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RECEIVED
LOS ANGELES SUPERIOR COURT
JUN 20 2019
S. DREW

FILED
Superior Court of California
County of Los Angeles

JUN 21 2019

Sherri R. Carter, Executive Officer/Clerk of Court
By Aldwin Lim Deputy

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20 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

21 COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

22 Coordination Proceedings Special Title
(Rule 3.550)

ICCP NO. 5000
Filing in Case No. 18STCV08779
[Hon. William F. Highberger, Dept. 10]

24 **WOOLSEY FIRE CASES**

25 **This document relates to ALL CASES**
26 **FOR FILING IN:**

27 *Foley, et al. v. Southern California Edison*
Company, et al., Case No. 18STCV08779

~~REVISED PROPOSED~~ CASE
MANAGEMENT ORDER NO. 1 RE
PLAINTIFFS' LEADERSHIP
STRUCTURE

1 This Case Management Order No. 1 controls and applies to the litigation of any and all
2 related actions that are coordinated with this matter, *Woolsey Fire Cases*, JCCP No. 5000. The
3 term "Parties" shall mean and refer to the Individual Plaintiffs, Public Entity Plaintiffs,
4 Subrogation Plaintiffs and the Defendants collectively.

5 **I. LEADERSHIP STRUCTURE**

6 **A. Individual Plaintiffs**

7 **1. Lead Counsel for Individual Plaintiffs.**

8 Individual Plaintiffs, which include cases brought on behalf of persons and business
9 entities, including class cases, have proposed that the Court appoint the following lawyers as
10 Individual Plaintiffs' Lead Counsel for those cases. The Court hereby appoints the following
11 lawyers as Individual Plaintiffs' Lead Counsel for cases involving Individual Plaintiffs:

12 Brian Panish
13 (Mr. Panish's alternate when unavailable: Rahul Ravipudi)
14 Panish, Shea & Boyle LLP
15 11111 Santa Monica Blvd., Suite 700
16 Los Angeles, CA 90025
17 Tel: (310) 477-1700
18 panish@psblaw.com
19 ravipudi@psblaw.com

20 Lexi Hazam
21 (Ms. Hazam's alternate when unavailable: Robert Nelson)
22 Lief Cabraser Heimann & Bernstein, LLP
23 275 Battery Street, 29th Floor
24 San Francisco, CA 94111-3339
25 Tel: (415) 956-1000
26 rmelson@lchb.com
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Westlake Village, CA 91361
Tel: (818) 851-3850
arobertson@arobertsonlaw.com

29 Subject to the rights reserved to all Individual Plaintiff's counsel under footnote 2 below,
30 Lead Counsel for Individual Plaintiffs shall authorize and direct the work of the Plaintiffs'
31 Executive Committee (of which they will be members) and Individual Plaintiffs' counsel for cases
32 involving Individual Plaintiffs. Individual Plaintiffs' Lead Counsel shall also be responsible for

1 coordinating the activities of the Individual Plaintiffs during pretrial proceedings, and in
2 consultation and with the assistance of the Plaintiffs' Executive Committee, shall be charged with:

- 3 a. Appearing before the Court and presenting the position of Individual
4 Plaintiffs at all Case Management Conferences, Status Conferences, or other
5 court ordered hearings;
- 6 b. Directing and coordinating the briefing and argument of all motions directed
7 at or brought by Individual Plaintiffs generally, and the preparation of status
8 conference statements;
- 9 c. Directing and coordinating the filing of opposing briefs and arguing motions
10 in proceedings initiated by other parties against Individual Plaintiffs'
11 interests (except as to matters directed to specific individual plaintiffs and
12 their counsel or a specific Plaintiff group);
- 13 d. Initiating and coordinating all discovery proceedings on behalf of Individual
14 Plaintiffs, consistent with the requirements of the California Code of
15 Civil Procedure and Rules of Court or any subsequent order of this
16 Court, including propounding general liability written discovery and the
17 taking of general liability oral depositions; responding to written
18 discovery propounded on all Individual Plaintiffs; management of
19 liability-related document production discovery; and retaining and
20 handling liability experts testifying on behalf of all Individual
21 Plaintiffs;¹
- 22 e. Directing and managing all aspects of the Class Litigation;
- 23 f. Managing the selection of all cases for trial setting, in consultation with
24 the Plaintiffs' Executive Committee, subject to the Individual Plaintiffs'
25 rights to seek a preference trial pursuant to Code of Civil Procedure § 36
26 by following the procedures in the Preference protocol;

27
28 ¹ Any discovery activity initiated by Defendants directed to specific individual plaintiffs shall be responded to by the attorney for those specific individuals.

- 1 g. Initiating and managing meet and confers or negotiations with
2 Defendants relating to liability issues on behalf of Individual Plaintiffs;
3 h. Assigning work for the investigation and discovery of common liability
4 and damages matters for all Individual Plaintiffs' counsel, and
5 delegating specific tasks to other Individual Plaintiffs' counsel, in a
6 manner to ensure that pretrial preparation for Individual Plaintiffs,
7 including pretrial preparation for any Plaintiffs granted a preference trial
8 pursuant to Code of Civil Procedure § 36, is conducted effectively,
9 efficiently and economically;
10 i. Entering into stipulations, on behalf of Individual Plaintiffs, with
11 opposing counsel as necessary for the conduct of the litigation;
12 j. Preparing and distributing to other Individual Plaintiffs' counsel
13 periodic status reports;
14 k. Performing such other duties as may be necessary to the representation
15 of Individual Plaintiffs, proper coordination of Individual Plaintiffs'
16 activities or authorized by further Order of the Court²; and
17 l. Submitting, if appropriate, additional Individual Plaintiffs' committees
18 and counsel for designation by the Court.

19 **2. Individual Plaintiffs' Liaison Counsel.**

20 Individual Plaintiffs have requested that the court appoint the following lawyers as
21 Individual Plaintiffs' Liaison Counsel. The Court hereby appoints the following lawyers as
22 Individual Plaintiffs' Liaison Counsel:

23 ///

24 _____
25 ² In the event that any particular counsel for an individual plaintiff confers with the leadership
26 structure and feels their interests are not being adequately served as to a particular issue, such
27 counsel may raise their concerns with Lead Counsel, and if unable to resolve them, may seek
28 relief from the Court. This leadership structure cannot and does not eliminate such rights. The
Court will respond to message board postings on CaseAnywhere from counsel who want an
Informal Discovery Conference set with the Court and will also hold twice monthly, regularly
scheduled Status Conferences to insure all counsel's ready access to the Court.

1 Bill Robins
2 Robins Cloud LLP
3 808 Wilshire Blvd. #450
4 Santa Monica, CA 90401
5 Tel: (310) 929-4200
6 robins@robinscloud.com

7 Mark Robinson
8 (Mr. Robinson's alternate when unavailable: Shannon Lukei)
9 Robinson Calcagnie, Inc.
10 19 Corporate Plaza Drive
11 Newport Beach, CA 92660
12 Tel: (949) 720-1288
13 mrobinson@rcrlaw.net

14 Walter J. Lack
15 (Mr. Lack's alternate when unavailable: Gregory P. Waters)
16 Engstrom, Lipscomb & Lack
17 10100 Santa Monica Blvd., 12th Floor
18 Los Angeles, CA 90069
19 Tel: (310) 552-3800
20 gwaters@elllaw.com

21 Individual Plaintiffs' Liaison Counsel shall be members of the Plaintiffs' Executive
22 Committee and shall have the following responsibilities:

- 23 a. Upon the designation of Individual Plaintiffs' Lead Counsel, appear before
24 the Court and present the position of Individual Plaintiffs at all Case
25 Management Conferences, Status Conferences, or other court ordered
26 hearings;
- 27 b. To make available to the Court, to counsel for Individual Plaintiffs, and to
28 counsel for Defendants an up-to-date comprehensive Service List of all
Individual Plaintiffs' counsel (including the date of the most recent revision);
- c. To receive and distribute to Individual Plaintiffs' counsel as appropriate,
orders, notices and correspondence from the Court;
- d. To maintain and make available to other Individual Plaintiffs, on reasonable
notice and at reasonable times, a complete set of all filed pleadings and orders
filed and/or served in these coordinated proceedings; and
- e. To coordinate the filing of notices and papers by any Individual Plaintiff,
including the designation of responsibilities to encourage the filing of a

1 single set of papers by the Individual Plaintiffs in situations where the
2 Individual Plaintiffs have a common position.

3 **3. Individual Plaintiffs' Executive Committee.**

4 Individual Plaintiffs have requested that the Court designate the lawyers and firms to the
5 Individual Plaintiffs' Executive Committee. The Court hereby accepts the designation of the
6 following lawyers and firms to the Individual Plaintiffs' Executive Committee:

7 Michael A. Kelly
8 (Mr. Kelly's alternate when unavailable: Khaldoun A. Baghdadi)
9 Walkup Melodia Kelly & Schoenberger
10 650 California Street, 26th Floor
11 San Francisco, CA 94108
12 Tel: (415) 981-7210
13 mkelly@walkuplawoffice.com
14 kbaghdadi@walkuplawoffice.com

15 Frank M. Pitre
16 Cotchett, Pitre & McCarthy, LLP
17 840 Malcolm Road, #200
18 Burlingame, CA 94010
19 Tel: (650) 697-6000
20 fpitre@cpmlegal.com

21 Steven M. Campora
22 Dreyer Babich Buccola Wood Campora, LLP
23 20 Bicentennial Circle
24 Sacramento, CA 95826
25 Tel: (916) 379-3500
26 scampora@dbbwc.com

27 Dave Fox
28 (Mr. Fox's alternate when unavailable: Christopher Sieglock)
Fox Law, APC
225 W. Plaza Street, Suite 102
Solana Beach, CA. 92075
Tel: (858) 256-7616
dave@foxlawapc.com
chris@sieglocklaw.com

Robert A. Curtis
(Mr. Curtis' alternate when unavailable: Joseph Liebman)
Foley Bezek Behle & Curtis, LLP
15 West Carrillo Street
Santa Barbara, CA 93101
Tel: (805) 962-9595
rcurtis@foleybezek.com

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Patrick McNicholas
McNicholas & McNicholas, LLP
10866 Wilshire Blvd, #1400
Los Angeles, CA 90024
Tel: (310) 474-1582
mjk@mcnicholaslaw.com

Peter J. McNulty
McNulty Law Firm
827 Moraga Drive
Bel Air, CA 90049
Tel: (310) 471-2707
peter@mcnultylaw.com

Brian R. Strange
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12100 Wilshire Blvd, Suite 1900
Los Angeles, CA 90025
Tel.: (310) 207-5055
bstrange@strangeandbutler.com

Ed Diab
Dixon Diab & Chambers, LLP
501 W. Broadway, #800
San Diego, CA 92101
Tel.: (619) 354-2662
diab@theddcfirm.com

James P. Frantz
Frantz Law Group,
402 W Broadway # 860,
San Diego, CA 92101
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jpf@frantzlawgroup.com

Alan I. Schimmel
Schimmel & Parks, APLC
15303 Ventura Blvd, Suite 650
Comerica Building
Sherman Oaks, CA 91403
Tel: 818-922-8544
aischimmel@spattorneys.com

The Individual Plaintiffs' Executive Committee shall have the following responsibilities with respect to matters of common concern to all Individual Plaintiffs:

- a. Coordination of Individual Plaintiffs' pretrial activities and work performed by the Individual Plaintiffs' lead counsel and liaison counsel;
- b. Calling meetings of Individual Plaintiffs' counsel when appropriate and to consult with Individual Plaintiffs' counsel on matters of common concern;

- 1 c. Designating additional Individual Plaintiffs' subcommittees to perform
2 services on behalf of Individual Plaintiffs and designate additional
3 Individual Plaintiffs' counsel to serve on such subcommittees; and
4 d. When appropriate, chairing and organizing Individual Plaintiffs'
5 sub-committees as necessary to address specific issues of concern to
6 claims of Individual Plaintiff and Subrogation Plaintiffs.

7 **B. Public Entity Plaintiffs**

8 The Public Entity Plaintiffs have requested that the court designate the following lawyers
9 as their Lead Counsel. The Court hereby appoints the following lawyers as Lead Counsel for these
10 Public Entity Plaintiffs:

11 Scott Summy
12 Baron & Budd
13 3102 Oak Lawn Ave. #110
14 Dallas, TX 75219
15 Tel: (214) 521-3605
16 SSummy@baronbudd.com

17 John Fiske
18 Baron & Budd
19 603 N. Coast Highway G
20 Solana Beach, CA 92075
21 Tel.: (858) 225-7200
22 JFiske@baronbudd.com

23 Public Entities' Lead Counsel shall be responsible for propounding discovery, responding
24 to discovery, briefing, and argument of issues that are specific to the Public Entity cases. Public
25 Entities' Lead Counsel shall maintain a current listing of all filed Public Entity cases and identify
26 the same for the Executive Plaintiffs Committee, Defendants and the Court. Counsel in any Public
27 Entity cases shall cooperate with the Lead Counsel for Individual Plaintiffs, Public Entities' Lead
28 Counsel and the Court in the production of information necessary to prepare for any status
conference or in the scheduling of any discovery, or hearing.

29 **C. Subrogation Plaintiffs**

30 The Subrogation Plaintiffs have requested, and the Court hereby appoints, the following
31 lawyers as Lead Counsel and Liaison Counsel for the Subrogation Plaintiffs. These lawyers shall
32 serve as the members of the Executive Committee for Subrogation Plaintiffs, and said counsel

1 shall have the same duties/responsibilities within/to the Subrogation Plaintiffs group as the
2 lawyers serving as Lead Counsel and Liaison Counsel and the Executive Committee for the
3 Individual Plaintiffs shall have with respect to the Individual Plaintiffs group:

4 1. Lead Counsel for Subrogation Plaintiffs.³

5 Shawn Caine
6 The Law Offices of Shawn E. Caine
7 1221 Camino Del Mar
8 Del Mar, CA 92014
9 Tel: (619) 838-1365
10 scaine@cainelaw.com

11 Howard Maycon
12 Cozen O'Connor
13 601 S. Figueroa Street, Suite 3700
14 Los Angeles, CA 90017
15 Tel: (213) 892-7900
16 hmaycon@cozen.com

17 Maura Walsh Ochoa
18 Grotefeld Hoffmann
19 700 Larkspur Landing Circle, Suite 280
20 Larkspur, California 94939
21 Tel: (415) 344-9670
22 mochoa@ghlaw-llp.com

23 Waylon Pickett
24 Grotefeld Hoffmann
25 0324 SW Abernethy Street
26 Portland, OR 97239
27 Tel.: (502) 384-2772
28 wpickett@ghlaw-llp.com

 Craig Simon
 Berger Kahn, A Law Corporation
 1 Park Plaza, Suite 340
 Irvine, CA 92614
 Tel: (949) 748-4444
 csimon@bergerkahn.com

 Lead Counsel for Subrogation Plaintiffs shall be responsible for discovery, briefing, and
argument of issues that are specific to the Subrogation cases. Lead Counsel for the Subrogation
Plaintiffs shall maintain a current listing of all filed subrogation cases and identify same for Lead
Counsel for Individual Plaintiffs, Defendants and the Court. Counsel in any Subrogation cases

³ The rights and obligations of Lead Counsel for Subrogation Plaintiffs mirror the rights and obligations of Lead Counsel for Individual Plaintiffs.

1 shall cooperate with Lead Counsel for the Subrogation Plaintiffs, Subrogation Plaintiffs'
2 Executive Committee and the Court in the production of information necessary to prepare for any
3 status conference or in the scheduling of any discovery, or hearing. Further, the Court appoints the
4 following lawyers to the designated positions below:

5 **2. Liaison Counsel for Subrogation Plaintiffs.**

6 Alan Jang
7 (Mr. Jang's alternate when unavailable: Sally Noma)
8 Jang & Associates
9 1766 Lacassie Avenue, Suite 200
10 Walnut Creek, CA 94596
11 Tel: (925) 937-1400
12 ajang@janglit.com
13 snoma@janglit.com

14 Ed Witt
15 Bauman Loewe Witt & Maxwell, PLLC
16 8765 East Bell Road, Suite 210
17 Scottsdale, Arizona 85260
18 Tel: (480) 502-4664
19 ewitt@blwmlawfirm.com

20 Marc Polansky
21 GROTEFELD HOFFMANN
22 5535 Balboa Boulevard, Suite 219
23 Encino, California 91316
24 Tel: (747) 233-7148
25 E-Mail: mpolansky@ghlaw-llp.com

26 **3. Subrogation Plaintiffs' Executive Committee.**

27 Mark Bauman
28 Bauman Loewe Witt & Maxwell, PLLC
29 8765 East Bell Road, Suite 210
30 Scottsdale, Arizona 85260
31 Tel: (480) 502-4664
32 mbauman@blwmlawfirm.com

33 Mark Roth
34 Cozen O'Connor
35 601 S. Figueroa Street, Suite 3700
36 Los Angeles, CA 90017
37 Tel: (213) 892-7900
38 kbush@cozen.com

39 Tim Cary
40 Stutman Law
41 1260 Corona Pointe Ct., Suite 306
42 Corona, CA 92879
43 Tel: (951) 963-1298
44 caryt@stutmanlaw.com

Eric Schroeder
Schroeder Loscotoff
7410 Greenhaven Dr., Ste. 200
Sacramento, CA 95831
Tel: (916) 438-8306
emschroeder@calsubro.com

D. Defendants

Defendants Southern California Edison Company and Edison International (collectively, “SCE”) are represented as follows:

John C. Hueston
Alison L. Plessman
Moez M. Kaba
Doug Dixon
Andrew K. Walsh
Jennifer Bunn Hayden
Hueston Hennigan
620 Newport Center Drive, Suite 1300
Newport Beach, CA 92660
Tel.: (949) 229-8640
jhueston@hueston.com
aplessman@hueston.com
mkaba@hueston.com
ddixon@hueston.com
awalsh@hueston.com
jbhayden@hueston.com

Leon Bass, Jr.
Brian Cardoza
Southern California Edison
2244 Walnut Grove Ave.
Rosemead, CA 91770
Tel.: (626) 302-6628
leon.bass@sce.com
brian.cardoza@sce.com

II. ADDITIONAL PARTIES

A. Mechanism for Adding New Cases to the Coordinated Proceeding

On a monthly basis, the Edison Defendants will file with the Court petitions for coordination of potential add-on cases pursuant to *California Rules of Court*, Rule 3.544.

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1 After entry of an order adding a case to the coordinated proceedings, the add-on
2 Plaintiff(s) will serve Plaintiff Fact Sheets.⁴ . Plaintiffs' Lead Counsel will provide the Plaintiffs in
3 each action added to these coordinated proceedings with access as appropriate to electronic or
4 paper copies of pleadings, filings, orders, discovery and other papers.

5 All procedures and orders approved by the Court will apply to later-joined Parties, but for
6 due process reasons any such later-joined party may object to terms of this Case Management
7 Order by filing a motion or ex parte within ten (10) court days of the grant of the Petition.

8 **III. MISCELLANEOUS**

9 **A. Guardian Ad Litem Applications**

10 Plaintiffs are to lodge Guardian *ad Litem* applications with the Court by bringing them
11 directly to Department 10 to facilitate the Court's review of such applications.

12 Guardian *ad Litem* applications should have wet signatures and must contain the phone
13 numbers of the proposed legal guardians.

14 **B. Master List of Cases**

15 Counsel for the Edison Defendants, Hueston Hennigan LLP, will maintain a master list of
16 all filed cases included in these coordinated proceedings that it will update monthly and provide to
17 the Court and all parties through the Court-approved vendor for electronic service, Case
18 Anywhere.

19 **IV. JURISDICTION AND VENUE**

20 The Parties agree that this Court has jurisdiction over the parties and that there are no
21 challenges to personal or subject matter jurisdiction.

22 **V. SERVICE**

23 On May 7, the Court appointed Case Anywhere to serve as the vendor for electronic
24 service for use in this case. Parties first appearing after the date of this CMO may serve new
25

26
27
28 ⁴ The Parties are currently meeting and conferring regarding the form and substance of the
Plaintiff Facts Sheets, including an attached damages questionnaire. The Plaintiff Fact Sheets will
be addressed in a subsequent case management order.

1 complaints or cross-complaints on any party presently in the case by uploading all documents to
2 the Case Anywhere.

3 To serve the Edison Defendants, Parties are directed to send a copy of the Summons and
4 Complaint and related papers along with a Notice and Acknowledgement of Receipt completed
5 with the Plaintiff's specific case information to Hueston Hennigan's Woolsey Fire correspondence
6 address: hhsce.woolsey@hueston.com, copying Sarah Jones (sjones@hueston.com) and Jennifer
7 Bunn Hayden (jbhayden@hueston.com) of Hueston Hennigan. Service on the Edison Defendants
8 will be deemed completed when counsel for the Edison Defendant(s) uploads a copy of the signed
9 Notice and Acknowledgement of Receipt to Case Anywhere.

10 Each firm of record and unrepresented litigant is required to sign up with Case Anywhere
11 and will be individually responsible for payment of applicable Case Anywhere fees.

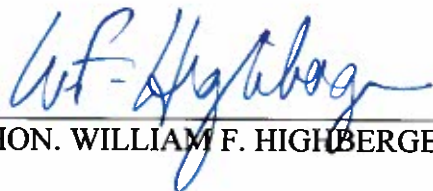
12 **VI. JOINT PROSECUTION/JOINT DEFENSE PRIVILEGED COMMUNICATIONS**

13 The communication, transmission, or dissemination of information of common interest
14 among Plaintiffs' counsel, or among Defendants' counsel shall be protected under the common
15 interest doctrine to the extent permitted by law, as well as applicable statutory and case law
16 governing the attorney-client privilege and the attorney work-product doctrine, and any other
17 privilege to which a party may otherwise be entitled.

18 Cooperative efforts shall in no way be used against any of the Parties, be cited as purported
19 evidence of conspiracy, wrongful action or wrongful conduct, and shall not be communicated to
20 any jury. Counsel shall not forward to counsel on the other side or publicly file communications
21 constituting another attorney's work product without that attorney's or the Court's permission.

22 **IT IS SO ORDERED.**

23 DATED: 6/21, 2019

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25 
26 HON. WILLIAM F. HIGHBERGER
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