

SHORT TITLE: Ouk, et al. v. PG&E

CASE NUMBER

15CECG01274

4. Plaintiff (name):
 is doing business under the fictitious name (specify):

 and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. except defendant (name): PACIFIC GAS & ELECTRIC COMPANY
- (1) a business organization, form unknown
 (2) a corporation
 (3) an unincorporated entity (describe):

 (4) a public entity (describe):

 (5) other (specify):
- c. except defendant (name):
- (1) a business organization, form unknown
 (2) a corporation
 (3) an unincorporated entity (describe):

 (4) a public entity (describe):

 (5) other (specify):
- b. except defendant (name):
- (1) a business organization, form unknown
 (2) a corporation
 (3) an unincorporated entity (describe):

 (4) a public entity (describe):

 (5) other (specify):
- d. except defendant (name):
- (1) a business organization, form unknown
 (2) a corporation
 (3) an unincorporated entity (describe):

 (4) a public entity (describe):

 (5) other (specify):
- Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. Doe defendants (specify Doe numbers): 1-10 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. Doe defendants (specify Doe numbers): 11-20 are persons whose capacities are unknown to plaintiff.
7. Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. at least one defendant now resides in its jurisdictional area.
 b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
 c. injury to person or damage to personal property occurred in its jurisdictional area.
 d. other (specify):
9. Plaintiff is required to comply with a claims statute, and
- a. has complied with applicable claims statutes, or
 b. is excused from complying because (specify):

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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (specify): Exemplary Damages

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (specify):

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

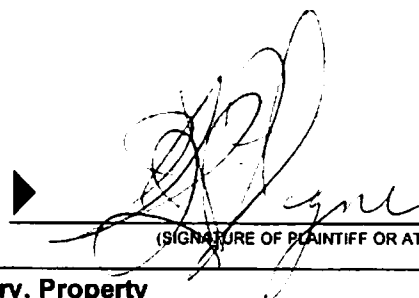
14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
 - (2) punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) according to proof
 - (2) in the amount of: \$

15. The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: April 30, 2015

Nicholas "Butch" Wagner
(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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FIRST CAUSE OF ACTION—General Negligence Page 4
 (number)
 ATTACHMENT TO 1st Amended
 Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): SAM OUK, EDGAR TORRES, GABINO ALBERTO PIZANO

alleges that defendant (name): PACIFIC GAS & ELECTRIC COMPANY

Does 1 to 20

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff
 on (date): April 17, 2015
 at (place): The Fresno County Peace Officers Gun Range near Highway 99 and the San Joaquin River, Fresno County, California.
 (description of reasons for liability):

Defendant, Pacific Gas & Electric Company, negligently manufactured, designed, installed and maintained a natural gas pipeline on the above property. As a result of Defendant's failure to properly design, manufacture, install and maintain the gas pipeline, the gas pipeline exploded resulting in severe personal injuries and damages to Plaintiffs.

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SECOND CAUSE OF ACTION—Products Liability Page 5
(number)

1st Amended
ATTACHMENT TO Complaint Cross-Complaint
(Use a separate cause of action form for each cause of action.)

Plaintiff (name): SAM OUK, EDGAR TORRES, GABINO ALBERTO PIZANO

Prod. L-1. On or about (date): April 17, 2015 plaintiff was injured by the following product:
natural gas and gas pipeline.

Prod. L-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being
 used in the manner intended by the defendants.
 used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod. L-3. Plaintiff was a
 purchaser of the product. user of the product.
 bystander to the use of the product. other (specify):

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod. L-4. Count One—Strict liability of the following defendants who
a. manufactured or assembled the product (names): PACIFIC GAS & ELECTRIC COMPANY

Does 1 to 4
b. designed and manufactured component parts supplied to the manufacturer (names):
PACIFIC GAS & ELECTRIC COMPANY

Does 1 to 8
c. sold the product to the public (names):

Does _____ to _____
Prod. L-5. Count Two—Negligence of the following defendants who owed a duty to plaintiff (names):
PACIFIC GAS & ELECTRIC COMPANY

Does 1 to 12
Prod. L-6. Count Three—Breach of warranty by the following defendants (names):

Does _____ to _____
a. who breached an implied warranty
b. who breached an express warranty which was
 written oral

Prod. L-7. The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are
 listed in Attachment-Prod. L-7 as follows:

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THIRD CAUSE OF ACTION—Premises Liability Page 6
(number)

ATTACHMENT TO 1st Amended
 Complaint Cross-Complaint
(Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): SAM OUK, EDGAR TORRES, GABINO ALBERTO PIZANO
alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.
On (date): April 17, 2015 plaintiff was injured on the following premises in the following
fashion (description of premises and circumstances of injury):

Defendants own an easement on property known as the Fresno County Peace Officers Gun Range near Highway 99 and the San Joaquin River in Fresno County. The easement is for the purpose of running Defendant PG&E's gas pipeline which is located within the easement.

Prem.L-2. Count One--Negligence The defendants who negligently owned, maintained, managed and operated the described premises were (names): PG&E Company and Fresno County

Does 2 to 5

Prem.L-3. Count Two--Willful Failure to Warn [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names): PG&E Company and Fresno County

Does 6 to 8
Plaintiff, a recreational user, was an invited guest a paying guest.

Prem.L-4. Count Three--Dangerous Condition of Public Property The defendants who owned public property on which a dangerous condition existed were (names):

Does _____ to _____
a. The defendant public entity had actual constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.
b. The condition was created by employees of the defendant public entity.

Prem.L-5. a. Allegations about Other Defendants The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

Does _____ to _____
b. The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are described in attachment Prem.L-5.b as follows (names):

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ATTACHMENT (Number): 1

(This Attachment may be used with any Judicial Council form.)

FOURTH CAUSE OF ACTION TO FIRST AMENDED COMPLAINT -- EXEMPLARY DAMAGES

Prior to April 17, 2015, defendant, PG&E Company installed, owned, operated, controlled and maintained a highly explosive gas pipeline on an easement located on property known as the Fresno County Peace Officers Gun Range located near Highway 99 and the San Joaquin River in Fresno County in an area where defendant knew many law enforcement officers and others gathered. Defendant, PG&E Company installed, owned, and operated, controlled, and maintained this highly explosive gas pipeline in a manner that caused the pipeline to explode, resulting in severe and permanent injuries to plaintiffs and others.

In maintaining, owning, controlling, and operating an extremely dangerous pipeline, defendant, PG&E Company, engaged in extreme and outrageous conduct, by failing to move the pipeline to a location that was less frequently populated, failing to properly inspect the pipeline, and failing to maintain the pipeline in a proper condition to make it less susceptible to an explosion. PG&E Company knew that the pipeline was very susceptible to explosion and failed to take adequate precautions and actions to make it less dangerous. Defendant PG&E's outrageous conduct led to the explosion that severely and permanently injured plaintiffs and others.

Despite having a similar pipeline explode in the San Bruno area in 2010, resulting in the deaths of eight people and numerous serious injuries to others, Defendant, PG&E, failed to take appropriate action to prevent a similar explosion from occurring in Fresno County. As a result of PG&E's failure to take adequate measures to prevent the San Bruno explosion, PG&E was fined \$1.6 billion by the California Public Utilities Commission.

The wrongful acts of defendant PG&E were done maliciously, fraudulently, oppressively and in conscious disregard of the safety and health of those in close proximity to the pipeline. As such, Plaintiffs are entitled to punitive and exemplary damages in excess of \$48 million to punish and set an example of defendant and to deter such conduct by defendant in the future.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page ____ of ____

(Add pages as required)