

A dramatic photograph showing the silhouettes of two firefighters in the foreground, looking towards a massive, intense wildfire that fills the background with bright orange and yellow flames and thick smoke.

Wildfire Recovery Guide

A resource guide from Keller Rohrbach's
experienced Wildfire Litigation Team.

Here to help you rebuild and recover.

Wildfire Recovery Guide

Wildfires happen suddenly. They often grow exponentially and without warning, leading to catastrophic losses, trauma, and financial hardship for those who survive. At Keller Rohrback, we understand that wildfires do not merely destroy buildings and property; they destroy the memories and treasured items that made those places homes, and sever the connections that gave them a sense of community. For many of our clients, a wildfire is the most traumatic event of their lives.

Keller Rohrback's experienced and dedicated wildfire attorneys can help clients navigate the aftermath and hold utility companies accountable when they are responsible for a wildfire. We have sued some of the largest utility companies for having sparked wildfires—and won. Indeed, we are one of only a small handful of firms in the country to beat a utility company at trial in a wildfire case. That case, against the Oregon utility PacifiCorp, has resulted in jury verdicts awarding more than \$315 million in compensatory and punitive damages to 51 plaintiffs—approximately \$6 million per plaintiff—with additional plaintiffs scheduled for trial this year. Our firm has also represented hundreds of survivors of other fires stretching from Colorado to Maui, Hawaii. Courts have entrusted Keller Rohrback to take the lead in these wildfire cases.

This Wildfire Recovery Guide contains information on actions, including legal action, you can take in the wake of a devastating wildfire. We recognize that recovery and rebuilding is a long and painful road. We are here for you every step of the way.



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What should I do after evacuating from a fire?

Seek Temporary Housing

If you've been evacuated or your home has become uninhabitable due to fire damage, it is vital that you find a safe place to stay. Check your local news outlets and community resources for information on shelter options. Your insurance policy may also provide important information on coverage for temporary accommodations after a home loss.

Contact Your Insurance Provider

Once you are safe, you should promptly contact your insurance company and inform them that you were affected and will be collecting additional information to share. During this initial call, consider asking your insurance company the following questions:

- Can you send me an email, or text me, with a PDF copy of my complete insurance policy?
- What does my insurance policy say regarding emergency housing or hotel accommodations? Can you help me locate emergency housing?
- Does my insurance policy cover the emergency boarding up of my property? What is the procedure required to fence and secure the property? Are there any restrictions or recommendations on who I can hire to assist with the boarding up, fencing, and securing of my property?
- Does my policy include coverage for meals and evacuation expenses? What is the per diem (per day) amount?

Keep Your Receipts

We know the evacuation and displacement process is stressful and difficult. But if possible, you should monitor your evacuation expenses and try to keep, and take digital photos of, all receipts. Ideally, the receipt or written record should clearly show or describe what the purchase was and the date of purchase.

Check in with Your Kids

Research indicates that children can be particularly impacted by the loss of their home, their routines, and their community. They may struggle to cope with or talk about what has happened. We have included a number of resources for parents of children who have been impacted by wildfire losses and evacuations at the end of this guide.

Restoring and rebuilding after a wildfire

Record Everything

As you did during the evacuation process, try to save and gather all receipts, documents, and communications related to every home or property repair or rebuilding expense, including expenses you may not think of as property related, like landscaping or gardening expenses to replace vegetation that burned. In addition, gather and save any photos, videos, text messages to friends or family, emails, or social media posts about the fire itself, or about your evacuation. Finally, save any records, receipts, and communications from your insurance company and from any medical appointments you have related to the fire's physical or emotional impact.

Take Pictures and Videos of the Property

As soon as you are able to safely return to your property, record the damage with photos and video. To record the full extent of the damage, we recommend that you begin at the street and work your way through the property carefully, capturing images of all walls and sides of the building. When possible, try to capture visual evidence of damage to other buildings or exterior features, such as landscaping, on your lot. Some clients have reported that drones can be a useful tool in documenting the damage, but of course, most clients will not have access to one.

Document Your Losses

A home is a collection of life's artifacts that reflects the lives of everyone within it: furniture, clothing, books, art, tools, jewelry, family photographs, sentimental items, and much more. The loss of these items can be devastating, but it is important to try to make a list of all the items that were damaged or destroyed by the fire in the first few months after the fire, when your memory will be fresh. You can work from memory, from photographs and videos, from insurance policies that may itemize certain belongings, or from purchase receipts and other documents. Clients often find it helpful to try and remember the items in one room at a time. Your insurance policy may be able to reimburse you for these losses, or you may be able to recover damages for them in future legal proceedings.

Know Your Legal Rights

Far too often, insurance payouts fail to provide adequate reimbursement for the losses caused by a destructive wildfire. A knowledgeable and experienced wildfire attorney can explain what legal options are available to you, including what damages you may be able to recover, and can help you obtain the compensation and justice you deserve.

F A Q S

What is the difference between filing a suit individually and filing with a group of other victims?

In many cases, there will ultimately be no difference between those scenarios. In wildfire cases, individuals' suits are often consolidated into one larger lawsuit, in which every individual's case is treated similarly to other individual cases, whether that individual filed their own separate suit or was part of a lawsuit with dozens of other victims. Moreover, compensation paid to victims of wildfires will not depend on how many other victims filed suit with you. Typically, a single settlement will be negotiated for all victims, regardless of how many other victims are in their lawsuit. It is always your decision whether to accept a settlement, whether or not you file alone or with other plaintiffs.

Filing a separate lawsuit will thus typically not lead to a different outcome for you. However, the advantage of filing a lawsuit with other victims and an experienced law firm like Keller Rohrbach is strength in numbers: your attorneys will have the resources to undertake (on your behalf) the many shared costs associated with a wildfire suit, like hiring experts, reviewing the utility company's documents, interviewing witnesses, and recovering evidence. Those costs are often the same for a law firm regardless of how many clients they have in the lawsuit—so if you are your law firm's only client, they may not be able to afford the costs associated with actually investigating and prosecuting a wildfire lawsuit against a big company. If an attorney is promising that they will represent you individually, ask them how they intend to cover the costs of litigation.

If I file a lawsuit with a larger law firm, will my case be lost in the shuffle?

No. At Keller Rohrbach, we go to great lengths to stay in constant contact with our clients and to ensure our clients are informed about their cases. Not only that, but we are always willing—always—to discuss your case with you, including any questions you may have. This is where Keller Rohrbach's size, and experience handling large cases, becomes important. We have a team of attorneys and paralegals who will be your points of contact throughout the lawsuit. Be cautious of smaller firms who may sign up many clients in the aftermath of a disaster but do not have the realistic bandwidth to keep them all informed.

F A Q S

What is a contingency fee? Will I have to pay a law firm to represent me?

A contingency fee agreement is one in which a victim's lawyer agrees to represent them for a share of the client's ultimate recovery. During the lawsuit, the client pays nothing in attorney's fees to the lawyers; if the client does not receive a recovery, the client will never have to pay the attorney for the attorney's time. Contingency fee percentages can typically range from 20 percent all the way up to 40 percent—carefully consider the percentage that is charged by any firm offering to represent you, especially if it is on the higher end of that range.

My house did not burn to the ground, but it was damaged – does that make a difference?

That may make a difference to the ultimate award of damages or settlement award that you receive, but it does not impact your ability to sue or your entitlement to damages. If your property has suffered any loss, we can represent you.

My house was not burned at all, but the interior of my house had smoke and/or ash in it. Can I still sue?

Yes. Compensable property losses include those caused by a fire's smoke and ashes, even if the fire did not reach your property.

I had to evacuate, but none of my personal property or real property was affected. Can I still sue?

You may or may not be able to sue, depending on the laws of the state in which you live and in which the wildfire occurred. You can contact Keller Rohrback for a free evaluation of your case.



Keller Rohrback L.L.P.

Keller Rohrback is a nationally recognized law firm with over 70 attorneys, vast experience in prosecuting mass torts and class actions, and a track record of success: We have recovered more than \$94 billion in settlements and judgments on behalf of our clients.

Our environmental team, which has helped restore individuals and communities from coast to coast, has been recognized repeatedly as among the nation's best: Keller Rohrback was one of just a few firms nationally to be named Law360's Environmental Group of the Year in 2023 and 2024, and our wildfire attorneys have also been named to Lawdragon's list of the nation's 500 Leading Environmental Lawyers. Some relevant case examples include:

Marshall Fire — KR represents over 500 plaintiffs in Colorado in a suit against the utility Xcel Energy, arising from a wildfire that devastated Boulder County, destroying more than 1,000 homes and buildings, in 2021.

PacifiCorp Oregon Wildfires — KR and co-counsel achieved a historic jury verdict that found a major utility company liable for devastating wildfires in 2020. That trial and subsequent damages trials have awarded more than \$315 million in compensatory and punitive damages to scores of fire victims to date, with separate damages trials continuing.

Santa Barbara Oil Spill — In 2015 and 2016, KR filed multiple class actions against oil pipeline companies stemming from the 2015 Refugio State Beach oil spill in Santa Barbara. Settlements provided nearly \$300 million across three classes of plaintiffs.

Monsanto Litigation — KR represented the State of Oregon in its case against Monsanto, the sole manufacturer of PCBs (polychlorinated biphenyls). After more than four years of litigation, and on the eve of trial, Monsanto agreed to pay Oregon \$698 million to compensate for the harms those toxic chemicals have caused there.



Wildfire Litigation Team



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Attorney Advertising

Resources

Southern California Resources for Children Experiencing Wildfire Aftermath

Pro Bono Therapy for Los Angeles Wildfires:

<https://docs.google.com/spreadsheets/d/1uAMVz8TQMzShQeuEA6kmOP0jyRN7qe1liqb6JOLTPqg/htmlview?usp=gmail> (spreadsheet populated with area therapists able to provide pro bono service)

Call Your Fam: https://www.instagram.com/callyourfam/?utm_source=ig_embed&ig_rid=19923a45-9ea4-4fa7-bef6-20218c48e52f

(Instagram page represents organization that offers free therapy, encourages connecting)

Child Therapy Center of Los Angeles: <https://www.childtherapycenterla.com/> (center offers holistic treatment for kids with anxiety, depression, sensory and eating challenges, trauma and transition)

National Child Traumatic Stress Network: <https://www.nctsn.org/what-is-child-trauma/trauma-types/disasters/wildfire-resources> (funded by Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, and U.S. Dept. of Health & Human Services, and administered by UCLA and Duke University)

LA Recovery Pottery Classes: <https://www.potstudiola.com/pages/la-fires-recovery-pottery-classes> (studio offers therapeutic pottery instruction for all, including kids 5-and-up)

Armory Center for the Arts: <https://www.armoryarts.org/education/for-the-community> (Pasadena organization conducts exhibitions and classes meant to engage and nurture children, teens, and adults)

Family Portraits with TONL:

<https://docs.google.com/forms/d/e/1FAIpQLSdE3wCcd6ixAGsqV0cnocV1GGfO2L7GQqIPVQXViraaofQYtg/viewform> (site offers free family portrait sessions to restore keepsakes lost to fires)

Watercolor Paintings of Lost and Damaged Homes:

https://www.tiktok.com/@jordanheber/video/7459189831579536671?%3B_t=ZT-8t2KaM2Maf0&_r=1 (preservation art provided by Jordan Heber)

Drawings of Homes Lost in Wildfires:

https://www.instagram.com/asherbingham.fineart/?utm_source=ig_embed&ig_rid=3c66e245-eb7d-45e1-88e1-2ce585299080 (Artist Asher Bingham preserves lost dwellings in fine art renderings)

Resources

Nationwide Organizations Poised to Assist in Wildfire Situations

Red Cross: <https://www.redcross.org/get-help.html> (website for general disaster relief)

Red Cross: <https://www.redcross.org/get-help/disaster-relief-and-recovery-services/find-an-open-shelter.html> (website for shelters)

Red Cross: <https://www.redcross.org/get-help/disaster-relief-and-recovery-services/contact-and-locate-loved-ones.html> (locating loved ones)

FEMA: <https://www.disasterassistance.gov/> (general site with links to various services)

Humane Society: <https://www.americanhumane.org/what-we-do/rescue-and-protect/disaster-response/> (links to all AHS services, incl. location of missing animal companions)

National Weather Service: <https://www.weather.gov/> (links to national map of weather/fire-related warnings)

World Central Kitchen: <https://wck.org/> (Chef Jose Andres nonprofit, food source in disaster areas)

InciWeb: <https://inciweb.wildfire.gov/> (federal agency website that provides “all-risk incident information”)

Direct Relief: <https://www.directrelief.org/emergency/wildfire/> (nonprofit supports responders with wildfire kits, masks, first aid supplies, and requested medications. Also assists with back-up power units)

Habitat for Humanity: <https://www.habitat.org/our-work/disaster-response/programs> (venerable organization focuses on transitional shelter and new housing, repairs and reconstruction)

Team Rubicon: <https://teamrubiconusa.org/how-we-serve/disaster-response/> (“Greyshirts” practice pre-disaster mitigation, post-disaster response, and long-term recovery on a local level)

Operation BBQ Relief: <https://operationbbqrelief.org/disaster-response/> (nonprofit provides food prepared by volunteer pitmasters in disaster relief)

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