repair or restoration of the property to its original condition and/or loss-of-use damages, as allowed under California Civil Code § 3334.

136. Defendants' conduct was willful and wanton, and with a conscious contempt and disdain for the disastrous consequences that Defendants knew could occur as a result of their dangerous conduct. Accordingly, Defendants acted with malice towards Plaintiffs, which is an appropriate predicate fact for an award of exemplary/punitive damages in a sum according to proof.

FIFTH CAUSE OF ACTION
Premises Liability

137. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set forth as though fully set forth herein.

138. Defendants were the owners of an easement and/or real property in the area of origin of the Eaton Fire, and/or were the owners of the electrical infrastructure upon said easement and/or right of way.

139. Defendants acted wantonly, unlawfully, carelessly, recklessly, and/or negligently in failing to properly inspect, manage, maintain, and/or control the vegetation near their electrical infrastructure along the real property and easement, allowing an unsafe condition presenting a foreseeable risk of fire danger to exist in said areas.

140. As a direct and legal result of the wrongful acts and/or omissions of Defendants, Plaintiffs suffered, and continue to suffer, the injuries and damages as set forth above.

141. As a further direct and legal result of the wrongful acts and/or omissions of Defendants, Plaintiffs seek the recovery of punitive and exemplary damages against Defendants as set forth above.

SIXTH CAUSE OF ACTION

Trespass

142. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set forth as though fully set forth herein.

143. At all times relevant herein, Plaintiffs were the owner and/or lawful occupier of real property damaged by the Eaton Fire.

144. Defendants had a duty to use reasonable care not to enter, intrude on, or invade Plaintiffs' real properties. Defendants negligently allowed the Eaton Fire to ignite and/or spread out of control, causing injury to Plaintiffs. The spread of a negligently caused fire to wrongfully occupy the land of another constitutes a trespass.

145. Plaintiffs did not grant permission for Defendants to cause the Eaton Fire to enter their properties.

146. As a direct, proximate, and substantial cause of the trespass, Plaintiffs have suffered and will continue to suffer damages, including but not limited to damage to property, discomfort, annoyance, and emotional distress in an amount to be proved at the time of trial.

147. As a further direct and proximate result of the conduct of Defendants, Plaintiffs seek the reasonable cost of repair or restoration of the property to its original condition and/or loss-of-use damages, as allowed under California Civil Code § 3334.

148. Defendants' conduct was willful and wanton, and with a conscious contempt and disdain for the disastrous consequences that Defendants knew could occur as a result of their dangerous conduct. Accordingly, Defendants acted with malice towards Plaintiffs, which is an appropriate predicate fact for an award of exemplary/punitive damages in a sum according to proof.

SEVENTH CAUSE OF ACTION

Violations Of Public Utilities Code §2106

149. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set forth as though fully set forth herein.

150. As Public Utilities, Defendants are legally required to comply with the rules and orders promulgated by the CPUC pursuant to Public Utilities Code § 702.

151. Public Utilities whose failure to perform or inadequate performance of duties required by the California Constitution, a law of the State, or a regulation or order of the Public Utilities Commission, leads to loss or injury, are liable for that loss or injury, pursuant to Public Utilities Code § 2106.

152. As Public Utilities, Defendants are required to provide and maintain service, equipment, and facilities in a manner adequate to maintain the safety, health, and convenience of their customers and the public, pursuant to Public Utilities Code § 451.

153. Defendants are required to design, engineer, construct, operate, and maintain electrical supply lines and associated equipment in a manner consonant with their use, taking into consideration local conditions and other circumstances, so as to provide safe and adequate electric service, pursuant to CPUC General Order 95, and CPUC General Order 165.

154. Defendants are required to maintain vegetation in compliance with California Public Resources Code §§ 4293 and 4294.

1 155. Through their conduct as alleged herein, Defendants violated Public Utilities Code
2 §§ 702, 451 and/or CPUC General Order 95, thereby making them liable for losses, damages, and
3 injuries sustained by Plaintiffs pursuant to Public Utilities Code § 2106.

4 **EIGHTH CAUSE OF ACTION**
5 **Violation Of Health & Safety Code § 13007**

6 156. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set
7 forth as though fully set forth herein.

8 157. By engaging in the acts and omissions alleged in this Complaint, Defendants
9 willfully, negligently, and in violation of law, allowed Fire to ignite on or spread to the property
10 of another in violation of California Health & Safety Code § 13007.

11 158. As a legal result of Defendants' violation of California Health & Safety Code
12 § 13007, Plaintiffs suffered recoverable damages to property under California Health & Safety
13 Code §§ 13008 and 13009.1.

14 159. As a further legal result of the violation of California Health & Safety Code
15 § 13007 by Defendants, Plaintiffs are entitled to reasonable attorney's fees under California Code
16 of Civil Procedure § 1021.9 for the prosecution of this cause of action.

17 160. Further, Defendants' conduct as alleged was despicable and subjected Plaintiffs to
18 cruel and unjust hardship in conscious disregard of Plaintiffs' rights, constituting oppression, for
19 which Defendants must be punished by punitive and exemplary damages in an amount according
20 to proof. Defendants' conduct was carried on with a willful and conscious disregard of the rights
21 and safety of Plaintiffs, constituting malice, for which Defendants must be punished by punitive
22 and exemplary damages according to proof. An officer, director, or managing agent of Edison
23 personally committed, authorized, and/or ratified the despicable and wrongful conduct alleged in
24 this complaint

25 **NINTH CAUSE OF ACTION**
26 **Negligent Infliction of Emotional Distress**

27 161. Plaintiffs incorporate and re-allege by this reference, each of the paragraphs set
28 forth as though fully set forth herein.

1 162. As set forth above, the Eaton Fire was a direct and legal result of the negligence,
2 carelessness, recklessness, and/or unlawfulness of Defendants, and/or each of them.

3 163. As a result of the wrongful acts and/or omissions of Defendants, and/or each of
4 them, Plaintiffs suffered serious emotional distress. Further, as set forth above, Plaintiffs suffered
5 from damage to and/or loss of real and/or personal property and were in the zone of danger while
6 evacuating from the Eaton Fire. Defendants knew or should have known that Plaintiffs would
7 suffer serious emotional distress during and as a result of their wrongful acts and/or omissions
8 and the ensuing Eaton Fire due to their injuries property damages, and/or other damages.
9 Defendants' wrongful acts and/or omissions were a substantial factor in causing Plaintiffs'
10 serious emotional distress.

11 164. Additionally and/or alternatively, the wrongful acts and/or omission of as Plaintiffs
12 watched the horrific Eaton Fire destroy, damage, and/or injure Plaintiffs' communities and loved
13 ones in person, on television, on the internet, and/or through text messages and/or other
14 communications from their loved ones. Plaintiffs knew that that Plaintiffs' loved ones were
15 trapped in and around their burning homes, structures, and/or vehicles, and/or trying to evacuate
16 from the Eaton Fire. Plaintiffs were thus aware that Plaintiffs' loved ones were being injured. The
17 Defendants' wrongful acts and/or omissions were a substantial factor in causing Plaintiffs'
18 serious emotional distress.

19 165. As a direct and legal result of the wrongful acts and/or omissions of Defendants,
20 and/or each of them, Plaintiffs have suffered and will continue to suffer great mental pain and
21 suffering, including emotional suffering, anguish, fright, horror, nervousness, grief, anxiety,
22 worry, shock, humiliation, embarrassment, shame, and/or other emotional distress. Plaintiffs are
23 informed and believe, and upon such information and belief allege, that such injuries have
24 resulted in debilitating injuries in an amount according to proof at trial.

25 166. As a further direct and legal result of the wrongful acts and/or omissions of
26 Defendants, and/or each of them, Plaintiffs seek the recovery of punitive and exemplary damages
27 against Defendants as set forth above. Defendants, and/or each of them, acted willfully, wantonly,
28 with oppression, fraud, malice, and/or with a knowing, conscious disregard for the rights and/or

1 safety of others, such the Plaintiffs request that the trier of fact, in the exercise of sound
2 discretion, award Plaintiffs additional damages pursuant to Code of Civil Procedure § 3294 for
3 the sake of example and sufficient to punish the Defendants, and/or each of them, for their
4 despicable conduct, in an amount reasonably related to Plaintiffs' actual damages and
5 Defendants' financial condition, yet sufficiently large enough to be an example to others and to
6 deter Defendants and others from engaging in similar conduct in the future.

7 **VI. PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

- 9 1. Costs of repair, depreciation, and/or replacement of damaged, destroyed, and/or
10 lost personal and/or real property;
- 11 2. Loss of use, benefit, goodwill, and enjoyment of Plaintiffs' real and/or personal
12 property, and/or alternative living expenses;
- 13 3. Loss of wages, earning capacity, and/or business profits or proceeds, and/or any
14 related displacement expenses;
- 15 4. Attorney's fees, expert fees, consultant fees, and litigation costs and expense, as
16 allowed under California Code of Civil Procedure § 1021.9;
- 17 5 Punitive/exemplary damages;
- 18 6. All costs of suit;
- 19 7. Injunctive relief;
- 20 8. Prejudgment interest, according to proof;
- 21 9. General damages for fear, worry, annoyance, disturbance, inconvenience, mental
22 anguish, emotional distress, and loss of quiet enjoyment of property; and
- 23 10. For such other and further relief as the Court shall deem proper, all according to
24 proof.

25 **VII. JURY TRIAL DEMAND**

26 Plaintiffs hereby demand a jury trial on all issues so triable.
27
28

1 Dated: February 3, 2025

Respectfully submitted,

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3
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