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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

FRANK CHEUNG; ROXANNE CHEUNG; A.C., a minor, by and through her guardian ad litem, FRANK CHEUNG; M.C., a minor, by and through his guardian ad litem, FRANK CHEUNG; JOSH MOREAU; and GAYLE MOREAU,

Plaintiffs,

v.

SOUTHERN CALIFORNIA EDISON COMPANY, a California corporation; EDISON INTERNATIONAL, a California corporation; and DOES 1-100,

Defendants.

Case No. 25STCV07239

COMPLAINT FOR DAMAGES

1. **NEGLIGENCE**
2. **TRESPASS**
3. **PRIVATE NUISANCE**
4. **PUBLIC NUISANCE**
5. **INVERSE CONDEMNATION**
6. **VIOLATION OF PUBLIC UTILITIES CODE § 2106**
7. **VIOLATION OF HEALTH AND SAFETY CODE § 13007**
8. **PREMISES LIABILITY**

DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. On January 7, 2025, the second-most destructive wildfire in California state history ignited on the eastern flank of Eaton Canyon, a portion of the Angeles National Forest that abuts the communities of Altadena and Pasadena in Los Angeles County. On information and belief, transmission powerlines, structures, and/or equipment along the eastern side of Eaton Canyon (the "Eaton Canyon Powerlines") sparked the fire, now known as the Eaton Fire, shattering multiple communities that hug the western foothills of the San Gabriel Mountains. But that outcome could have been prevented. The Eaton Canyon Powerlines are owned and operated by Defendant Southern California Edison Company ("SCE"). And but for SCE's reckless conduct and choices leading up to the fire, the fire never would have started. Plaintiffs bring this suit to hold SCE and its parent company, Defendant Edison International ("Edison"), accountable.

2. In recent years, electrical utility equipment has often started wildfires in California. Too often. Electrical utilities like SCE and Edison know that downed powerlines, trees or other vegetation contacting power lines, molten metal from malfunctioning electrical equipment, or other malfunctioning or overstressed electrical equipment can spark a fire. Those utilities know, from decades of experience, that windstorms and dry conditions make those fires more likely to start, more explosive, more destructive, and more difficult to stop.

3. Because of the wildfire risk that the transmission and distribution of electricity poses, electrical utility providers like SCE and Edison have a duty to properly design, construct, monitor, inspect, repair, maintain, and operate their electrical infrastructure and equipment—including, prominently, their powerlines and towers and poles supporting those powerlines—to ensure it does not ignite a wildfire. SCE's and Edison's duty also requires them to maintain the land and vegetation around powerline infrastructure to ensure that vegetation, objects, and structures do not come into contact with electrical lines and equipment.

4. SCE and Edison knew that failing to properly maintain their powerlines and electrical equipment or clear the areas around their powerlines of vegetation would dramatically increase the risk that their electrical infrastructure or equipment would start fires. SCE and Edison also knew that, in the face of high winds and extraordinarily dry conditions with low relative humidity and low fuel moisture, failing to pre-emptively de-energize powerlines, or prematurely re-energizing them following a fault, would multiply that risk. SCE and Edison knew that any fire in Eaton Canyon would be almost impossible to contain, because of the surrounding dry vegetation and fuel load, extreme winds, and dry conditions. And in the week leading up to January 7, 2025, SCE and Edison became aware that the weather conditions that day were going to pose a greater risk of wildfire than perhaps at any other time in the modern history of this state: once in a generation winds, combined with perhaps the driest Los Angeles summer, fall, and winter on record.

5. Yet SCE and Edison rashly disregarded those warning signs that should have led them to take the very precautions they have employed during lesser emergencies. On top of other potentially flawed design and construction choices, and equipment maintenance and inspection failures, SCE and Edison failed to pursue the well-established preventative measure of shutting off electricity to the Eaton Canyon Powerlines altogether. The practice of de-energizing powerlines in times of high fire risk is now commonplace in California and other parts of the West that are accustomed to wildfires. But SCE and Edison chose not to shut off the Eaton Canyon Powerlines or other transmission lines in the vicinity, despite weather conditions they knew would create an extreme risk that their electrical infrastructure and equipment would cause fires and that those fires would rapidly spread, leading to widespread destruction. That choice, among others, was reckless and disregarded the enormous risk, ultimately realized, that their choice would cost lives and the homes of thousands of residents.

6. Based on Plaintiffs' personal knowledge, information and belief, and the investigation and research of counsel, Plaintiffs bring this suit against SCE; its parent company, Edison; and

employees and officers of those companies, for damages and other remedies, and to hold SCE and Edison accountable for their reckless decisions.

II. JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action. Defendants have committed acts of negligence, trespass, nuisance, and inverse condemnation, among others, in Los Angeles County.

8. This Court has personal jurisdiction over Defendants under California Code of Civil Procedure § 410.10. Defendants have submitted to jurisdiction by conducting and transacting business in California on a regular and continuous basis, including providing electrical service in Los Angeles County and throughout California.

9. Venue as to each Defendant is proper in this judicial district, pursuant to California Code of Civil Procedure §§ 395 and 395.5, because the Defendant SCE's principal place of business and headquarters are in Rosemead, California, in Los Angeles County. Venue as to the inverse condemnation claim is proper in this judicial district because it is the County in which the properties subject to that claim are located. The incident in question also occurred in this district.

III. PARTIES

10. **Plaintiffs** are individuals who lived in and/or owned property in the area damaged and/or destroyed by the Eaton Fire, within Los Angeles County. All Plaintiffs are residents of Los Angeles County. The Plaintiffs suffered and continue to suffer harm from that fire, including personal injuries, medical bills, damage and destruction of real and personal property, lost wages and future earnings, trauma and emotional distress, and other damages.

11. At the time of the Eaton Fire, plaintiffs Frank Cheung and Roxanne Cheung resided at and owned the property and home at 3589 Cannon Boulevard, Altadena, CA 91001. Plaintiffs A.C. and M.C., the minor children of Frank and Roxanne Cheung, also resided at 3589 Cannon Boulevard, Altadena, CA 91001.

12. At the time of the Eaton Fire, plaintiffs Josh Moreau and Gayle Moreau resided at and owned the property and home at 2515 Casitas Ave, Altadena, CA 91001.

13. Plaintiffs were, and at all times mentioned in this complaint were, the owners of or residents in real property and improvements at their above addresses. They also owned personal property at those addresses at the time of the Eaton Fire. These property interests of Plaintiffs are referred to in this complaint as the "Subject Properties."

14. **Defendant Southern California Edison Company (SCE)** is a California corporation and subsidiary of Defendant Edison with its headquarters in Rosemead, California, in Los Angeles County. It is the largest provider of electrical service in Southern California and provides electrical service to the general public in Los Angeles County, including in Altadena, an unincorporated census designated place within that County. To do so, SCE designed, constructed, maintained, and operated overhead powerlines (transmission and distribution lines), transformers, and other electrical equipment, together with supporting poles and equipment. SCE is an "electrical corporation" and "public utility" under Sections 216(a)(1) and 218(a) of the California Public Utilities Code.

15. **Defendant Edison International** ("Edison") is a California corporation, and parent company of Defendant SCE, with its headquarters in Rosemead, California, in Los Angeles County. Edison provides electrical service through its subsidiary SCE.

16. On information and belief:

a. SCE and Edison operate as a single business at the same location, at 2244 Walnut Grove Avenue, Rosemead, California.

b. SCE and Edison operate with integrated resources in pursuit of a single business purpose, and do not compete against each other.

c. The officers, managers, and directors of SCE are intertwined and not fully independent of one another. The two companies share a Treasurer; Vice President of Strategy, Planning and

Performance; Chief Ethics and Compliance Officer; Senior Vice President of Corporate Affairs and Public Policy; Chief Communications Officer; Vice President of Enterprise Risk Management and Insurance and General Auditor; Chief Accounting Officer and Controller; Chief Human Resources Officer; and Vice President of Tax. Nine out of fourteen members of Edison's leadership also lead SCE.

d. Virtually all of Edison's revenues come from SCE's operations. Edison is also the parent company of Trio, an energy advisory company, but that company's business activities are not material relative to those of SCE.

e. SCE is so organized and controlled, and its affairs are so conducted, as to make it merely an instrumentality, agency, conduit, or adjunct of Edison.

f. Edison maintains control over SCE, including through common policies (personnel, accounting, employee benefit plans, etc.) for SCE to follow or carry out.

g. Edison and SCE are often represented by common legal counsel.

h. Edison and SCE file a single annual report with the Securities and Exchange Commission, and file other consolidated filings and regulatory documents.

17. Plaintiffs are ignorant of the true names and capacities of the defendants sued in this complaint as Does 1 through 100, inclusive, and therefore sues these defendants by these fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained. Plaintiffs are informed and believe, and allege on that information and belief, that each of these fictitiously named defendants is in some manner responsible for the injury and damage to plaintiffs alleged in this complaint. Plaintiffs are also informed and believe, and allege on that information and belief, that these fictitiously named defendants were, at all times mentioned in this complaint, the agents, servants, and employees of one of their codefendants and were acting within their authority as such with the consent and permission of their codefendants.

18. Defendants SCE, Edison, and Does 1 through 100 will be hereafter referred to collectively as "Defendants."

19. At all times relevant to this Complaint, Defendants, and/or each of them, were the agents, servants, employees, partners, aiders and abettors, co-conspirators, and/or joint venturers of each of the other Defendants and were at all times operating and acting within the purpose and scope of said agency, service, employment, partnership, enterprise, conspiracy, and/or joint venture, and Defendants SCE or Edison ratified and approved the acts of each of the remaining Defendants. Each of the Defendants aided and abetted, encouraged, and rendered substantial assistance to the other Defendants, with awareness of their wrongdoing and that their conduct would substantially assist the other Defendants, in breaching their obligations to Plaintiffs as alleged in this Complaint.

IV. FACTUAL ALLEGATIONS

A. How Electrical Equipment Sparks Wildfires

20. SCE supplies electricity to approximately 15 million individuals throughout Central, Coastal, and Southern California. It builds, owns, maintains, and operates overhead electrical lines and other equipment, including in Los Angeles County, to transmit power to residents, businesses, schools, and industries in the region.

21. Electrical infrastructure carries inherent wildfire dangers, as Defendants know. Many of the most destructive wildfires in California history have been caused by electrical equipment, including powerlines.[1] And SCE's electrical equipment specifically has been determined by fire investigators in various agencies to have been responsible for several recent and wildly destructive wildfires, such as the

[1] Top 20 Most Destructive California Wildfires, CALFire, available at https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/our-impact/fire-statistics/top20_destruction.pdf?rev=057c3d89da86403290fcbcef630fc692&hash=E7D05B4DCE9C3C0CE857221695C54FEF.

2017 Thomas Fire, the 2018 Woolsey Fire, the 2019 Easy Fire, and the 2022 Coastal Fire.[2] The entire premise of SCE's Wildfire Management Plans is to mitigate this kind of wildfire risk. But SCE's history of causing wildfires is evidence of its repeated pattern of failing to act reasonably to prevent wildfires.

22. Wildfires can be triggered by electrical equipment in many ways. Poles or towers carrying powerlines can be felled by high winds. Winds can cause poorly designed or maintained lines to "slap" together. Trees or other vegetation can be blown into powerlines. Circuit disruptions or stresses can cause electrical equipment to overheat, spark, or break. Any of those stressors can cause an electrical event, such as sparking or arcing, that can start a wildfire in dry grasses, trees, or brush.

23. The primary factors that influence the risk that electrical equipment will ignite a wildfire are weather-related: high wind speeds, low relative humidity, and very little recent rainfall, leading to low moisture in surrounding vegetation. As SCE notes on its website, "strong winds, dry vegetation, and low humidity" are "dangerous conditions"; "[c]ombined, these conditions create the risk that flying debris damage to wires and equipment could ignite a fire with the potential to spread rapidly and threaten communities."[3]

24. The inherent and heightened danger associated with the transmission and distribution of electricity requires Defendants to exercise an increased level of care to protect the public and the communities through which their electrical infrastructure and equipment (like transmission towers and powerlines) run.

25. Defendants know this. As it acknowledges in its public filings, pursuant to Section 8386(a) of the California Public Utilities Code, SCE is obligated to "construct[,] maintain[,] and operate[] its electrical lines and equipment in a manner that will minimize the risk of catastrophic

[2] *See, e.g.*, Melody Petersen, *Edison wants to raise rates to pay for wildfires linked to its equipment*, Los Angeles Times (Jan. 29, 2025), available at https://www.latimes.com/environment/story/2025-01-29/edison-wants-customers-to-pay-for-wildfires-its-equipment-caused.

[3] *PSPS Weather Awareness*, Southern California Edison, https://www.sce.com/wildfire/weather-awareness (last visited Mar. 6, 2025).

wildfire posed by those electrical lines and equipment."[4] And SCE has reported 12 wildfires, totaling over 600,000 acres burned and thousands of structures destroyed, between 2007 and 2022 that may be connected to its electrical infrastructure.[5]

26. Utilities and other providers of electrical service use numerous strategies to reduce the risk that a wildfire will start because of their electrical equipment. One such strategy is to design and construct powerlines in ways that avoid running exposed powerlines through heavily vegetated or windy corridors. A second strategy is to inspect powerlines and other electrical equipment for any defects that could lead to an electrical event that generates sparks or excessive heat when powerlines are stressed by high winds. A third strategy is to properly clear vegetation from around powerline corridors to reduce the risk that trees fall on, or vegetation is blown into, powerlines.

27. A fourth strategy, among others, is to temporarily de-energize powerlines, including potentially transmission lines, in areas of excessive fire risk during high-risk events like windstorms. This can happen automatically, following a fault on a powerline. SCE employs reclosers on their powerlines—including at least some transmission lines—that open and then reclose circuits soon after a temporary fault, re-energizing the line. During non-high-risk periods, reclosers can restore power quickly following a temporary fault. But during high-risk events, they can lead to re-energizing lines that are experiencing distress and may be likely to fault, spark, or arc. Thus, in the lead-up to high-risk events, SCE and other utilities can either modify reclosers or manually block them, so as to temporarily prevent them during the high-risk event from reclosing a broken circuit following a fault.

28. But utilities can also proactively de-energize powerlines during dangerous weather conditions, in anticipation of potential faults or other wildfire-ignition events. Utilities refer to this as a

[4] Southern California Edison, 2023-2025 Wildfire Mitigation Plan at 20 (Mar. 27, 2023), available at https://www.sce.com/sites/default/files/AEM/Wildfire%20Mitigation%20Plan/2023-2025/2023-03-27_SCE_2023_WMP_R0.pdf.

[5] *Id.* at 46-47.

Public Safety Power Shutoff, or PSPS. The California Public Utilities Commission ("CPUC"), the state agency charged with regulating electric utilities such as SCE, has authorized SCE to utilize de-energization of powerlines and other electrical equipment in the event of significant risks of wildfire, and SCE has routinely used de-energization, or considered its use, during prior periods of high fire risk. Indeed, SCE recently touted this strategy's effectiveness: "PSPS has proven to be an effective measure of last resort to reduce the risk of wildfires."[6]

29. According to its regulatory filings following public safety power shutoff events, at least for distribution powerlines, "SCE uses preset wind and gust thresholds for dangerous wind conditions that create increased fire potential (including wind speeds, humidity, fuel moisture levels and other factors as the basis for PSPS decision-making …)."[7] SCE will typically de-energize a circuit "when either the sustained wind de-energization threshold or gust wind de-energization threshold is met," in tandem with the particular circuit's Fire Potential Index. SCE asserts that its "de-energization thresholds are determined with the fundamental consideration that a fire in high wind and dry fuel conditions is not an acceptable risk for SCE, our customers, or our communities."[8]

30. With respect to transmission de-energization decisions, Defendants have long maintained that "impacts to populations" from de-energization, even of large swaths of the population served by a transmission line, "must be paired with the primary goal of reducing the risk of utility-caused wildfire ignitions," because "[p]reventing catastrophic wildfires is of paramount importance and not at odds with preventing negative impacts to populations in high fire risk areas …."[9] SCE has de-energized

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[6] *Id.* at 3.

[7] Southern California Edison Company's Public Safety Power Shutoff Post-Even Report for October 17, 2024 De-Energization Event at 6 (Nov. 1, 2024), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M545/K344/545344329.PDF.

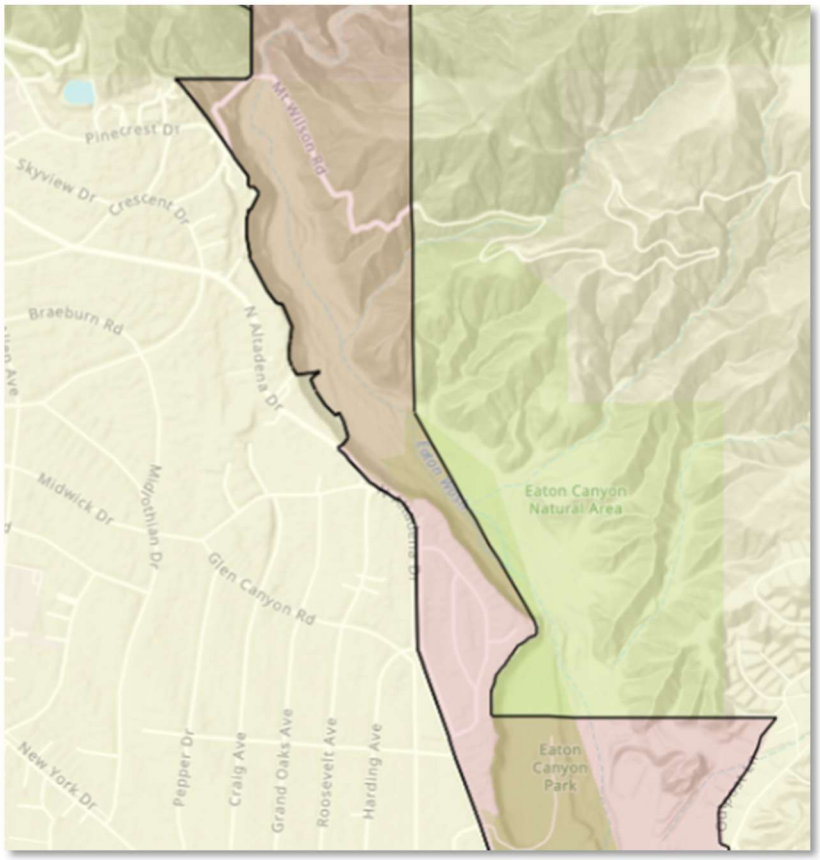
[8] *Id.* at 38.

[9] Southern California Edison Company's Opening Comments on Phase 1 Scoping Memo and Ruling at 21-22 (Mar. 25, 2019), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M274/K173/274173162.PDF.

transmission lines before, including in October 2019, when conditions and rapidly changing wind speeds forced SCE to make de-energization decisions in real-time and at times without warning.[10]

B. Eaton Canyon

31. Lower Eaton Canyon traverses unincorporated areas within Los Angeles County, such as the Eaton Canyon Natural Area, as well as incorporated land within the limits of the City of Pasadena, California. To the immediate west of Eaton Canyon lies a narrow strip of the city of Pasadena that hugs the western edge of the canyon, demarcated as the red area in the map below. West of that strip of Pasadena is Altadena, an unincorporated census designated place within Los Angeles County.



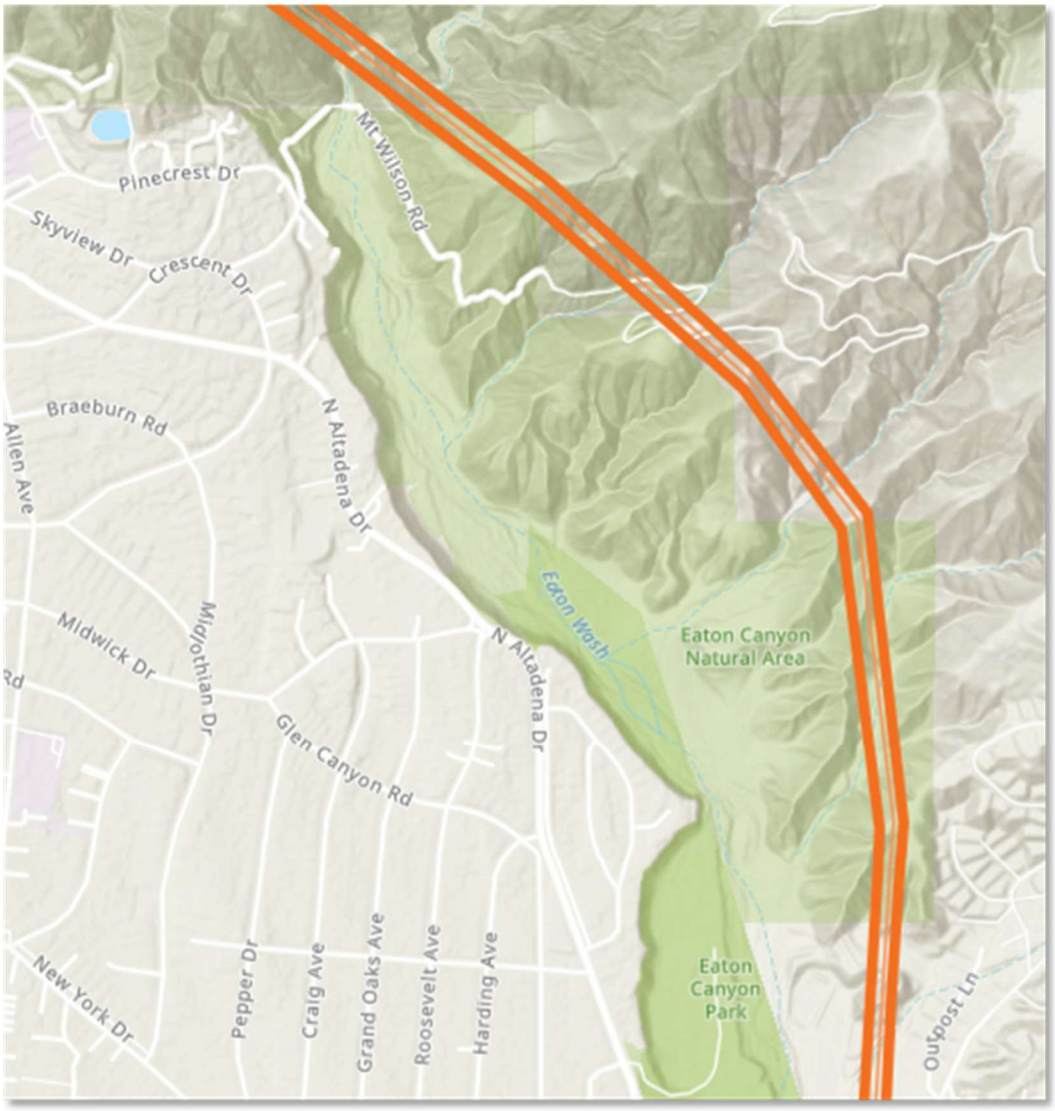
[10] Southern California Edison Company's Post-PSPS Reports for 2019 Fire Season at A-1385-86, A-1507 (Dec. 31, 2019), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M324/K862/324862984.PDF.

32. SCE owns and operates the Eaton Canyon Powerlines: transmission towers and transmission lines that run along the eastern side of Eaton Canyon. The transmission towers were built in the 1970s and 1980s and, according to SCE, had been inspected in 2024.[11] The towers carry four transmission lines with voltage ratings of 220kV, along with a de-energized transmission line that SCE asserts is no longer in service.[12] The map below shows the path of the Eaton Canyon Powerlines:[13]

[11] Noah Goldberg, *Altadena winds weren't strong enough to warrant Edison shutting off transmission lines, CEO asserts*, Los Angeles Times (Jan. 15, 2025), available at https://www.latimes.com/california/story/2025-01-15/la-me-edison-ceo.

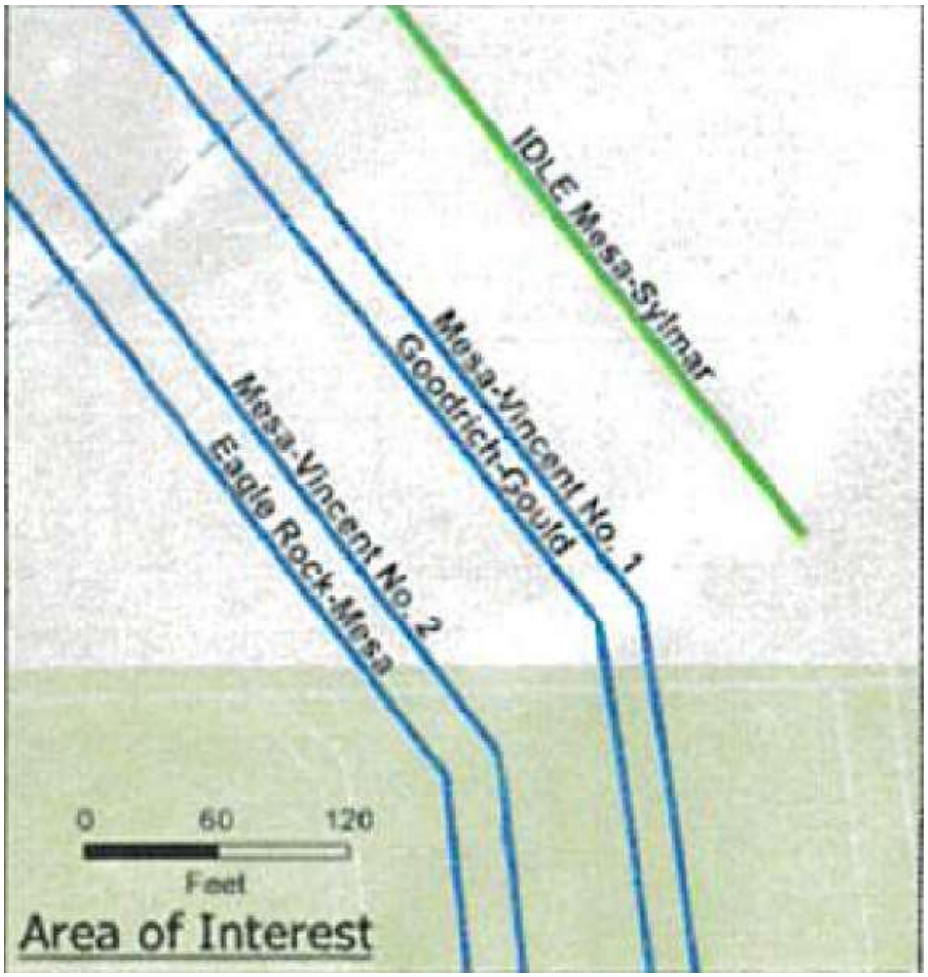
[12] https://au.marketscreener.com/quote/stock/EDISON-INTERNATIONAL-12435/news/SCE-Interim-Update-to-CPUC-re-Eaton-Fire-48880715/ ("(1) the M6T1 structure, carrying the Eagle Rock-Mesa 220kV and Mesa-Vincent No. 2 220kV transmission lines, (2) the M24T3 structure, carrying the Mesa-Vincent No. 1 220kV and Goodrich-Gould 220kV transmission lines and (3) the M16T1 structure, carrying the Mesa-Sylmar transmission line, which is no longer in service.").

[13] California Electric Transmission Lines, California Energy Commission (last updated June 6, 2024), https://cecgis-caenergy.opendata.arcgis.com/datasets/CAEnergy::california-electric-transmission-lines-1.



33. This image, from SCE, shows the configuration of the four energized and one allegedly idle transmission line within Eaton Canyon[14]:

[14] Letter from Paul Pimentel, Principal Manager, Southern California Edison, to Ed Pike, Wildfire Safety Enforcement Branch, California Public Utilities Commission ("SCE February 6 Letter") (Feb. 6, 2025), https://webproda.cpuc.ca.gov/-/media/cpuc-website/industries-and topics/documents/wildfire/wildfire-2025/eaton-fire---315-letter.pdf.



34. Eaton Canyon is within an area currently designated by the CPUC as a Tier 3 – "Extreme" fire risk area. That designation is warranted. In October of 1993, embers from a campfire, fueled by strong Santa Ana winds and dry conditions, sparked the Kinneloa Fire within Eaton Canyon. The campfire was attended, and the individual who started the fire attempted immediately to put it out. But it was too late; the winds had already scattered embers into the surrounding dry vegetation. What followed was, at the time, the twelfth-most destructive wildfire in California state history, burning 121 homes in Pasadena and Altadena. It remains one of the most destructive wildfires in Los Angeles County history. Because of its ignition in a forested area proximate to large residential neighborhoods,

experts referred to it at the time as the "fire of the future."[15] The devastating spread of the wildfire into Eaton Canyon was caused by winds that reached 40 miles per hour.[16]

35. By 2023, thirty years after the Kinneloa Fire, Eaton Canyon was referred to by a local website in 2023 as "one of the most fuel-dense areas of the Angeles National Forest," stating: "It is a question of when, not if, the next wildfire will destroy Eaton Canyon. As we have learned from the towns of Paradise, Santa Rosa, and Lahaina, a significantly worse wildfire than the Kinneloa Fire is very possible in Altadena."[17]

36. Eaton Canyon was, in January 2025, in the midst of record-breaking drought. From May 7, 2024 through January 7, 2025, "a meager 0.08 [inches of precipitation] had fallen on the lower part of the park, setting a record at the official Pasadena weather station for driest May 7th – January 6th period in 118 years of weather record keeping."[18] As a result, "[t]he canyon had flipped from an immensely wet state directly into a bone dry one. This transition left the park with a tremendous amount of fuel that had also quickly dried out."[19] As one resident later reported, "the whole wash area" of lower Eaton Canyon was "full of dry debris and dead brush" in the leadup to January 7, 2025.[20] "The ingredients were set for a cataclysmic wildfire. All that was needed was wind."[21]

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[15] Seth Mydans, *THE CALIFORNIA FIRES; Fighting Fire of the Future: Making a Stand Where Homes Can Be Saved*, The New York Times (Oct. 29, 1993).

[16] Edgar McGregor, *Wildfire Ravages Eaton Canyon, Destroys Nature Center 30 Years Ago Today*, available at https://myeatoncanyon.com/wildfire-raveges-eaton-canyon-destroys-nature-center-30-years-ago-today/ (last visited Mar. 6, 2025).

[17] *Id.*

[18] Edgar McGregor, *Eaton Canyon Natural Area, Nature Center, And Half Of Altadena Leveled By Cataclysmic Wildfire* (Jan. 13, 2025), available at https://myeatoncanyon.com/eaton-canyon-natural-area-nature-center-and-half-of-altadena-leveled-by-cataclysmic-wildfire/.

[19] *Id.*

[20] Rob Hayes, *Cause of Eaton Fire may be downed power line, witness says,* KABC (Jan. 10, 2025), available at https://abc7.com/post/california-wildfire-cause-eaton-fire-may-downed-power-line-witness-says/15788334/.

[21] Edgar McGregor, *Eaton Canyon Natural Area, Nature Center, And Half Of Altadena Leveled By Cataclysmic Wildfire* (Jan. 13, 2025).

C. The Historic 2025 Santa Ana Winds Event

37. "The Santa Ana winds are dry, powerful winds that blow down the mountains toward the Southern California coast."[22] "When conditions are dry, … these winds can become a severe fire hazard."[23] "As the winds rush downslope from the top of the San Gabriel Mountains, they become drier and hotter."[24] "By the time the winds get to the point where the Eaton Fire broke out in Altadena on Jan. 7, it's not uncommon for them to have less than 5% relative humidity, meaning essentially no moisture at all."[25]

38. "Canyons" like Eaton Canyon, "also channel the winds."[26] As one research ecologist who used to live in the Altadena area noted, "we would get days during Santa Ana wind events when the wind wasn't present at all where we lived, but, a few blocks away, the wind was extremely strong."[27]

39. Defendants knew all of this. SCE has acknowledged in its regulatory filings that wildfires in the Altadena region are "Santa Ana wind driven fires in the fall, or winter, if precipitation is scarce," and that "[w]ind driven fires in this region can consume vegetation over a large area in a short period of time with the potential for significant safety and financial consequences."[28] "The probability and consequence of vegetation contact with electrical equipment and lines is higher during . . . Santa Ana high wind events" and in "the canyons which experience higher winds."[29]

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[22] Jon Keeley, *How Santa Ana winds fueled the deadly fires in Southern California*, The Conversation (Jan. 8, 2025), available at https://theconversation.com/how-santa-ana-winds-fueled-the-deadly-fires-in-southern-california-246965.

[23] *Id.*

[24] *Id.*

[25] *Id.*

[26] *Id.*

[27] *Id.*

[28] Southern California Edison, 2023-2025 Wildfire Mitigation Plan at 36 (Mar. 27, 2023).

[29] Southern California Edison, 2021 Wildfire Mitigation Plan Update at 267 (Feb. 5, 2021), available at https://www.sce.com/sites/default/files/AEM/Wildfire%20Mitigation%20Plan/2021/SCE%202021%20WMP%20Update.pdf.

40. While the Santa Ana winds occur annually in Southern California, the winds in 2025 were unusually powerful. But they were not unanticipated. In the days leading up to January 7, 2025, numerous emergency alerts and warnings were provided by meteorological services specifically highlighting the anticipated extreme winds and high risks of downed power lines.

41. The National Weather Service ("NWS") uses a scale to describe extant fire conditions, which scales from "minor" to "moderate" to "major" to "extreme." As early as January 3, 2025, the NWS issued a "Fire Weather Watch" for "major" fire conditions from January 7-8, 2025 for "[m]uch of LA and Ventura Counties" due to the "potential for damaging north to northeast winds that are likely to peak Tuesday-Wednesday" and the fact that there was "no significant rainfall yet" during the region's rainy season.[30] Wind gusts of 55-80 mph were predicted, and the post warned that "[a]ny fire starts may grow rapidly in size with extreme fire behavior." The Los Angeles Fire Department retweeted this warning: "It has been an extremely dry winter which greatly increases the risk of a rapidly moving wildfire."[31]

42. By January 5, the NWS had revised its warning to an "Extreme Fire Conditions" alert applicable to most of LA and Ventura counties.[32] Per NWS, "Widespread damaging winds and extreme fire weather conditions [were] expected Tuesday afternoon through at least Wednesday," which made "[s]cattered downed trees and power outages … likely, in addition to rapid fire growth and extreme behavior with any fire starts."[33] The service predicted "[d]amaging wind gusts" of "50-80 mph, isolated 80-100 mph for mountains/foothills" like the Eaton Canyon area.[34]

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[30] @NWSLosAngeles, TWITTER (Jan. 3, 2025, 3:17 PM), https://x.com/NWSLosAngeles/status/1875320550094147720.
[31] @LAFDtalk, TWITTER (Jan. 4, 2025, 5:28 PM), https://x.com/LAFDtalk/status/1875715936428421218.
[32] @NWSLosAngeles, TWITTER (Jan. 5, 2025, 5:02 PM), https://x.com/NWSLosAngeles/status/1876071880299540786.
[33] *Id.*
[34] *Id.*

43. By January 6, the NWS had issued a new warning to underscore the dramatic nature of the impending risk: "HEADS UP!!! A LIFE-THREATENING, DESTRUCTIVE, Widespread Windstorm is expected Tue afternoon-Weds morning across much of Venture/LA Co." It followed with this graphic, which included the Eaton Canyon/Altadena region in the area "of greatest concern."[35]

44. The service also warned of many downed trees and power lines and "widespread power outages."[36]

[35] @NWSLosAngeles, TWITTER (Jan. 6, 2025, 11:00 AM), https://x.com/NWSLosAngeles/status/1876343016526598292; *see also* Grace Toohey et al., *Pacific Palisades fire explodes to nearly 3,000 acres as thousands of residents flee, homes are lost*, Los Angeles Times (Jan. 7, 2025), available at https://www.latimes.com/california/story/2025-01-07/life-threatening-and-destructive-wind-storm-to-hit-southern-california-what-to-know (the Santa Ana winds "could bring a wind phenomenon that can cause short-lived but extremely destructive winds, particularly in the San Gabriel foothills and valleys.").

[36] Brianna Sacks, *Did power lines help start the L.A. fires? What we know*, The Washington Post (Jan. 10, 2025), available at https://www.washingtonpost.com/weather/2025/01/10/eaton-fire-southern-california-edison/.

45. The warnings identified areas like Eaton Canyon and those around Pasadena—precisely where the Eaton Fire started—as among the highest risk. On January 6, for example, the NWS warned that the upcoming climatic conditions, along with the specific topography of the foothills of the San Gabriel mountains, including Eaton Canyon, could produce uniquely fast and destructive "mountain waves" of wind.[37] As a result, the NWS "predicted that winds between 80 and 100 mph could hit the Altadena area Tuesday afternoon and last until Wednesday, particularly the San Gabriel Mountains and foothills, where Eaton Canyon is located."[38] Indeed, the winds were "expected to be the strongest across the 118 and 210 highway corridors," the very area where the Eaton Fire would originate.[39]

46. Ultimately, the NWS predicted that these Santa Ana winds were a once-in-a-decade threat—noting they "could be the strongest north winds since Nov/Dec 2011 event"—and flagged that "Pasadena was specifically hit hard then, & we are seeing a similar weather pattern to back then."[40] Moreover, the region had had a historically dry season through January 2025, with the NWS later stating that Los Angeles County had experienced by some measures the driest or second-driest rainy season on record in Los Angeles history.[41]

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[37] @NWSLosAngeles, TWITTER (Jan. 6, 2025, 2:07 PM), https://x.com/NWSLosAngeles/status/1876390040424902671; @NWSLosAngeles, TWITTER (Jan. 6, 2025, 2:33 PM), https://x.com/NWSLosAngeles/status/1876396608814014654.

[38] Brianna Sacks, *Did power lines help start the L.A. fires? What we know*, The Washington Post (Jan. 10, 2025).

[39] Grace Toohey et al., *Pacific Palisades fire explodes to nearly 3,000 acres as thousands of residents flee, homes are lost*, Los Angeles Times (Jan. 7, 2025).

[40] https://x.com/NWSLosAngeles/status/1876392297350492294; *see also* Grace Toohey et al., *Pacific Palisades fire explodes to nearly 3,000 acres as thousands of residents flee, homes are lost*, Los Angeles Times (Jan. 7, 2025) (NWS meteorologist noting on morning of January 7, 2025 that the wind event could be the strongest "since the 2011 windstorm that caused serious damage in Pasadena, Altadena and other San Gabriel Valley neighborhoods, knocking out power for days for more than 400,000 people.").

[41] Tony Kurzweil, *Southern California's 'rainy' season is lacking one major thing*, KTLA5 (updated Jan. 20, 2025), available at https://ktla.com/news/local-news/extremely-dry-rain-season-reaching-record-levels-in-southern-california/.

47. The final NWS warning on January 6 was ominous: "Strong winds are coming. This is a Particularly Dangerous Situation - in other words, this is about as bad as it gets in terms of fire weather."[42] A former NWS meteorologist, Jonathan O'Brien, posted on X on January 6, 2025: "Cannot emphasize enough the severity of the upcoming Santa Ana wind event in Southern California. The winds alone would be a big deal, but combined with dry conditions, this is a rare, extremely high end fire weather environment. Potentially a worst case scenario event."[43]

48. The morning of January 7, 2025, the public information officer for the Los Angeles Fire Department, Captain Erik Scott, went on KCAL News to warn viewers that "we're going to see some significant winds coming very shortly throughout Los Angeles County … that create some potential explosive wildfire behavior, plus toppling trees and downed wires."[44] "This is a very significant wind event. … A lot of people remember, just a month ago, we had a wind event, a significant wildfire broke out in Malibu. This is going to be a much stronger wind event than that was."[45]

49. Defendants were fully aware of these weather trends and warnings. On January 6, 2025, SCE published an online newsletter citing and linking to NWS's "high wind advisories and fire weather watches for several counties in [SCE's] service area," and forecasting "wind gusts" of "up to 85 mph with isolated gusts to 100 mph."[46] The newsletter further acknowledged that the "elevated risk of fire danger comes amid several consecutive months without significant rain," and that the "locally dry

[42] @NWSLosAngeles, TWITTER (Jan. 6, 2025, 6:47 PM), https://x.com/NWSLosAngeles/status/1876460729848782871.
[43] @jeobrien_wx, TWITTER (Jan. 6, 2025, 8:54 AM), https://x.com/jeobrien_wx/status/1876311456729448876.
[44] @LAFDtalk, TWITTER (Jan. 7, 2025, 8:36 AM), https://x.com/LAFDtalk/status/1876669253010784685.
[45] *Id.*
[46] Taylor Hillo, *Crews Ready for Extreme Winds, Possible Outages*, ENERGIZED by Edison (Jan. 6, 2025), available at https://energized.edison.com/stories/crews-ready-for-extreme-winds-possible-outages.

vegetation" and wind would "increase the risk of wildfire, meaning Public Safety Power Shutoffs may be necessary to protect homes and communities."[47]

50. Moreover, a separate, destructive wildfire broke out at approximately 10:30 a.m. on the morning of January 7, 2025 in the vicinity of the Pacific Palisades neighborhood in western Los Angeles County.[48] That fire had, by 3:30 p.m. on January 7, spread to several thousand acres, forcing the evacuation of about 30,000 residents from surrounding communities.[49] The fire had prompted a state of emergency declaration from California's governor, Gavin Newsom, and had become front-page news on local news outlets.[50] Fire officials and local journalists were emphasizing the role of extreme winds in the fire's uncontrolled spread.

51. Thus, by mid-afternoon on January 7, 2025, Defendants knew or should have known that winds with speeds not seen in a decade would strike Eaton Canyon. Given that SCE itself acknowledges that vegetation moisture and humidity levels are critical inputs in responsible fire modeling, Defendants also knew or should have known that the winter season in Los Angeles County prior to January 7, 2025 had been, depending on the measure and location, either the driest or second-driest season in the recorded history of Los Angeles, dating back 150 years. For days leading up to January 7, 2025, Defendants thus knew or should have known that the existing lack of moisture in the Los Angeles County region, and the impending extraordinary Santa Ana wind event, would combine to create a greater risk of electrical infrastructure-induced wildfire on January 7-8, 2025 than perhaps at any other time in Los Angeles County's history.

[47] *Id.*
[48] Grace Toohey et al., *Pacific Palisades fire explodes to nearly 3,000 acres as thousands of residents flee, homes are lost*, Los Angeles Times (Jan. 7, 2025).
[49] *Id.*
[50] *Id.*

52. By the afternoon of January 7, 2025, hours before the Eaton Fire's start, Defendants knew or should have known that those conditions had already sparked an urban wildfire in Los Angeles County that had caused massive dislocation and anticipated losses in the billions.

53. Both SCE and other owners and operators of powerlines in California had de-energized powerlines in parts of California on January 7, 2025 because of this extreme and foreseeable risk of wildfire. For example, on January 6, 2025, San Diego Gas & Electric notified 64,000 customers that it may shut off their power due to the risk of wildfire created by the anticipated high winds and low relative humidity and low moisture levels.[51] SCE itself had initiated power shutoffs to about 5,000 customers in Los Angeles and Ventura counties by early afternoon on January 7, 2025.[52]

D. The Eaton Fire

54. At approximately 6:13 p.m. on January 7, 2025, a fire started in or around the lower part of Eaton Canyon, located in Los Angeles County, California. The resulting fire has caused catastrophic damage to the Altadena and Pasadena communities. As of early March 2025, the California Department of Forestry and Fire Protection (CalFire) reports that the fire has burned more than 14,000 acres, has destroyed more than 9,400 structures, has damaged another 1,000 structures, and has resulted in 17 civilian deaths and 9 injuries to firefighters.[53]

1. The Fire Originated under, and Likely Because of, SCE's Eaton Canyon Powerlines

55. SCE has acknowledged that the "Eaton Fire began" in "SCE's service area" and that "SCE has transmission facilities on the east side of Eaton Canyon."[54] Numerous eyewitnesses reported

[51] Danielle Dawson, *SDG&E warns thousands of potential public safety power shutoffs*, FOX5/KUSI (Jan. 6, 2025), available at https://fox5sandiego.com/news/local-news/sdge-warns-thousands-of-potential-public-safety-power-shutoffs/.

[52] Grace Toohey et al., *Pacific Palisades fire explodes to nearly 3,000 acres as thousands of residents flee, homes are lost*, Los Angeles Times (Jan. 7, 2025).

[53] Eaton Fire, Cal Fire, https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire (last visited Mar. 7, 2025).

[54] *Edison International Provides Update on Southern California Wildfires and SCE Power Outages*, Edison International (Jan. 8, 2025), https://newsroom.edison.com/releases/edison-international-provides-update-on-southern-california-wildfires-and-sce-power-outages.

and documented that the Eaton Fire started at the base of SCE electrical transmission equipment that forms part of the Eaton Canyon Powerlines. And the evidence indicates that sparks, arcing, or heated metal from that equipment ignited the Eaton Fire.

56. At around 6:10 p.m. on January 7, 2025, at least one eyewitness reportedly took video showing the Eaton Canyon Powerlines in that location "arcing in the high winds."[55] Another eyewitness reported seeing an "'explosion' of bright white light" around 6:10 p.m., followed by flames at the base of one of the transmission towers in Eaton Canyon.[56] The mother of another resident in the Kinneloa Mesa neighborhood on Eaton Canyon's eastern side "saw the power lines sparking" just before the fire started.[57] At around the same time, another Pasadena resident on Eaton Canyon's western side reportedly saw his power flicker.[58] And a different eyewitness who lives at the base of Eaton Canyon heard a loud bang at 6:11 p.m., then saw "the tiniest fire—it looked like a camp fire at that point"—"right under the power lines" on the eastern side of the canyon.[59] He called 911 at 6:13 p.m.[60]

57. Investigators for two different sets of plaintiffs in suits against Defendant SCE have noted "markings on [a transmission] tower" in this location "consistent with signs of arcing."[61]

[55] Rob Hayes, *Cause of Eaton Fire may be downed power line, witness says*, KABC (Jan. 10, 2025).
[56] Jonathan Wolfe et al., *The 24 Hours When L.A. Went Up in Flames*, The New York Times (Jan. 18, 2025), available at https://www.nytimes.com/interactive/2025/01/18/us/los-angeles-fires-palisades-eaton-timeline.html.
[57] Rob Hayes, *Cause of Eaton Fire may be downed power line, witness says*, KABC, (Jan. 10, 2025).
[58] *Id.*
[59] Noah Goldberg & Salvador Hernandez, *Investigators study Eaton Canyon electrical tower area as possible origin of Altadena fire*, Los Angeles Times (Jan. 12, 2025), available at https://www.latimes.com/california/story/2025-01-12/la-me-eaton-fire-power-lines.
[60] *Id.*
[61] Salvador Hernandez, *Edison says encampment found near area where Eaton fire started; critics doubt it sparked fire*, Los Angeles Times (Jan. 25, 2025), available at https://www.latimes.com/california/story/2025-01-25/edison-says-encampment-found-near-area-where-eaton-fire-started-critics-doubtful-it-sparked-massive-fire.

58. Arcing or sparks from powerlines are commonly caused by a fault on the powerlines. Faults can be caused by vegetation hitting electrical wires, wires hitting one another, or other causes.[62] "In past fires, transmission equipment has heated up when massive faults occur on … high-voltage [transmission] lines and they begin to arc." "During arcing, electricity jumps from one place to another, and the lines can dangerously flash and spark. When that happens, the metal on the steel towers can reach temperatures as high as 1,500 degrees, melting pieces of the towers, the bolts on the structures or the aluminum wires. The molten metal drops to the ground and can spark brush fires."[63]

59. SCE has acknowledged that a "fault" was "measured at 6:11 p.m." on an adjacent 220kV transmission line 5-12 miles away from the Eaton Canyon Powerlines, which "caused a momentary and expected increase in current … on the four energized lines" in Eaton Canyon.[64] But that was not the only fault recorded in the lead-up to the Eaton Fire. Whisker Labs is a company that uses an advanced sensor network to monitor electric grids across the United States, including distribution and transmission powerlines. In the hours before the Eaton Fire ignited, "Whisker Labs' network" revealed that "the region's grid showed considerable stress," with more 50 faults in the hour that the Eaton Fire started.[65]

60. Footage appears to confirm that two major faults in particular caused sparking or arcing on the Eaton Canyon Powerlines. As reported by the New York Times, gas station surveillance footage

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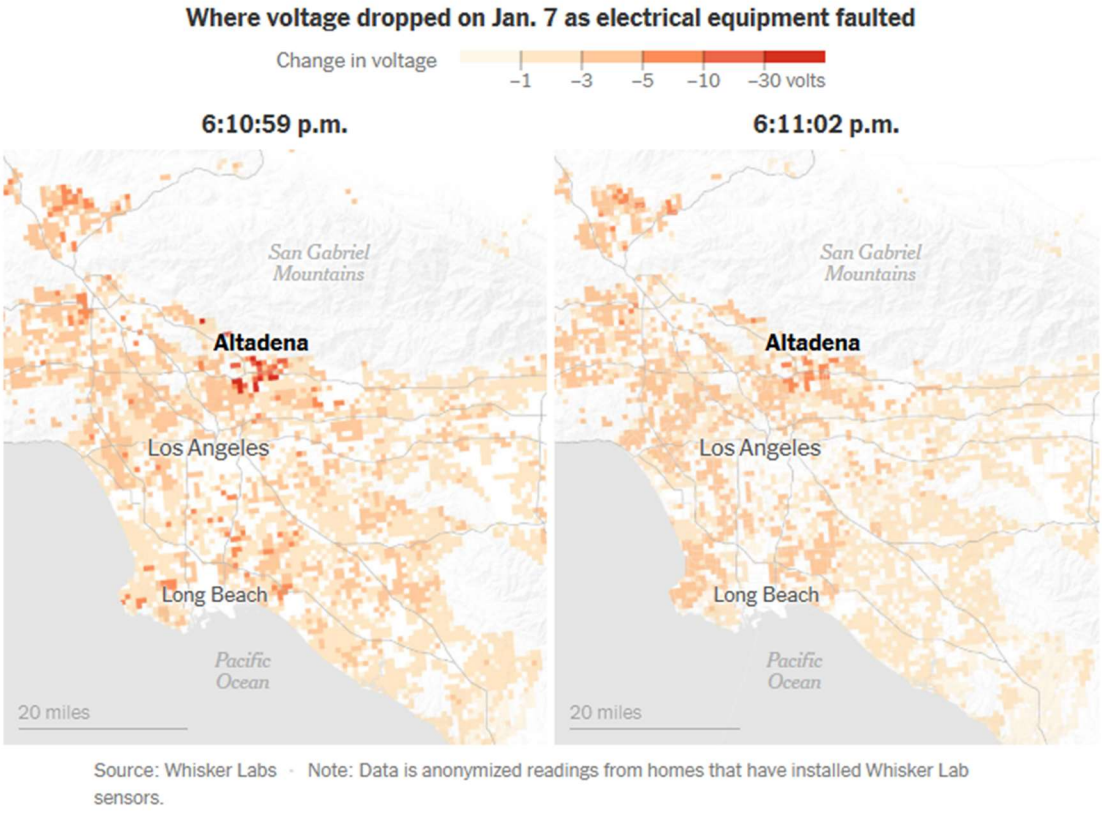
[62] https://newsroom.edison.com/releases/edison-international-provides-latest-update-on-southern-california-wildfires-and-sce-power-outages. As of February 6, 2025, SCE still maintained that its "preliminary analysis of electrical data for the four energized transmission lines that run through Eaton Canyon for 12 hours prior to the reported start time of the fire shows that there were no faults on those lines until more than one hour after the reported start time of the fire." SCE February 6 Letter, *supra* n.14.

[63] Ivan Penn et al., *Flashes Then Flames: New Video of Eaton Fire Raises More Questions for Power Company*, The New York Times (Jan. 26, 2025), available at https://www.nytimes.com/2025/01/26/us/los-angeles-eaton-fire-cause.html?searchResultPosition=5.

[64] *Id.*

[65] *Id.*; Noah Goldberg & Salvador Hernandez, *Southern California Edison preserving equipment near Eaton fire starting point*, Los Angeles Times (Jan. 9, 2025), available at https://www.latimes.com/california/story/2025-01-09/power-grids-at-three-major-fires-saw-massive-influx-in-faults-before-fires.

from a camera located south of the origin area of the Eaton Fire captured "flashes of light at 6:11 p.m." consistent with "arcing" in "the vicinity of three high-voltage electrical towers in Eaton Canyon," and then "flames moments later."[66] These flashes of light coincide—to the second, at 6:10:59 p.m. and then again at 6:11:02 p.m.—with two major faults registered three seconds apart near Eaton Canyon on Whisker Labs' network.[67] Those faults were large enough to be registered on tens of thousands of sensors and in neighboring states.[68] The graphic below depicts the drop in voltage associated with those two faults:



[66] Ivan Penn et al., *Flashes Then Flames: New Video of Eaton Fire Raises More Questions for Power Company*, The New York Times (Jan. 26, 2025).

[67] Ivan Penn et al., *New Data Shows Major Electrical Disruption Ahead of Eaton Fire*, The New York Times (Jan. 29, 2025), available at https://www.nytimes.com/interactive/2025/01/29/business/energy-environment/eaton-fire-electrical-faults-southern-california-edison.html.

[68] *Id.*

61. A recently released photogrammatic video superimposes the flashes observed in the gas station surveillance footage over the location of SCE's transmission towers. The resulting compilation video appears to show the white flashes occurring on or adjacent to one of the transmission towers.[69]

62. There is other photographic evidence of the fire's area of origin under the transmission towers in the canyon. Two Altadena residents who live on N. Harding Avenue captured the following images of apparently the Eaton Fire on video.[70] These images were taken at approximately 6:19 p.m.:

63. By 6:25 p.m., the fire had already spread rapidly:

[69] Jaron Schneider, *Photogrammetry Allegedly Shows LA Eaton Fire Caused by Edison Power* (Feb. 7, 2025), available at https://petapixel.com/2025/02/07/photogrammetry-allegedly-shows-la-eaton-fire-caused-by-edison-power/.

[70] Jonathan Lloyd, *'A nightmare, a horror movie.' Video shows alarming spread of Eaton Fire*, NBC4 (Jan. 12, 2025), available at https://www.nbclosangeles.com/news/california-wildfires/eaton-fire-video-altadena-evacuation/3602791/.

64. By 6:28 p.m., the transmission tower was "entirely engulfed in smoke and flames"[71] :

[71] *Id.*

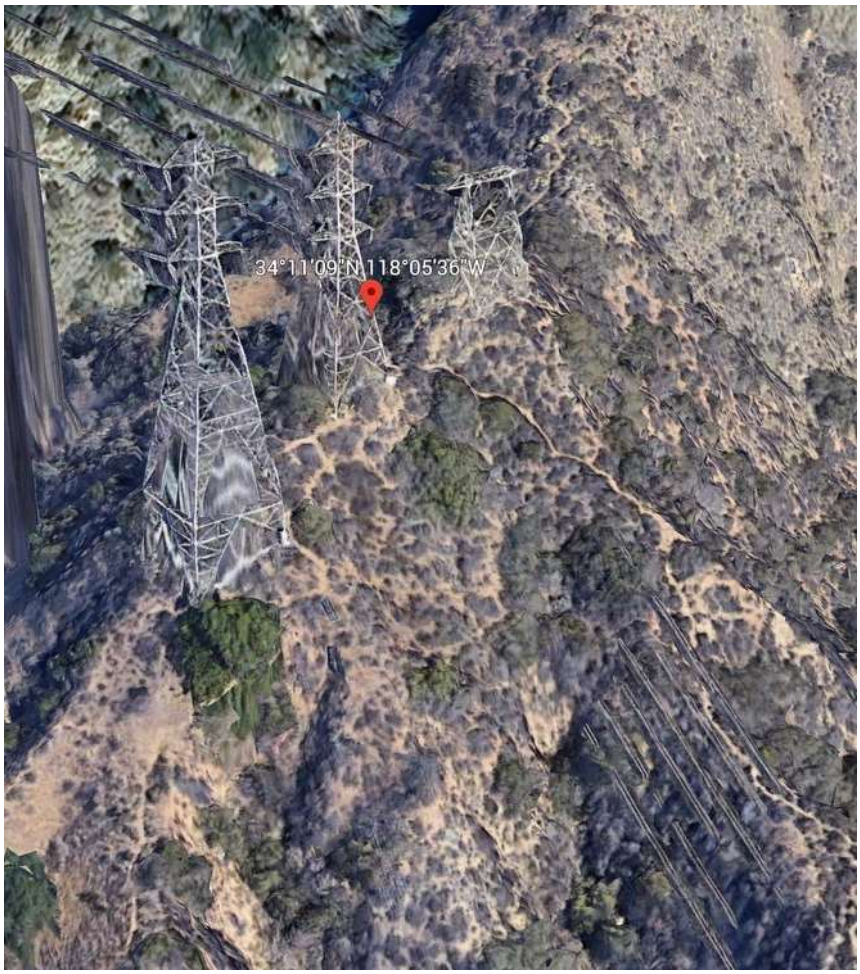
65. Another Pasadena resident and eyewitness took the following photographs some time shortly after 6:15 p.m. on January 7, 2025, from their vantage point.[72] The eyewitness described the location of the fire as near an "electrical tower that's across the canyon," one of the "giant, giant towers" across from the intersection of Midwick Drive and North Altadena Drive in Altadena.[73] There was, the eyewitness recalled, "fire under the tower," and "very, very heavy wind" that blew the fire southward and westward through the canyon.[74] At the time these residents called 911, shortly after 6:15 p.m., the operator told them that emergency services had only just started receiving phone calls about the fire.[75]

[72] James MacPherson, *The Moment the Eaton Fire Ignited*, Pasadena Now (Jan. 9, 2025), available at https://pasadenanow.com/main/the-moment-the-eaton-fire-ignited.
[73] *Id.*
[74] *Id.*
[75] *See* Anderson Cooper (@andersoncooper360), INSTAGRAM, https://www.instagram.com/andersoncooper360/reel/DEqyVy_x-Xw/?locale=ne_NP&hl=da (last visited Mar. 12, 2025).

66. A later photograph depicting the same area[76]:

[76] @bri_sacks, TWITTER (Jan. 10, 2025, 8:04 AM), https://x.com/bri_sacks/status/1877748446578258282.

67. Through investigation, journalists and fire investigators have ascertained that the approximate origin area of the fire is located below the SCE transmission towers at the GPS coordinates 34°11'09"N, 118°05'36"W, depicted by the red pin in the Google Earth rendering below, on the eastern side of lower Eaton Canyon[77]:



68. The area around the SCE electrical transmission towers featured in the photographs captured above has now "become a focus" of investigators' inquiry into the cause of the Eaton Fire. On information and belief, investigators flagged fire indicators and physical evidence around the origin area below the SCE transmission towers on January 10, 2025, and used metal detectors in the same area on

[77] *See* Ivan Penn et al., *Flashes Then Flames: New Video of Eaton Fire Raises More Questions for Power Company*, The New York Times (Jan. 26, 2025) ("There was discoloration on this group of towers, and metal debris underneath, that were visible days later and was unlike other towers that The Times visited in nearby burned areas.").

January 11 and subsequent days, indicating a search for metallic debris or particulates often ejected during electrical arcing.[78]

69. On January 19, 2025, SCE technicians "began testing electrical equipment near the origin of the blaze" and "soon noticed small white flashes appearing on high-voltage transmission lines when power was being restored—signs that the system was functioning abnormally."[79] According to SCE, those flashes of light appeared to be in the vicinity of two of its adjacent transmission towers at the origin site—one carrying energized lines, and the second carrying the out-of-service line.[80] SCE is currently evaluating "a number of potential causes, including whether the idle [transmission] line" in Eaton Canyon "could have become energized (e.g., through induction) and the extent to which that line or its grounding could be related to the cause of the fire."[81] According to SCE, it "had found signs of damage from arcing—when electricity jumps from one place to another and lines can dangerously flash and spark—on some inactive equipment" on the inactive transmission line, but approximately five miles from the origin area of the fire.[82] But SCE maintained that "SCE has not identified . . . broken conductors or fresh arc marks in the preliminary origin area, or evidence of faults on the energized lines running through that area."[83]

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[78] Ivan Penn et al., *Flashes Then Flames: New Video of Eaton Fire Raises More Questions for Power Company*, The New York Times (Jan. 26, 2025). SCE has previously acknowledged that "failing to find damage during a restoration patrol does not mean that the de-energization did not prevent a fire or that the thresholds were too low; wind-blown debris may result in faults that could be the source of an ignition if the lines were energized, but may not be observable during a restoration patrol if the debris subsequently blew out of the line or environmental conditions had otherwise changed." https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M545/K344/545344329.PDF.

[79] Ivan Penn, *Power Company Finds Irregularities in Equipment Where Eaton Fire Started*, The New York Times (Feb. 6, 2025), available at https://www.nytimes.com/2025/02/06/business/eaton-fire-power-lines-edison.html?searchResultPosition=1.

[80] SCE February 6 Letter, *supra* n.14 at 3.

[81] *Id.* at 4 (footnote omitted).

[82] Ivan Penn, *Power Company Finds Irregularities in Equipment Where Eaton Fire Started*, The New York Times (Feb. 6, 2025).

[83] SCE February 6 Letter, *supra* n.14 at 1.

2. SCE Did Not De-Energize the Eaton Canyon Powerlines

70. The same resident who captured the images above recalled that her home still had power at the time the photographs were taken.[84] Her residence is in Pasadena, and is serviced by Pasadena Water and Power, rather than SCE. But the resident's entire neighborhood still had power when the fire erupted, and she recalled that the "lights were on across the canyon from us, and above us, which is Altadena. … There weren't any outages around us."[85] SCE is the primary electrical utility for Altadena and many surrounding communities. According to the Washington Post, "[d]ozens of homes in the Altadena area, including some near Eaton Canyon, still had power" at the time the fire sparked.[86]

71. That recollection is confirmed by Whisker Labs' data, which "shows that some homes in [SCE's] service area were still online at the time the fire started."[87] For example, "[h]omes on Midlothian Drive, directly to the west of the Canyon, as well as some homes north of East Altadena Drive, had power throughout the afternoon and past the fire ignition time of around 6:15 p.m."[88]

72. SCE initially asserted that its "distribution lines immediately to the west of Eaton Canyon were de-energized well before the reported start time of the fire, as part of SCE's PSPS program."[89] Subsequent reporting has indicated that only distribution circuits on the east site of Eaton Canyon, in Kinneloa Mesa, were de-energized, while at least some pf the distribution circuits in Altadena and

[84] Brianna Sacks, *Did power lines help start the L.A. fires? What we know*, The Washington Post (Jan. 10, 2025).
[85] *Id.*
[86] *Id.*
[87] *Id.*
[88] *Id.*
[89] Edison International Provides Update on Southern California Wildfires and SCE Power Outages, Edison International (Jan. 8, 2025), https://newsroom.edison.com/releases/edison-international-provides-update-on-southern-california-wildfires-and-sce-power-outages.

Pasadena on the west side of Eaton Canyon were not.[90] Regardless, SCE's parent Edison has confirmed that the Eaton Canyon Powerlines were not de-energized at the time of the fire.[91]

3. SCE Has Stated That It Would Have De-Energized the Eaton Canyon Powerlines if Wind Gusts Reached 60 to 80 mph

73. On January 15, 2025, SCE's CEO Steven Powell asserted in an interview with the Los Angeles Times that the company did not de-energize the Eaton Canyon Powerlines because, although SCE was "monitoring the weather closely Jan. 7," "the winds" in that location "did not meet the threshold the company uses for de-energizing transmission lines."[92] Powell claimed that "[u]sually winds would have to be 60 to 80 mph for the company to consider the de-energization of transmission lines."[93] According to Powell, "the readings Edison saw were lower than that."[94]

4. Weather Station Data Reported Wind Gusts Between 60 and 80 mph in Eaton Canyon in the Hours Before the Eaton Fire

74. But data from nearby weather stations show that wind speeds were in that range for hours prior to the sparking of the fire. One round of high-speed winds hit the canyon early the morning of January 7, 2025. At 5 a.m., for example, the four weather stations around Eaton Canyon recorded wind speeds of 71, 58, 46, and 44 miles per hour.

75. Indeed, by mid-afternoon, the winds had already picked up to extreme levels. The NWS weather station at lower Eaton Canyon recorded wind speeds of 63 mph at around 2 p.m. that afternoon,

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[90] Ivan Penn, *Power Company Finds Irregularities in Equipment Where Eaton Fire Started*, The New York Times (Feb. 6, 2025).

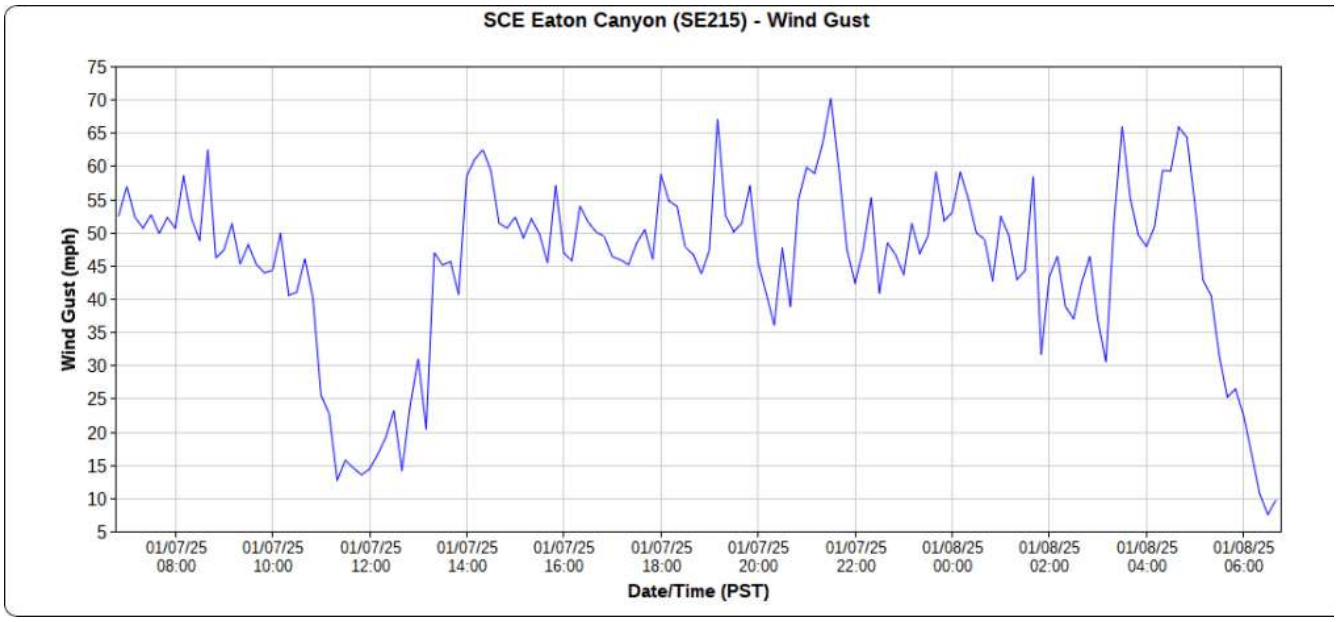
[91] Mark Chediak & Naureen Malik, *Edison Move to Keep LA Power Lines Operating Draws Scrutiny*, Energy Connects (Jan 14, 2025), available at https://www.energyconnects.com/news/utilities/2025/january/edison-move-to-keep-la-power-lines-operating-draws-scrutiny/.

[92] Noah Goldberg, *Altadena winds weren't strong enough to warrant Edison shutting off transmission lines, CEO asserts*, Los Angeles Times (Jan. 15, 2025), available at https://www.latimes.com/california/story/2025-01-15/la-me-edison-ceo?_gl=1*3w6a3p*_gcl_au*MjgyMTg2MTYyLjE3MzYxOTIwNzA.

[93] *Id.*

[94] *Id.*

which were the fastest winds in NWS's San Gabriel Valley region that day—7 mph faster than any other location in the valley. The wind gusts from that weather station remained perilously high for hours leading up to the fire[95] :



76. Another weather station on the western side of Eaton Canyon, near Pinecrest Drive, recorded a max gust of 57 mph before 6 p.m. that day. And a third weather station recorded a maximum gust speed of 56 mph before 6 p.m. that day.

77. The max gust speeds were recorded by a weather station on a ridge on the eastern side of Eaton Canyon, approximately half a mile from the origin area of the Eaton Fire, were higher still. The publicly available maximum wind gust readings each hour at that location were:

[95] Phil Hopkins, *How Two Words from a 24-Year-Old Pasadena Climate Specialist Saved Hundreds of Lives*, Local News Pasadena (Jan. 11, 2025), available at https://localnewspasadena.com/2025/how-two-words-from-a-24-year-old-pasadena-climate-specialist-saved-hundreds-of-lives/.

Date and time	Peak wind speed (mph)
1/7/2025 2:58 AM	6
1/7/2025 3:58 AM	44
1/7/2025 4:58 AM	71
1/7/2025 5:58 AM	69
1/7/2025 6:58 AM	68
1/7/2025 7:58 AM	79
1/7/2025 8:58 AM	74
1/7/2025 9:58 AM	62
1/7/2025 10:58 AM	61
1/7/2025 11:58 AM	46
1/7/2025 12:58 PM	37
1/7/2025 1:58 PM	65
1/7/2025 2:58 PM	70
1/7/2025 3:58 PM	70
1/7/2025 4:58 PM	66
1/7/2025 5:58 PM	68
1/7/2025 6:58 PM	85

78. The gust speeds recorded by this weather station reached nearly 80 mph fully 10 hours before the fire began. And those speeds were within the 60 to 80 mph range cited by SCE for 12 out of the 14 hours prior to the fire's initiation.

79. SCE has previously stated that its PSPS decision-making process relies on inputs from both "strategically deployed SCE weather stations … and publicly available weather stations."[96] If, as that statement indicates, Defendants were aware of these publicly available weather station wind gust measurements in the immediate vicinity of the Eaton Canyon Powerlines, then Defendants chose not to de-energize the Eaton Canyon Powerlines despite knowing of those wind gusts in the 60-80 mph range.

80. And if Defendants were not aware of these publicly available weather station measurements, then Defendants had, at some prior point, recklessly chosen to disregard those public weather station measurements, and to rely exclusively on a smaller selection of weather stations in Eaton Canyon when making their de-energization decisions with respect to the Eaton Canyon Powerlines. As a result of that reckless choice, Defendants missed the warning signs provided by those weather stations.

[96] Southern California Edison Company's Post-PSPS Reports for 2019 Fire Season at A-1371 (Dec. 31, 2019).

81. A second problem with Defendants' apparent real-time decision-making is that it conflicts with SCE's own stated best practice, which is to de-energize transmission lines, "to the extent possible, in a planned and controlled manner prior to the start of elevated fire weather, rather than waiting for the conditions to manifest."[97] In a later 2019 filing, SCE asserted that it "intend[ed] to alert the CAISO [California wholesale grid operator] as early as three days ahead of a potential PSPS event," to permit the "necessary load flow studies" to evaluate reliability impacts.[98] Yet here, despite the enormous risks posed by the once-in-a-generation weather conditions present on January 7, 2025, Defendants apparently declined to de-energize the Eaton Canyon Powerlines, instead waiting to see whether "the conditions" they was looking for would "manifest"—and then missing or ignoring that those conditions in fact manifested prior to the start of the fire.

5. On Information and Belief, SCE's Reckless Conduct is Responsible for the Eaton Fire

82. The Eaton Fire was caused by Defendants' negligent breaches of their duties to Plaintiffs, including, among other things:

a. Failing to de-energize the Eaton Canyon Powerlines despite high wind levels and warnings issued by the NWS;

b. Failing to de-energize the Eaton Canyon Powerlines following the fire's ignition;

c. Failing to appropriately set or change the settings on its powerlines, such as recloser or relay settings, to account for the dangerous weather conditions;

d. Designing the Eaton Canyon Powerlines to pass high-voltage electricity through exposed, above-ground powerlines in areas with thick vegetation and high winds;

[97] Southern California Edison Company's Opening Comments on Phase 1 Scoping Memo and Ruling at 22 (Mar. 25, 2019).

[98] Southern California Edison Company's Comments on Phase 2 Track 1 Issues at 7 (Sept. 17, 2019), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M313/K336/313336587.PDF.

e. Failing to design, construct, monitor, inspect, repair, maintain, and/or operate its electric system infrastructure in and around Eaton Canyon, including the Eaton Canyon Powerlines, so as to reduce the risk of catastrophic wildfires;

f. Failing to conduct sufficiently intensive, prompt, and frequent inspections and repairs of the Eaton Canyon Powerlines and other powerlines in areas at high risk of wildfires;

g. Failing to properly inspect and clear vegetation in and around its electrical equipment in Eaton Canyon to minimize the risk of wildfire;

h. Failing to properly hire, train, and supervise a sufficient number of employees to adequately monitor, inspect, repair, and maintain electrical infrastructure and equipment in high-fire risk areas like Eaton Canyon and to address any backlogs in those efforts; and/or

i. Failing to implement and follow regulatory guidance, regulations, and best practices to minimize the risk of wildfires.

E. SCE's Failures to Reasonably Prepare For Wildfires Like the Eaton Fire

83. SCE has several statutory, common law, and regulatory duties to the public to properly design, construct, monitor, inspect, repair, maintain, and operate its electrical equipment to reduce the risk of wildfire. Among other things, SCE is required to maintain safe clearance areas around its powerlines and electrical equipment, including transmission powerlines and transmission towers, to reduce the risk of vegetation contacting SCE's powerlines.[99]

84. SCE's regulatory filings reveal several of its potential missteps in preparing its equipment and decision-making process for an event like the January 7-8, 2025 Santa Ana winds event.

85. In October 2024, just a few months before the Eaton Fire, state regulators with the California Office of Energy Infrastructure Safety (OEIS) issued a report related to SCE's 2023-2025

[99] *See* California Public Resources Code §§ 4292-93; California Public Utilities Commission General Orders 95 & 165.

Wildfire Management Plan that criticized SCE for "falling behind in inspecting transmission lines in areas at high risk of wildfires."[100]

86. On information and belief, SCE, like some other utility companies, uses modeling to help determine when and where weather conditions require a public safety power shutoff. One input into such modeling is the damage caused by prior wildfires sparked by electrical utility equipment, because those damage estimates inform when public safety requires a PSPS.

87. But public reports indicate SCE's modeling remained incomplete with respect to that input in the months leading up to the Eaton Fire. In October 2023, OEIS reported that according to SCE, SCE was still in the "early stages of improving its modeling methodology" for determining when to implement a PSPS.[101] According to OEIS, SCE had not made "significant reportable progress" in "incorporat[ing] information about historical damage in its" PSPS modeling, and indeed OEIS later stated SCE had "not evaluated whether and how PSPS after-event damage information is considered in PSPS decision-making."[102] Yet even a year later, in October 2024, OEIS reported that SCE had provided no update to OEIS on its progress in incorporating that critical input into its PSPS modeling.[103]

88. OEIS also critiqued SCE's failure to plan for extreme but extremely foreseeable wind events like the Santa Ana wind event that struck the Los Angeles region starting on January 7, 2025. In October 2023, OEIS reported that SCE relies on "historic fire weather scenarios" to "simulate wildfire risk and consequence" in its modeling—the same modeling that SCE uses to make decisions about

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[100] Melody Petersen & Jenny Jarvie, *In October report, state regulators criticized the utility for falling behind in assessing safety of transmission lines in high-risk areas*, Los Angeles Times (Jan. 15, 2025), available at: https://www.latimes.com/environment/story/2025-01-14/regulators-criticized-edisons-wildfire-safety-actions-months-before-deadly-eaton-fire.

[101] Office of Energy Infrastructure Safety, *Decision on 2023-2025 Wildfire Mitigation Plan: Southern California Edison Company* at 79 (Oct. 2023), available at https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=55857&shareable=true.

[102] *Id.*

[103] Office of Energy Infrastructure Safety, *Decision – Southern California Edison Company 2025 Wildfire Mitigation Plan Update* at 47 (Oct. 2024), available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M549/K195/549195908.pdf.

wildfire mitigation priorities and public safety power shutoffs.[104] As OEIS cautioned: "SCE currently relies on wind conditions data representing the past 20 years that ***does not consider rare but foreseeable and significant risks. It does not evaluate the risk of extreme wind events*** in its service territory to prioritize its wildfire mitigations using MARS and IWMS."[105]

89. But, as OEIS told SCE more than 14 months prior to the Eaton Fire, SCE's "[e]xclusive reliance on historic fire weather scenarios" was "limiting" and problematic for multiple reasons: (1) "Fire weather scenarios systematically under-sample high consequence/low probability events," (2) "Many of the mitigation measures SCE is deploying will last longer than 20 years and so are likely to experience an exceedance of the 1-in-20 approach adopted by SCE"; (3) "Using SCE's current wind load data, SCE may be underestimating risks of ignition and high consequence and therefore not hardening these assets"; and (4) "A database of past events, even 20 years in duration and supplemented with synthetic scenarios, may underestimate risk faced today or in the future. Climate change is intensifying the conditions that lead to catastrophic wildfire in California."[106]

90. Finally, OEIS flagged two other areas in which SCE had reported high rates of equipment problems. First, 88 percent of the splices SCE had inspected on its transmission lines had issues of an unspecified nature, which OEIS characterized as a "high find rate."[107] A transmission splice is a permanent connection between two or more conductors in a transmission line that can be used to fix or gap breaks in a transmission line. Second, OEIS flagged that in 2023 SCE had a "current and growing

[104] Office of Energy Infrastructure Safety, *Decision on 2023-2025 Wildfire Mitigation Plan: Southern California Edison Company* at 25 (Oct. 2023).
[105] Office of Energy Infrastructure Safety, *Decision – Southern California Edison Company 2025 Wildfire Mitigation Plan Update* at 51 (Oct. 2024).
[106] Office of Energy Infrastructure Safety, *Decision on 2023-2025 Wildfire Mitigation Plan: Southern California Edison Company* at 26 (Oct. 2023).
[107] Office of Energy Infrastructure Safety, *Decision – Southern California Edison Company 2025 Wildfire Mitigation Plan Update* at 28-29 (Oct. 2024).

backlog[]" of work orders on its distribution and transmission lines,[108] and on top of that, SCE had an "elevated find rate" when inspecting transmission lines in 2022 and 2023.[109] In response, SCE admitted that it had 270 transmission past-due notifications that were more than five years old.[110]

F. Plaintiffs Suffered Injury to Their Property and Emotional Distress

The Cheung Family

91. Before the Eaton Fire, Frank and Roxanne Cheung lived in Altadena with their daughter, A.C., their son, M.C., and their dog, in the family home they bought in 2017. Their home held an uncountable number of irreplaceable heirlooms, personal items, vintage luxury jewelry, collectables, souvenirs, foreign currencies, photos, and memories. It was completely destroyed by the Eaton Fire.

92. At the time of the Eaton Fire, Frank and Roxanne were at home with their daughter, A.C., and their dog. Around 9 p.m., they decided to evacuate. Because at that time their house was not within the evacuation zone and they thought they would be returning home soon, they brought just one small bag with them.

93. After the Eaton Fire, they had no home to return to. Among those items lost in the fire were Roxanne's baby photos; treasured photos of Roxanne's mother, late father, and grandparents; memory sticks and portable hard drives with all of the Cheung's family photos and videos; Frank's collection of wine, cigars, eyeglasses, cookware, knives, gadgets, and pens; Frank's golf clubs, golf equipment, and golf accessories that have been collected from around the world over the past thirty-plus years; artwork that Frank and Roxanne had accumulated over the years; gifts from close family and friends, some of whom are no longer here; lucky monies still in red envelopes given to the Cheung

[108] Office of Energy Infrastructure Safety, *Decision on 2023-2025 Wildfire Mitigation Plan: Southern California Edison Company* at 26 (Oct. 2023).

[109] Office of Energy Infrastructure Safety, *Decision – Southern California Edison Company 2025 Wildfire Mitigation Plan Update* at 35 (Oct. 2024).

[110] Southern California Edison 2025 Wildfire Mitigation Plan Update at 73 (Nov. 4, 2024), available at https://www.sce.com/sites/default/files/AEM/Wildfire%20Mitigation%20Plan/2023-2025/SCE%202025%20WMP%20Update%20R1.pdf.

family each year; antique clothes, designer bags and jewelry, and cameras Roxanne passed down to her daughter; and the urns of their family dogs who had passed away. Relics of A.C. and M.C.'s childhood—their handprints and footprints; baby teeth; and A.C.'s and M.C.'s artwork, journals, trophies, certificates, signed yearbooks, and books—were also destroyed.

94. With no home to go to, they stayed with a friend and in a nearby hotel before moving into an apartment. The family has experienced significant emotional distress in the aftermath of the Eaton Fire. Frank and Roxanne have lost countless hours of sleep worrying about how to live and take care of their children. The sound of a fire alarm causes them panic. Roxanne experiences nightmares and heightened anxiety. She no longer feels safe, opting to bring everything she has with her when she goes out for fear of losing the little she has left. Things she once thought were beautiful, like an orange sunset, are now just painful reminders of the fire.

95. A.C. lost almost all of her personal belongings when her childhood home burned down. Following this traumatic experience, A.C. went into shock. She couldn't sleep, couldn't eat, and would suddenly break down crying. She now sees a counselor to cope with the emotional distress caused by the fire. A talented high school student, A.C. had recently started a clothing business and had just received her first batch of inventory, all of which was lost. As a result of the fire, A.C. has become stressed and worried about the family's finances.

96. While M.C. was not living at home at the time of the fire, he, too, lost irreplaceable belongings when the home in which he grew up burned down. He lost the taxidermied first fish he caught with his dad, his guitars, his Pokémon cards and figurines, baseball cards, and his plush collections, which he acquired over the years. He has had to adjust to a new reality following the fire, one without the familiar comforts of his childhood home.

97. The following pictures show the Cheung's home before and after the devastation caused by the Eaton Fire:

The Moreau Family

98. Josh and Gayle Moreau are homeowners and residents of Altadena, California. They purchased their home in 2022 and had quickly become part of their cherished community.

99. On January 7, the day of the Eaton Fire, Josh and Gayle were at home. They were playing a board game with a friend, and Gayle was cooking dinner, when they first learned that a fire had started in Eaton Canyon. Minutes later, Josh and Gayle saw the Eaton Fire barreling down the mountain from their window. From a distance, the fire "looked like lava." There was no siren or alert to evacuate.

100. At 3:30 the next morning, Josh and Gayle finally received an evacuation alert. It was pitch black and windy outside, and ash was flying through the air. Josh woke up his neighbor and helped him evacuate. Josh, Gayle, their neighbor, their friend, and their 16-year-old dog all piled into the car and evacuated to Gayle's sister's 1-bedroom apartment. By the next day, Josh and Gayle believed that they were going to lose their house.

101. To their relief, that did not occur. But their home suffered extensive smoke and ash damage, with soot on every wall and surface in the house and the heavy smell of smoke throughout their home and on their belongings. Their total damages are yet to be determined. Josh and Gayle were displaced from their home for three weeks. During this time, they bounced around between Gayle's sister's home, an Airbnb, and friends' homes, never knowing how long they could stay in one place. Since returning home, Josh and Gayle have so far spent approximately $30,000 to remediate the damage to their home.

102. Josh and Gayle have experienced emotional distress following the trauma of the Eaton Fire. They have faced enormous uncertainty as they grapple with an unknown financial burden and a never-ending series of "what ifs." They mourn the loss of their community, which has been destroyed by the fire. Gayle has experienced heightened anxiety and a heightened sense of smell, paranoid that she is smelling gas.

G. Harms Caused by the Eaton Fire

103. The Eaton Fire has devastated Plaintiffs. The following are just a sample of the harms that fire has inflicted:

a. The fire has damaged and/or destroyed their homes, their personal property, and their yards, trees, and other vegetation and landscaping.

b. The fire forced Plaintiffs to evacuate, incur costs to relocate away from the fire, and live away from their residences during and after the fire.

c. The fire forced Plaintiffs to lose wages and suffer a diminished future earning capacity as a result of the dislocation and trauma the fire caused.

d. The experience of fleeing the fire, of seeing their longtime homes and dear personal property damaged or destroyed by fire, of seeing their neighborhoods and communities flattened by the fire, and of losing neighbors to the fire, has caused Plaintiffs trauma, emotional distress, and mental anguish, which may require medical attention to treat.

V. CAUSES OF ACTION

COUNT ONE — NEGLIGENCE

By All Plaintiffs Against All Defendants

104. Plaintiffs adopt, reallege, and incorporate the allegations set forth in paragraphs 1 through 103 above, and further allege the following:

105. As owners and controllers of an electrical transmission and distribution system and its associated infrastructure and equipment, Defendants owed a non-delegable, non-transferable duty to Plaintiffs to act reasonably and apply a level of care—in designing, constructing, monitoring, inspecting, repairing, maintaining, and operating their electrical infrastructure—that is commensurate with, and proportionate to, the inherent dangers in those tasks. As part of exercising this due care, Defendants owed a duty to Plaintiffs to maintain and clear the land and vegetation surrounding the electrical infrastructure.

106. Defendants also owed a duty to Plaintiffs to vigilantly oversee and monitor geographical weather conditions and patterns, and to reasonably adjust the design, construction, monitoring, inspection, repair, maintenance, or operation of their electrical infrastructure based on these weather conditions and patterns to mitigate risks to human safety and property, including the risk of wildfire ignition. This duty encompasses a duty to de-energize or stop the flow of electricity to portions of Defendants' electrical system, infrastructure, and equipment when reasonable in light of those risks.

107. Defendants have specialized knowledge and expertise regarding the requirements to design, construct, monitor, inspect, repair, maintain, and operate their electrical system, infrastructure and equipment.

108. Defendants knew of the substantial risk that failing to de-energize powerlines in the face of extremely high winds and dry conditions would increase the risk of a wildfire.

109. Defendants knew of the substantial risk that their electrical equipment would ignite vegetation near and around its electrical infrastructure, causing a fire.

110. Defendants knew of the substantial risk that deferred and/or inadequate maintenance to their electrical infrastructure; deferred and/or inadequate clearing of vegetation and fuel reduction near and surrounding their electrical infrastructure; and designing and constructing transmission electrical infrastructure in Eaton Canyon to begin with would all increase the likelihood of a wildfire.

111. Defendants knew of the substantial risk that, given the known weather, climate, and geographical conditions present in Eaton Canyon, a wildfire would spread rapidly, be nearly impossible to contain, and would pose a severe risk of catastrophic property damage, economic loss, and personal injury and/or death to the public, including Plaintiffs.

112. Defendants negligently breached their duties by, among other things:

a. Failing to de-energize the Eaton Canyon Powerlines despite high wind levels and warnings issued by the NWS;

b. Failing to de-energize the Eaton Canyon Powerlines following the fire's ignition;

c. Failing to appropriately set or change the settings on its powerlines, such as recloser or relay settings, to account for the dangerous weather conditions;

d. Designing the Eaton Canyon Powerlines to pass high-voltage electricity through exposed, above-ground powerlines in areas with thick vegetation and high winds;

e. Failing to design, construct, monitor, inspect, repair, maintain, and/or operate its electric system infrastructure in and around Eaton Canyon, including the Eaton Canyon Powerlines, so as to reduce the risk of catastrophic wildfires;

f. Failing to conduct proper, prompt, and frequent inspections and repairs of the Eaton Canyon Powerlines and other powerlines in areas at high risk of wildfires;

g. Failing to properly inspect and clear vegetation in and around its electrical equipment in Eaton Canyon to minimize the risk of wildfire;

h. Failing to properly hire, train, and supervise a sufficient number of employees to adequately monitor, inspect, repair, and maintain electrical infrastructure and equipment in high-fire risk areas like Eaton Canyon and to address any backlogs in those efforts; and/or

i. Failing to implement and follow regulatory guidance, regulations, and best practices to minimize the risk of wildfires.

113. Defendants were also negligent per se because, by their actions and failures to act described above, Defendants breached their duty of care by violating California Civil Procedure Code §§ 3479 and 3480, California Public Utilities Code § 2106, and California Health & Safety Code § 13007, as alleged in the Third, Fourth, Sixth, and Seventh causes of action, which allegations are incorporated by reference herein as if set forth in full. Plaintiffs are members of the class of persons those statutes were designed to protect. Pursuant to California Evidence Code § 669, these violations of Sections 3479, 3480, 2106, and 13007 create a presumption that Defendants failed to exercise due care.

114. Defendants also have a special relationship with Plaintiffs because they supply electrical power to Plaintiffs. Defendants' operation of their electrical infrastructure is intended to and has a direct impact on Plaintiffs.

115. Defendants' negligence was the direct and proximate cause of, and a substantial factor in causing, both the Eaton Fire and the damages to be proven at trial that Plaintiffs have suffered and continue to suffer from that fire, including, but not limited to, real and personal property damage, including to the Subject Properties, economic loss, personal injury, emotional distress, lost use of the property and reasonable cost to repair or restore the property to its original condition pursuant to California Civil Code §3334, and injuries to timber, trees, or underwood pursuant to California Civil Code § 3346.

116. Plaintiffs' harm, including property damage and economic loss, are and were a result of Defendants' ongoing custom and practice of disregarding regulations, orders, and statutes designed to protect the public and reduce the risk of wildfires.

117. The harms to Plaintiffs caused by Defendants' negligence were foreseeable to Defendants.

118. The harms to Plaintiffs caused by Defendants' negligence are the types of harms that California Civil Procedure Code §§ 3479 and 3480, California Public Utilities Code § 2106, and California Health & Safety Code § 13007 were designed to protect against.

119. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT TWO — TRESPASS

By All Plaintiffs Against All Defendants

120. Plaintiffs adopt, reallege, and incorporate the allegations set forth in paragraphs 1 through 119 above, and further allege the following:

121. Plaintiffs are currently, and were at all times relevant to this Complaint, the owners, residents, and/or lawful occupiers or controllers of real property in the area of the Eaton Fire. At all relevant times, Plaintiffs had a right to occupy, enjoy, and/or use their property without interference by Defendants.

122. Defendants had a duty to exercise reasonable care to not enter or invade Plaintiffs' property without permission. Defendants, through their acts and failures to act described above, negligently and/or recklessly allowed the Eaton Fire to ignite and spread, entering and damaging Plaintiffs' property.

123. Plaintiffs did not give Defendants permission to cause the Eaton Fire to enter their properties.

124. As a direct and proximate result of this trespass, Plaintiffs have suffered and continue to suffer damages to be proven at trial including, but not limited to, real and personal property damage, including to the Subject Properties, economic loss, personal injury, emotional distress, lost use of the property and reasonable cost to repair or restore the property to its original condition pursuant to California Civil Code §3334, and injuries to timber, trees, or underwood pursuant to California Civil Code § 3346.

125. This trespass was a substantial factor in causing Plaintiffs' harm.

126. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants'

acts and failures are despicable and thus constitute malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT THREE — PRIVATE NUISANCE

By All Plaintiffs Against All Defendants

127. Plaintiffs restate and incorporate the allegations set forth in paragraphs 1 through 126 above as if fully stated herein, and further allege the following:

128. Plaintiffs are currently, and were at all times relevant to this Complaint, the owners, tenants, and/or lawful occupiers or controllers of real property in the area of the Eaton Fire. At all relevant times, Plaintiffs had a right to occupy, enjoy, and/or use their property without interference by Defendants.

129. Defendants, through their actions and failures to act as described above, negligently and recklessly caused the Eaton Fire, which invaded Plaintiffs' property, obstructed Plaintiffs' free use of their property, interfered with Plaintiffs' comfortable enjoyment of their property, and caused substantial harm and actual damages to Plaintiffs' property. Defendants' actions, conduct, and failures to act constitute a nuisance under California Civil Code Section 3479.

130. An ordinary person would reasonably be annoyed or disturbed by Defendants' conduct. Plaintiffs did not consent to Defendants' conduct.

131. As a direct and proximate result of Defendants' conduct, Plaintiffs have suffered and continue to suffer damages to be proven at trial including, but not limited to, real and personal property damage, including to the Subject Properties, economic loss, personal injury, emotional distress, lost use of the property and reasonable cost to repair or restore the property to its original condition pursuant to California Civil Code §3334, and injuries to timber, trees, or underwood pursuant to California Civil Code § 3346.

132. Defendants' conduct was a substantial factor in causing Plaintiffs' harm.

133. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT FOUR — PUBLIC NUISANCE

134. Plaintiffs adopt, reallege, and incorporate the allegations set forth in paragraphs 1 through 133 above, and further allege the following:

135. Plaintiffs were the owners, tenants, or lawful occupiers of real properties in areas affected by the Eaton Fire. Plaintiffs had a right to occupy, use, and enjoy their properties without interference by Defendants.

136. Defendants owed a duty to the general public, including Plaintiffs, to design, construct, monitor, inspect, repair, maintain, and operate their electrical equipment and infrastructure in a manner that did not threaten, harm, or interfere with the public's safety and welfare or the public's right to occupy, use, and enjoy their properties. Defendants further owed a duty to the general public, including Plaintiffs, to maintain and clear the vegetation near their electrical equipment so as to not threaten, harm, or interfere with the public's safety and welfare or the public's right to occupy, use, and enjoy their properties.

137. Defendants, through their actions and failures to act as described above, negligently and recklessly caused the Eaton Fire, which was harmful to the health and safety of the public, including Plaintiffs, caused substantial harm and actual damage to Plaintiffs' property, and obstructed and interfered with Plaintiffs' free use and comfortable enjoyment of their property.

138. The Eaton Fire, caused by Defendants' conduct, affected a substantial number of people within the general public, including Plaintiffs. The hazardous condition caused by the Eaton Fire as a result of Defendants' actions, conduct, and failures to act constituted a public nuisance under California Civil Code Section 3480. Further, the Eaton Fire, which spread rapidly and would prove to be nearly impossible to adequately and quickly contain, constitutes a public nuisance under California Public Resources Code Section 4170.

139. The general public, including Plaintiffs, were and are harmed as a direct and proximate result of Defendants' conduct. Defendants' conduct created a fire hazard that could lead to, among other things, destruction of property, hillside erosion, mudslides, and debris flow hazards.

140. As a direct and proximate result of Defendants' conduct, Plaintiffs have suffered harm that is different from the type of harm suffered by the general public, as set forth herein. Specifically, Plaintiffs have suffered economic loss and emotional distress as well as a loss of the right to occupy, use, and enjoy their real and personal property. As a further direct and proximate result of Defendants' conduct, Plaintiffs and/or their property were exposed to chemical agents from firefighting aircraft, and smoke, soot, ash, dust, and debris. Defendants' conduct was a substantial factor in causing Plaintiffs' harm.

141. An ordinary person would reasonably be annoyed and disturbed by the condition caused by Defendants' conduct.

142. The seriousness of the harm to the public as a result of the Eaton Fire outweighs the social utility of Defendants' conduct. Neither the general public, nor Plaintiffs, consented to Defendants' conduct.

143. As a result of Defendants' nuisance, Plaintiffs have suffered and will continue to suffer damages in amounts to be proven at trial.

COUNT FIVE — INVERSE CONDEMNATION

By All Plaintiffs Against All Defendants

144. Plaintiffs restate and incorporate the allegations set forth in paragraphs 1 through 143 above as if fully stated herein, and further allege the following:

145. Plaintiffs are currently, and were at all times relevant to this Complaint, the owners, tenants, and/or lawful occupiers or controllers of real property in the area of the Eaton Fire. At all relevant times, Plaintiffs had a right to occupy, enjoy, and/or use their property without interference by Defendants.

146. Defendant SCE is, and at all times mentioned in this complaint was, a public entity organized and existing under the laws of the State of California.

147. On January 7, 2025, and for years prior to that date, Defendants participated in an activity for the public's benefit by owning and operating electrical transmission and distribution equipment and providing electricity via that equipment to the public throughout Southern California. SCE's Eaton Canyon Powerlines were the source and cause of the Eaton Fire that damaged or destroyed the Plaintiffs' real and personal property. The Eaton Canyon Powerlines were created for the public's use, because they were part of an electrical transmission and distribution system owned and operated by SCE that served the general public and customers in Altadena and other parts of Los Angeles County.

148. Sparking or initiating a wildfire is one of the inherent dangers in designing, constructing, maintaining, and operating electrical powerlines and associated equipment, including transmission powerlines and associated transmission equipment. That inherent risk materialized when SCE's Eaton Canyon Powerlines started the Eaton Fire.

149. The Defendants' deliberate design or construction of the Eaton Canyon Powerlines; deliberate failure to properly monitor, inspect, repair, or maintain the Eaton Canyon Powerlines; deliberate failure to clear or reduce vegetation from the vicinity of the Eaton Canyon Powerlines; or

deliberate operation of the Eaton Canyon Powerlines, were the proximate cause of, and a substantial factor in, the damage and/or destruction of the Subject Properties, via a wildfire—the Eaton Fire—sparked by the Eaton Canyon Powerlines. This conduct by Defendants was the proximate cause of damage and/or destruction of the Plaintiffs' residences and other structures on the Subject Properties, rendering the Subject Properties temporarily unsuitable for any use, including its highest and best use. Plaintiffs are informed and believe that the damage to and/or destruction of their residences is, and will be, continuing and permanent in nature.

150. As a proximate result of the damage to, destruction of, and taking of the Subject Properties as alleged in this Complaint, Plaintiffs have been damaged in an amount presently unknown, and Plaintiffs will request leave of court to amend this Complaint when the amount of the damaging and taking has been ascertained.

151. To date, Plaintiffs have not received any compensation for the damage to, destruction of, and taking of their Subject Properties alleged in this Complaint.

152. Plaintiffs have incurred, and will continue to incur, engineering, appraisal, attorney, and other fees, costs, disbursements, and expenses not yet known or ascertained, in an amount that cannot be presently calculated and that are recoverable under California Code of Civil Procedure § 1036.

153. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT SIX — VIOLATION OF PUBLIC UTILITIES CODE § 2106

By All Plaintiffs Against All Defendants

154. Plaintiffs restate and incorporate the allegations set forth in paragraphs 1 through 153 above as if fully stated herein, and further allege the following:

155. SCE is, and was at all times relevant to this Complaint, an "electrical corporation" and "public utility" under Sections 216(a)(1) and 218(a) of the California Public Utilities Code.

156. Pursuant to Section 2106, any "public utility which does, causes to be done, or permits any act, matter, or thing prohibited or declared unlawful, or which omits to do any act, matter, or thing required to be done, either by the Constitution, any law of this State, or any order or decision of the commission, shall be liable to the persons or corporations affected thereby for all loss, damages, or injury caused thereby or resulting therefrom."

157. Section 702 of the California Public Utilities Code required Defendants to "obey and comply with every order, decision, direction, or rule made or prescribed by the [California Public Utilities Commission]." Section 451 of that Code required Defendants to "furnish and maintain" the "service, instrumentalities, equipment, and facilities" as are "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

158. Defendants are required to design, construct, monitor, inspect, repair, maintain, and operate electrical infrastructure so as to provide safe and adequate electric service, pursuant to Public Utility Commission General Orders 95 and 165.

159. Defendants are and were required to control and maintain vegetation around their transmission powerlines, including the Eaton Canyon Powerlines, pursuant to various provisions of California law. Under Section 4293 of the California Public Resources Code, Defendants were required to "maintain a clearance [of 10 feet] in all directions between all vegetation and all conductors which are carrying electric current" of at least 110 kV, including SCE's four 220 kV transmission powerlines that

run through Eaton Canyon. Under Section 13001 of the Health and Safety Code, it is unlawful for a company that "operates a … device which may cause a fire," to "not clear the inflammable material surrounding the operation or take such other reasonable precautions necessary to insure against the starting and spreading of fire."

160. The violation of a legislative enactment or administrative regulation which defines a minimum standard of conduct is unreasonable per se.

161. Through their acts and omissions as alleged in this Complaint, Defendants violated Public Utilities Code Sections 702 and 451, Public Resources Code Section 4293, and/or Sections 13001 of the California Health and Safety Code, as well as General Orders 95 and 165 of the California Public Utilities Commission, among other legal prohibitions and requirements.

162. Defendants are therefore liable for losses, damages, and injury sustained by Plaintiffs pursuant to Public Utilities Code § 2106. Defendants' legal and statutory violations, and Defendants' violation of Public Utilities Code § 2106, were the direct and proximate cause of, and a substantial factor in causing, both the Eaton Fire and the damages to be proven at trial that Plaintiffs have suffered and continue to suffer from that fire, including, but not limited to, real and personal property damage, including to the Subject Properties, economic loss, personal injury, emotional distress, lost use of the property and reasonable cost to repair or restore the property to its original condition pursuant to California Civil Code §3334, and injuries to timber, trees, or underwood pursuant to California Civil Code § 3346.

163. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute malice and oppression. An officer, director, or

managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT SEVEN — VIOLATION OF HEALTH AND SAFETY CODE § 13007

By All Plaintiffs Against All Defendants

164. Plaintiffs restate and incorporate the allegations set forth in paragraphs 1 through 163 above as if fully stated herein, and further allege the following:

165. Plaintiffs are currently, and were at all times relevant to this Complaint, the owners, tenants, and/or lawful occupiers or controllers of real property in the area of the Eaton Fire. At all relevant times, Plaintiffs had a right to occupy, enjoy, and/or use their property without interference by Defendants.

166. Section 13007 of the California Health and Safety Code states that any "person who … wilfully, negligently, or in violation of law, … allows fire to be set to … the property of another, … is liable to the owner of such property for any damages to the property caused by the fire."

167. Defendants wilfully, negligently, and/or in violation of law allowed fire, specifically the Eaton Fire, to be set to both the area around SCE's transmission towers in Eaton Canyon and to escape and set on numerous properties in Altadena and Pasadena, including the Subject Properties owned or resided in by Plaintiffs. The fire that Defendants allowed to be set to the Subject Properties damaged and/or destroyed the structures, personal property, the soil and undergrowth, and trees on the Subject Properties, among other categories of damages. Defendants' willful and/or negligent conduct, and/or their conduct in violation of law, was a substantial factor in causing Plaintiffs to suffer these damages to their property, and was the legal and proximate cause of those damages.

168. Defendants' conduct was reckless and conducted with a conscious disregard for the rights and safety of Plaintiffs. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute

malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

COUNT EIGHT — PREMISES LIABILITY

By All Plaintiffs Against All Defendants

169. Plaintiffs restate and incorporate the allegations set forth in paragraphs 1 through 168 above as if fully stated herein, and further allege the following:

170. Defendants are and were at all times owners of real property interests, such as an easement, in the land underlying SCE's Eaton Canyon Transmission Powerlines. That land is where the Eaton Fire ignited on January 7, 2025. Through those property interests, Defendants at all times relevant to this Complaint both controlled and possessed the land underlying SCE's Eaton Canyon Transmission Powerlines.

171. Defendants owed a nondelegable duty to act reasonably to keep those premises safe, to avoid unsafe conditions on those premises, and to prevent others, both on and off their premises, from being injured.

172. Defendants acted recklessly, negligently, and in violation of law in failing to properly design, construct, monitor, inspect, repair, maintain, and operate their electrical equipment on or passing over that land. As a result, Defendants allowed unsafe conditions to exist on land in which they have real property interests. Those unsafe conditions posed a significant and foreseeable risk of wildfire and in fact led to the ignition of the Eaton Fire.

173. Defendants' conduct and omissions as described in the prior paragraph were the proximate and legal cause of harm to Plaintiffs, including, but not limited to, real and personal property damage, including to the Subject Properties, economic loss, personal injury, emotional distress, lost use of the property and reasonable cost to repair or restore the property to its original condition pursuant to

California Civil Code §3334, and injuries to timber, trees, or underwood pursuant to California Civil Code § 3346.

174. Defendants, through their acts and failures to act described above, acted recklessly and with a willful and conscious disregard for the rights and safety of others. Further, given the stakes and loss of life that inevitably attends wildfires of the magnitude sparked by SCE's equipment, Defendants' acts and failures are despicable and thus constitute malice and oppression. An officer, director, or managing agent of the Defendants either personally committed or authorized or ratified the wrongful conduct alleged herein.

VI. DEMAND FOR JURY TRIAL

175. Plaintiffs demand a trial by jury.

VII. PRAYER FOR RELIEF

176. Plaintiffs pray for judgment against the Defendants and the following forms of relief:

a. For their claims of Negligence, Premises Liability, Trespass, Private Nuisance, Public Nuisance, Violation of Public Utilities Code § 2106, and Violation of Health & Safety Code § 13007:

   i. For costs of repair and replacement of, or depreciation of, damaged, destroyed, and/or lost personal and/or real property;

   ii. Loss of the use, benefit, goodwill, and enjoyment of Plaintiffs' real and/or personal property;

   iii. Loss of wages, earning capacity, and/or business profits or proceeds and/or any related displacement or disruption expenses;

   iv. Past and future medical expenses and incidental expenses according to proof;

   v. Attorney's fees, expert fees, consultant fees, and litigation costs and expenses, as allowed under California Code of Civil Procedure, Section 1021.9;

vi. Treble or double damages for wrongful injuries to timber, trees, or underwood on their property, pursuant to California Civil Code § 3346;

vii. All applicable general and special damages;

viii. Special damages;

ix. Statutory damages;

x. Punitive/exemplary damages;

xi. All costs of suit;

xii. Prejudgment interest; and

xiii. Such further and additional relief as the Court deems proper, all according to proof.

b. For their claims of Inverse Condemnation:

i. For damages in an amount not yet ascertained, with interest on that amount at the legal rate from the date of inception of the damages as ascertained by the court, including the following;

A. The decrease in the fair market value, depreciation, or repair or replacement cost of real property damaged or destroyed;

B. The decrease in the fair market value, depreciation, or repair or replacement cost of personal property damaged, destroyed, or lost;

C. Loss of the use, benefit, goodwill, and enjoyment of Plaintiffs' real and/or personal property;

D. Plaintiffs' lost wages, earnings, or profits, and related displacement expenses;

ii. Recoverable engineering, appraisal, attorney, and other fees according to proof;

iii. All costs of suit incurred in this action; and

iv. For such other and further relief as the Court shall deem proper.

RESPECTFULLY SUBMITTED this 13th day of March, 2025.

KELLER ROHRBACK L.L.P.

By _____

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