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18 Attorneys for Plaintiffs

19 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
20 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

21 ALISA SMITH, an individual;  
22 JEFFREY CONTRERAS, an individual;  
23 WILLIAM TRESTER, an individual;  
24 VAIL TRESTER, an individual;  
25 TRESTER FAMILY TRUST DATED  
26 MARCH 11, 1992;  
27 WILLIAM TRESTER, as trustee of the  
28 TRESTER FAMILY TRUST DATED  
MARCH 11, 1992;  
VAIL TRESTER, as trustee of the TRESTER  
FAMILY TRUST DATED MARCH 11, 1992;  
JOHN JAMES PETERSON, an individual;  
MAROLYN PETERSON, an individual;  
THE PETERSON FAMILY TRUST  
06/08/1970;  
JOHN JAMES PETERSON, as trustee of THE  
PETERSON FAMILY TRUST 06/08/1970;  
MAROLYN PETERSON, as trustee of THE  
PETERSON FAMILY TRUST 06/08/1970;  
ROBERT HINDIN, an individual;  
BEVERLY HINDIN, an individual;  
DANIEL VO , an individual;  
COLLEEN VO, an individual;  
DANIEL VO AND COLLEEN P. VO  
REVOCABLE TRUST;  
DANIEL VO, as trustee of the DANIEL VO  
AND COLLEEN P. VO REVOCABLE  
TRUST;  
COLLEEN VO, as trustee of the DANIEL VO  
AND COLLEEN P. VO REVOCABLE

Case No.

**COMPLAINT FOR INVERSE  
CONDEMNATION**

**JURY TRIAL DEMANDED**

1 TRUST;  
2 JONATHAN H. VO, an individual;  
3 DAVID C. VO, an individual;  
4 SYLVIA BOYD, an individual;  
5 JOYCE DRISCOLL, an individual;  
6 STARLIGHT 43 AESTHETICS, LLC, a  
7 California limited liability company,

8 Plaintiffs,

9 vs.

10 CITY OF LOS ANGELES ACTING BY AND  
11 THROUGH THE LOS ANGELES  
12 DEPARTMENT OF WATER AND POWER,  
13 a government entity; and DOES 1 through 50,  
14 inclusive,

15 Defendants.

16 Plaintiffs, ALISA SMITH, an individual; JEFFREY CONTRERAS, an individual;  
17 WILLIAM TRESTER, an individual; VAIL TRESTER, an individual; TRESTER FAMILY  
18 TRUST DATED MARCH 11, 1992; WILLIAM TRESTER, as trustee of the TRESTER FAMILY  
19 TRUST DATED MARCH 11, 1992; VAIL TRESTER, as trustee of the TRESTER FAMILY TRUST  
20 DATED MARCH 11, 1992; JOHN JAMES PETERSON, an individual; MAROLYN PETERSON,  
21 an individual; THE PETERSON FAMILY TRUST 06/08/1970; JOHN JAMES PETERSON, as  
22 trustee of THE PETERSON FAMILY TRUST 06/08/1970; MAROLYN PETERSON, as trustee of  
23 THE PETERSON FAMILY TRUST 06/08/1970; ROBERT HINDIN, an individual; BEVERLY  
24 HINDIN, an individual; DANIEL VO , an individual; COLLEEN VO, an individual; DANIEL VO  
25 AND COLLEEN P. VO REVOCABLE TRUST; DANIEL VO, as trustee of the DANIEL VO AND  
26 COLLEEN P. VO REVOCABLE TRUST; COLLEEN VO, as trustee of the DANIEL VO AND  
27 COLLEEN P. VO REVOCABLE TRUST; JONATHAN H. VO, an individual; DAVID C. VO, an  
28 individual; SYLVIA BOYD, an individual; JOYCE DRISCOLL, an individual; and STARLIGHT  
43 AESTHETICS, LLC, a California limited liability company, bring this action for damages against  
Defendants, CITY OF LOS ANGELES ACTING BY AND THROUGH THE LOS ANGELES  
DEPARTMENT OF WATER AND POWER (“LADWP”) and DOES 1 through 50 as follows:

///

1 **INTRODUCTION**

2 1. This case arises from the deadly Palisades Fire, the first ignition of which began January  
3 7, 2025, at approximately 10:30 a.m. on the Temescal Canyon Trail near Skull Rock in Pacific  
4 Palisades. (the “Palisades Fire”). The Palisades Fire has become the worst urban conflagration in the  
5 history of the City of Los Angeles, having burned 23,707 acres. The Palisades fire has destroyed 6,837  
6 homes and businesses, damaged another 973 structures, killed twelve (12) people, and caused injuries  
7 to 3 civilians and 1 firefighter. The Palisades Fire has been a life-changing event for its victims, who  
8 through no fault of their own, went from homeowners to homeless in a matter of hours.

9 2. Plaintiffs are informed and believe that this conflagration was caused by a  
10 combination of LADWP's empty reservoirs and downed powerlines from a broken power pole, which  
11 created a second source of ignition at approximately 10:30 p.m. on January 7, 2025, above LADWP's  
12 Temescal Water Tank on the Temescal Canyon Trail, which quickly consumed homes in The Summit  
13 neighborhood and spread at a critical rate-of-spread throughout the Palisades and Malibu.

14 3. When asked if the downed powerlines from the broken power pole above LADWP's  
15 Temescal Water Tank were energized on the day of the fire, LADWP told a reporter from the  
16 Washington Post that those lines had been abandoned and de-energized for the past five years and  
17 were not energized at the time of the fire.<sup>1</sup>

18 4. Incredibly, LADWP stood by this false statement for months until LADWP's attorney  
19 finally admitted to counsel for Plaintiffs on March 20, 2025, buried in a footnote on the last page of  
20 a letter, the following stunning admission:

21 "You also asked about a statement in the Washington Post that the sub-transmission line in  
22 the area was not energized. That statement was a result of a misunderstanding. The line had  
23 been de-energized for several years before the fire, but as we said in our prior correspondence,  
24 it was energized at the time the fire ignited. There were no faults on the line around the time  
25 the fire ignited."<sup>2</sup>

26  
27 <sup>1</sup> <https://www.washingtonpost.com/weather/2025/01/12/palisades-fire-origin-new-years-eve-fire/>

28 <sup>2</sup> Letter dated March 20, 2025 from LADWP's counsel, Nicholas Fram of Munger, Tolles & Olson,

1           5.       Plaintiffs are informed and believe that there was no "misunderstanding". Rather,  
2 Plaintiffs allege that this was a massive cover-up by LADWP, not only to conceal from the public  
3 that its electrical equipment was the source of several additional ignitions of the Palisades Fire, but  
4 to affirmatively represent that it was not. As detailed *infra*, LADWP's surveillance cameras  
5 captured the start of this second ignition directly above The Summit neighborhood at  
6 approximately 10:30 p.m. on January 7, 2025. Further, LADWP's statement that "there were no  
7 faults around the time the fire ignited" was a despicable attempt to conceal its knowledge that there  
8 had been a fault around 10:30 p.m. when its H-frame pole snapped in half sending energized  
9 powerlines crashing to the ground below. Such a failure would have produced a "ground fault" on  
10 LADWP's SCADA monitoring system alerting LADWP that its energized powerlines could have  
11 ignited a fire. Since the fire started on January 7<sup>th</sup>, LADWP has never disclosed the true facts nor  
12 corrected its false statement published by the Washington Post that its downed powerlines were de-  
13 energized at the time of the fire.

14           6.       Plaintiffs are informed and believe that on the day the Palisades Fire started, LADWP's  
15 Sana Ynez Reservoir had been empty of its 117-million gallon capacity for approximately 11 months,  
16 thereby leaving Pacific Palisades with only 3-million gallons of total water storage in three separate  
17 water storage tanks (Temescal, Trailer and Marquez Knolls tanks). This meant that Pacific Palisades  
18 only had 2.5% of its total water storage capacity available to fight the Palisades Fire.

19           **CHRONOLOGY OF EVENTS:**

20           7.       According to CAL FIRE, the Palisades Fire started at 10:30 a.m. on January 7, 2025  
21 Southeast of Palisades Drive at coordinates [34.07022, -118.54453].

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LLP to Plaintiffs' attorney Alexander Robertson, IV of Robertson & Associates, LLP.

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Jan 7, 2025 at 10:50 AM



[LACFD Helibase 69 Bravo E](#) - ALERTCalifornia | UC San Diego

The fire is approx 10 acres in heavy fuel, aligned with the wind with a potential for 200 acres in 20 minutes, Structures are immediately threatened - per copter at scene.

8. By 2:11 p.m., the fire had spread to 771 acres as shown on the map below:



1           9.       According to LADWP, its Marquez Knolls water tank (1 million gallon capacity) was  
2 drained empty at 4:45 p.m. on January 7<sup>th</sup>.

3           10.       By 6:17 p.m. on January 7<sup>th</sup>, the fire had spread to 2,920 acres as depicted below:



16           11.       According to LADWP, the water level in its Trailer Tank began dropping at 2:20 p.m.  
17 and the tank was empty at 8:30 p.m. on January 7<sup>th</sup>.

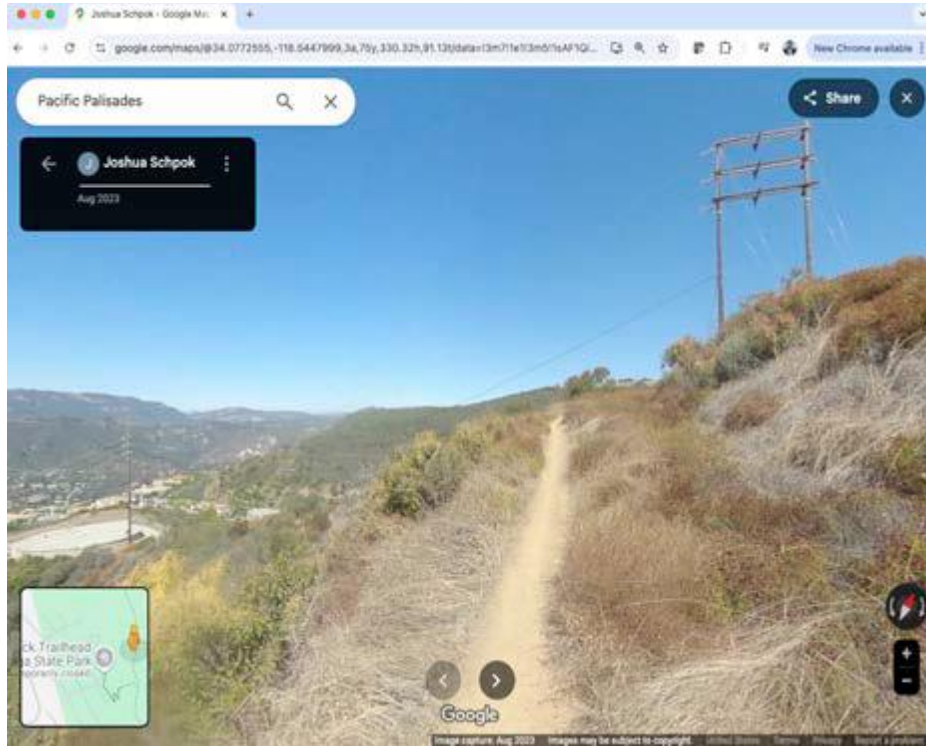
18           12.       According to news media sources and LAFD radio traffic, fire hydrants lost water  
19 pressure on Lachman Lane between 5:02 p.m. and 6:49 p.m. in Pacific Palisades.

20           13.       Plaintiffs are informed and believe that at approximately 10:30 p.m. on January 7,  
21 2025, after two (2) of LADWP's three (3) water storage tanks had run dry, an H-frame set of two  
22 wood power poles located above LADWP's Temescal Water Tank on the Temescal Canyon Trail  
23 (Pole Nos. 112621M and 112622M on the Roy Circuit referred to as "H-Frame Poles"), which were  
24 owned, operated and maintained by LADWP, broke during the high-wind event causing energized  
25 sub-transmission powerlines to fall into heavy vegetation below, igniting a fire.

26           14.       Below is an August 2023 photo of LADWP's H-Frame Poles above LADWP's  
27 Temescal Water Tank, which is seen in the lower left corner of the image below:

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15. Below are photos of the H-Frame Poles taken on January 8, 2025, showing that both wood poles had snapped mid-height with the cross-arms and powerlines on the ground.



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16. These photos depict a closer view of the broken cross-arms, insulators and power lines from the H-Frame Poles which Plaintiffs allege fell to the ground during the January 7, 2025 wind event:





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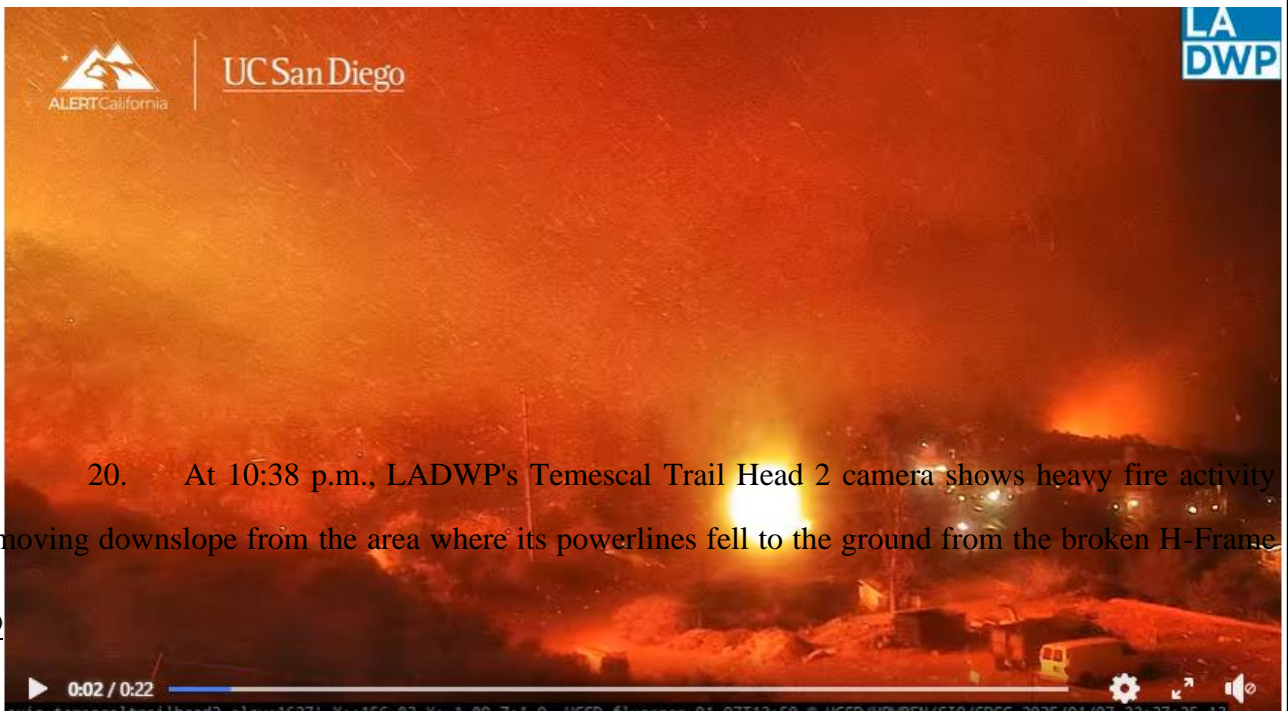
17. Plaintiffs are informed and believe that LADWP operates two CCTV surveillance cameras (known as the "Temescal Trail Head 1" and "Temescal Trail Head 2" cameras) at its Temescal Water Tank, which is located several hundred yards below the H-Frame Poles. Plaintiffs believe that these video cameras are part of the AlertCalifornia wildfire camera network. The image below is a screenshot from LADWP's Temescal Canyon 2 camera taken at 10:32 p.m. on January 7, 2025, which shows that power is on at the homes in The Summit neighborhood.



1            18.      At 10:36 p.m., LADWP's Temescal Trail Head 2 camera shows a bright orange glow  
2 coming from the left side of the screen, which is precisely the location where the downed powerlines  
3 fell from LADWP's H-Frame Pole that broke just yards upslope from this camera's location. This  
4 screenshot at 10:36:40 shows a heavy ember cast blowing downslope towards the homes in The  
5 Summit neighborhood below.



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18            19.      At 10:37 p.m., LADWP's Temescal Trail Head 2 camera shows the first spot fire  
19 igniting from the ember cast into the neighborhood below:



1 Poles and igniting spot fires immediately above the homes in The Summit neighborhood.



14 21. At 10:39 p.m., LADWP's Temescal Trail Head 2 camera shows heavy fire activity  
15 around its Temescal Water Tank and the slopes just above The Summit neighborhood.



1           22.     At 10:53 p.m., LADWP's Temescal Trail Head 2 camera shows heavy ember cast all  
2 around its Temescal Tank.



15           23.     At 11:47 p.m., LADWP's Temescal Trail Head 2 camera shows continuing ember  
16 cast and the flames from a structure on fire in The Summit neighborhood below.



1           24.     Plaintiffs are also informed and believe that LADWP's water reservoirs failed during  
2 the fire and that this failure was the result of LADWP's decision to forgo proper maintenance and  
3 repair of the cover on the Santa Ynez Reservoir as a cost savings decision, which was an inherent  
4 risk of this public improvement as deliberately designed, constructed and maintained by LADWP.  
5 LADWP's decision to forgo maintenance of the Santa Ynez Reservoir was a substantial factor in  
6 causing Plaintiffs to suffer the losses alleged in this Complaint. The Santa Ynez Reservoir, a 117-  
7 million-gallon water storage complex that is part of the Los Angeles water supply system, and  
8 neighboring Chautauqua Reservoir, were both empty at the time the Palisades Fire erupted, leaving  
9 fire crews little to no water to fight the Palisades Fire. The Santa Ynez Reservoir was built to  
10 provide a critical public use – fire protection. Indeed, to accommodate growth in Pacific Palisades,  
11 the LADWP built the Santa Ynez Reservoir in Santa Ynez Canyon, as well as a pumping station  
12 “to increase fire protection,” as the LADWP’s then-chief water engineer, Gerald W. Jones, told the  
13 Los Angeles Times in 1972. Such public use concerns the whole community in Pacific Palisades  
14 and surrounding areas, as distinguished from a particular number of individuals.

15           25.     Further, according to the LADWP’s *Dam/Reservoir Emergency Manual*, the  
16 “LADWP will maintain water supply to the distribution system for fire suppression and customer  
17 needs.” Further, the LADWP’s *Critical Infrastructure Manual* provides: “A failure of one critical  
18 infrastructure can potentially have a domino effect causing other critical infrastructures to fail as well.  
19 . . . A prolonged interruption and a delayed recovery response to critical infrastructures in the City of  
20 Los Angeles will pose a significant threat to the health, safety, and property of its residents.” The  
21 LADWP thus knew about the significant risk wildfires posed in the event of ineffective infrastructure  
22 management, delayed repairs, unsafe equipment, and/or aging infrastructure decades before the  
23 Palisades Fire. The reservoirs were a vital necessity to the public.

24           26.     But, when that public use became most needed, the Santa Ynez Reservoir was empty,  
25 having been out of commission since February of 2024, awaiting repairs to its cover. The Chautauqua  
26 Reservoir was also reportedly empty, having been drained during the summer of 2024 for repairs.  
27 The destruction or damaging of property in Pacific Palisades is sufficiently connected with the public  
28 use of these reservoirs, since such injury is a result of dangers inherent in the design, construction

1 and maintenance of the reservoirs. LADWP made the deliberate and conscious decision to forgo  
2 regular monitoring and timely repair of the reservoirs, leaving both drained and unusable, all as a  
3 “cost-saving” measure. In particular, LADWP failed to meet its own target metrics to inspect, assess,  
4 and remediate these issues. According to the Los Angeles Times, “[LADWP] policy calls for minor  
5 repairs to the [Santa Ynez Reservoir] cover to be addressed ‘within 48 hours of discovery’.” These  
6 policies reflect urgency: “Make repairs ASAP as directed by the engineer.” The LADWP *Critical*  
7 *Infrastructure Manual* further mandates that the LADWP “[e]stablish alternate water supply as  
8 needed” and “[m]ake necessary service repairs to restore water service.” The LADWP made a choice  
9 to decline to pursue reasonable maintenance and repair programs for the reservoir.

10 27. With these reservoirs out of commission, hydrants in Pacific Palisades failed after  
11 three (3) tanks each holding one million gallons of water went dry within a span of 12 hours.  
12 According to Janisse Quiñones, the LADWP’s chief executive and chief engineer, by 4:45 p.m. on  
13 January 7, 2025, the first of the three tanks ran out of water; the second tank ran empty about 8:30  
14 p.m. that same day, and the third was dry by 3 a.m. on January 8, 2025.

15 28. On Friday, January 10, 2025, California Governor Gavin Newsom ordered an  
16 independent investigation of the LADWP over the loss of water pressure and deliberate shut down of  
17 the Santa Ynez Reservoir by the LADWP, calling it “deeply troubling.” The Governor further  
18 acknowledged that the loss of water pressure “likely impaired” the ability of firefighters to protect  
19 homes and evacuation corridors in Pacific Palisades. Further, former LADWP manager, Martin  
20 Adams, an expert on the Los Angeles water supply system, confirmed that water pressure in Pacific  
21 Palisades would have “lasted longer” had the Santa Ynez Reservoir been operable.

22 29. The Santa Ynez Reservoir was taken out of commission in February of 2024 by the  
23 LADWP, after a tear in the floating cover measuring several feet was discovered. As of the date of  
24 the Palisades Fire, the required repair work had not been completed and the Santa Ynez Reservoir  
25 remained empty.

26 30. Back in April of 2024, the LADWP sought bids for repair of the Santa Ynez Reservoir  
27 at a cost of up to \$89,000. In November of 2024, however, the LADWP entered into a contract with  
28 a Lakeside firm to complete the repairs at a cost of approximately \$130,000.

1           31. Gus Corona, the business manager of IBEW Local 18, the employee union for the  
2 LADWP, condemned the delay. Mr. Corona told the Los Angeles Times; “It’s completely  
3 unacceptable that this reservoir was empty for almost a year for minor repairs.” Mr. Corona further  
4 added: “This work should have been done in-house, and they shouldn’t have depended on a contractor  
5 to do it; I truly believe it’s something that could have been avoided.”

6           32. Los Angeles Fire Department Captain, Erik Scott acknowledged that the lack of water  
7 impacted the ability to fight the fire, explaining that there were “challenges with water pressure while  
8 battling the Pacific Palisades fire” and that water “pressure wasn’t quite what we needed, and so it  
9 affected some fire hydrants.” ([https://www.cbsnews.com/news/fire-hydrants-ran-dry-extreme-  
10 demand-pacific-palisades/](https://www.cbsnews.com/news/fire-hydrants-ran-dry-extreme-demand-pacific-palisades/)).

11           33. Further, Mark Pestrella, director of Los Angeles County Public Works, said the  
12 hydrant system was “not designed to fight wildfires,” ([https://www.nbclosangeles.com/news/  
13 california-wildfires/palisades-fire-firefighters-water-pressure/3597877/](https://www.nbclosangeles.com/news/california-wildfires/palisades-fire-firefighters-water-pressure/3597877/)). The LADWP deliberately  
14 designed and maintained this water supply system, despite it being located in a fire-prone area. In the  
15 last 90 years, for example, more than thirty (30) wildfires have scorched parts of neighboring Malibu  
16 (<https://www.latimes.com/projects/la-me-malibu-wildfire-history/>), the most recent being the  
17 Franklin Fire, which ignited on December 9, 2024. The Woolsey Fire, which started on November 8,  
18 2018, burned 96,949 acres of land in Malibu, destroyed 1,643 structures, killed three (3) people, and  
19 prompted the evacuation of more than 295,000 people.

20           34. Other government officials have acknowledged the deficiencies of the water supply  
21 system, noting that “the storage tanks that hold water for high-elevation areas like the Highlands, and  
22 the pumping systems that feed them, could not keep pace with the demand as the fire raced from one  
23 neighborhood to another.” ([https://www.nytimes.com/2025/01/09/us/los-angeles-fire-water-hydrant-  
24 failure.html](https://www.nytimes.com/2025/01/09/us/los-angeles-fire-water-hydrant-failure.html)).

25           35. Upmanu Lall, director of the Water Institute at Arizona State University, attributed  
26 the lack of water availability and water pressure to the closing of the Santa Ynez Reservoir. Professor  
27 Lall determined that without water from the reservoir, fire fighters had to primarily rely on water  
28 tanks, which were not designed to fight such a large fire. (<https://www.youtube.com/watch?v>

1 [=IV0eCYZq-sU](#)

2 36. The overall public purpose being served by draining the Santa Ynez Reservoir and  
3 leaving it empty for nearly a year, according to the LADWP, was to seek contractor bids rather than  
4 using in-house personnel to repair the Reservoir. This stated public purpose was far outweighed by  
5 the substantial risk posed to Pacific Palisades by wildfires. The degree of damage that resulted from  
6 the Palisades Fire far outweighed any benefit that could have been realized by outsourcing and  
7 delaying repairs to the Santa Ynez Reservoir. Plaintiffs' damages are extremely severe and far exceed  
8 the kind that are generally considered normal risks inherent in land ownership.

9 37. Further, despite dire warnings by the National Weather Service of a "Particularly  
10 Dangerous Condition – Red Flag Warning" of "critical fire weather" which had the potential for rapid  
11 fire spread and extreme fire behavior, the LADWP was unprepared for the Palisades Fire.

12 38. LADWP failed to de-energize its distribution and transmission electrical facilities,  
13 which resulted in its overhead power lines arcing and power poles breaking sending energized power  
14 lines falling to the ground into receptive fuel beds that ignited additional spot fires that rapidly spread  
15 and merged together to create the urban conflagration known as the Palisades Fire.

16 39. Plaintiffs are further informed and believe that because LADWP did not de-energize  
17 its electrical circuits even after the Palisades Fire erupted, its distribution equipment throughout  
18 Pacific Palisades experienced arcing and exploding transformers, sending showers of sparks and  
19 molten metal raining down into homes, businesses and vegetation below which started additional spot  
20 fires that accelerated the rapid spread of the Palisades Fire. Below are screenshots of video taken by  
21 news media and eyewitnesses of these arcing events and spot fires caused by LADWP's equipment:

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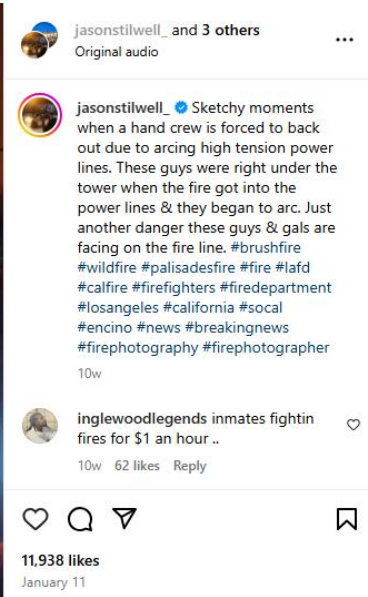
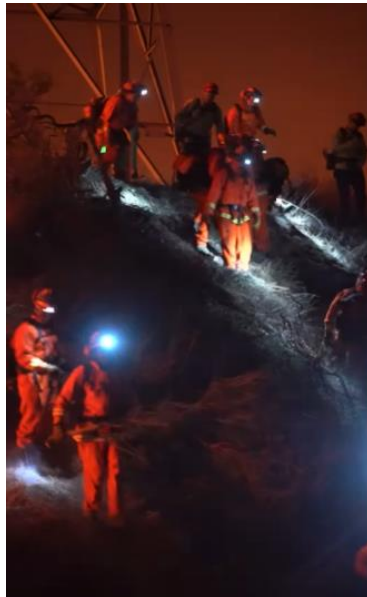
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1           40.       Further, LADWP's arcing power lines interfered with firefighter's efforts to suppress  
2 the fire, as evidenced by this video showing a hand crew pulling off the fire line due to arcing power  
3 lines above their heads:



13           41.       Further, Plaintiffs are informed and believe that LADWP's failure to de-energize its  
14 distribution equipment resulted in pole fires, as depicted in this screenshot from an eyewitness video  
15 taken on January 7, 2025 at 17015 Pacific Coast Highway at approximately 3:36 p.m. in front of the  
16 Malibu Village mobile home park.





1 because, at all times relevant herein, Defendant LADWP maintained its principal place of business  
2 at 111 North Hope Street, Los Angeles, California.

3 **THE PLAINTIFFS**

4 51. Plaintiff ALISA SMITH is a resident of the County of Los Angeles and owned, resided  
5 in, and occupied the real property located at 17368 W. Sunset Blvd., 303-A, Pacific Palisades,  
6 California. The Palisades Fire damaged the Plaintiff's real and personal property.

7 52. Plaintiff JEFFREY CONTRERAS is a resident of the County of Los Angeles and  
8 owned, resided in, and occupied the real property located at 16321 Pacific Coast Highway, #47,  
9 Pacific Palisades, California. The Palisades Fire completely destroyed the Plaintiff's real and personal  
10 property.

11 53. Plaintiffs WILLIAM TRESTER and VAIL TRESTER are residents of the County  
12 of Los Angeles and trustees of the TRESTER FAMILY TRUST DATED MARCH 11, 1992, the  
13 owner of the real property located at 20419 Seaboard Road, Malibu, California. The Palisades Fire  
14 completely destroyed the Plaintiffs' real and personal property.

15 54. Plaintiffs JOHN JAMES PETERSON and MAROLYN PETERSON are residents of  
16 the County of Los Angeles and trustees of THE PETERSON FAMILY TRUST 06/08/1970, the  
17 owner of the real property located at 1018 Maroney Lane, Pacific Palisades, California. The Palisades  
18 Fire completely destroyed the Plaintiffs' real and personal property.

19 55. Plaintiffs ROBERT HINDIN and BEVERLY HINDIN are residents of the County of  
20 Los Angeles and owned, resided in, and occupied the real property located at 1581 Monte Viento  
21 Drive, Malibu, California. The Palisades Fire completely destroyed the Plaintiffs' real and personal  
22 property.

23 56. Plaintiffs DANIEL VO and COLLEEN VO are residents of the County of Los Angeles  
24 and trustees of the DANIEL VO AND COLLEEN P. VO TRUSTEES OF THE DANIEL VO AND  
25 COLLEEN P. VO REVOCABLE TRUST, the owner of the real property located at 17084 Livorno  
26 Drive, Pacific Palisades, California. Plaintiffs JONATHAN H. VO and DAVID C. VO also resided  
27 at the subject property with their parents. The Palisades Fire completely destroyed the Plaintiffs' real  
28 and personal property.



1 conduct alleged herein, including, without limitation, by way of aiding, abetting, furnishing the means  
2 for, and/or acting in capacities that create agency, *respondeat superior*, and/or predecessor or  
3 successor-in-interest relationships with the other Defendants.

4 65. The Doe Defendants are private individuals, associations, partnerships, corporations,  
5 or other entities that actively assisted and participated in the negligent and wrongful conduct alleged  
6 herein in ways that are currently unknown to Plaintiffs. Some or all of the DOE Defendants may be  
7 residents of the State of California. Plaintiffs may amend or seek to amend this Complaint to allege  
8 the true names, capacities, and responsibility of these Doe Defendants once they are ascertained, and  
9 to add additional facts and/or legal theories. Plaintiffs make all allegations contained in this  
10 Complaint against all Defendants, including DOES 1 through 50.

11 **FACTUAL ALLEGATIONS**

12 **I. The Damage Caused by the Palisades Fire**

13 66. Plaintiffs are informed and believe that on January 7, 2025, at approximately 10:30  
14 a.m., the first ignition of the Palisades Fire occurred in the vicinity of Via La Costa, Pacific Palisades,  
15 California. The Palisades Fire burned approximately 23,707 acres, destroyed 6,837 structures,  
16 damaged another 973 structures, killed 12 civilians and injured 3 civilians and 1 firefighter.

17 67. The Palisades Fire also created serious air quality problems in Pacific Palisades,  
18 Malibu and Topanga Canyon and caused extensive environmental damage, including contamination  
19 of Plaintiffs' real and personal properties with lead, asbestos, and other heavy metals and hazardous  
20 materials.

21 68. The full extent of the damage has not yet been quantified.

22 69. Many individuals could not protect their properties and structures, or even remove  
23 personal possessions, irreplaceable heirlooms, and valuable inventories of products, materials or  
24 records.

25 70. The fire damage and destruction have also negatively impacted the value of the  
26 Plaintiffs' real property and will continue to affect its resale value and development for an indefinite  
27 period of time in the future.

28 71. In addition to damage and destruction of real and personal property, the Palisades Fire

1 caused widespread economic losses to individuals and businesses throughout Pacific Palisades,  
2 Malibu and Topanga Canyon, and will continue to do so into the future.

3 72. Individuals who were displaced have incurred and will continue to incur costs related  
4 to temporary lodging while being displaced.

5 73. Businesses that suffered property damage have incurred and will continue to incur  
6 economic losses due to their inability to operate their businesses due to property damage from flames,  
7 heat, smoke, soot and char.

8 **II. LADWP's Knowledge That Santa Ana Winds Coincide with Wildfire**

9 74. At all times mentioned herein, Defendants were aware that the Southern California,  
10 including Pacific Palisades, had received two (2) years of above-average rainfall, which produced an  
11 above-average growth of fire fuels. Defendants were also aware that Pacific Palisades frequently  
12 experiences "Santa Ana" wind conditions, which are highly conducive to the rapid spread of wildfires  
13 and extreme fire behavior. The Santa Ana winds are not abnormal or unforeseeable, and everyone  
14 who lives and works in Southern California is familiar with this type of extreme wind event.

15 75. On January 19, 2018, the CPUC adopted the CPUC Fire-Threat Map, which "depicts  
16 areas of California where there is an elevated hazard for ignition and rapid spread of power line fires  
17 due to strong winds, abundant dry vegetation, and other environmental conditions."<sup>3</sup> The area where  
18 the Palisades Fire burned is designated as a "High Fire Threat District – Tier 3", which means there  
19 is an extreme risk (including likelihood and potential impacts on people and property) from utility  
20 related wildfires.

21 76. LADWP was put on notice by the publication of this Fire-Threat Map in 2018, and  
22 therefore knew well in advance of the Palisades Fire of the elevated fire risk in the Pacific Palisades  
23 area for ignition and rapid spread of fires "due to strong winds, abundant dry vegetation, and/or other  
24 environmental conditions."

25 77. On January 6, 2025, the National Weather Service (NWS) in Los Angeles issued a  
26

27 <sup>3</sup> See, PUC Fire Map Depicts Areas of Elevated Hazards In State: First Step in Creation of Tools to  
28 Help Manage Resources, Cal Pub. Utils. Comm'n (May 26, 2016), available at  
[http://frap.fire.ca.gov/data/frapgismaps/pdfs/ftthreat\\_map.pdf](http://frap.fire.ca.gov/data/frapgismaps/pdfs/ftthreat_map.pdf)

1 rare “Particularly Dangerous Situation” Red Flag Warning for Los Angeles and Ventura County  
2 predicting “damaging wind gusts 50-80 mph, isolated 80-100 mph for mountains and foothills” and  
3 “extreme & life threatening fire behavior”.



15 78. Further, on January 6, 2025, the NWS Los Angeles office issued a “LIFE  
16 THREATENING & DESTRUCTIVE WINDSTORM” WARNING which included the Pacific  
17 Palisades area.





**FIRST CAUSE OF ACTION**

**By Plaintiffs For Inverse Condemnation Against Defendant LADWP and DOES 1-50**

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

80. On or about January 7, 2025, Plaintiffs were the owners of real property located within Pacific Palisades and Malibu.

81. Prior to January 7, 2025, Defendant LADWP designed, installed, constructed, owned, operated, used, controlled, supplied, and/or maintained the Santa Ynez and Chautauqua Reservoirs in addition to overhead transmission and distribution electrical equipment servicing Pacific Palisades.

82. On or about January 7, 2025, as a direct, necessary and substantial result of LADWP's improper design, installation, construction, ownership, operation, use, control, and/or maintenance for a public use of its overhead electrical transmission and distribution power poles, conductors, transformers and associated equipment, LADWP's power poles broke during the foreseeable wind event, causing its energized power lines to fall to the ground igniting flammable vegetation below. Additionally, LADWP's energized power lines arced and transformers exploded, causing additional spot fires which merged and created the urban conflagration known as the Palisades Fire.

83. Further, on or about January 7, 2025, as a direct, necessary and legal result of LADWP's improper design, installation, construction, ownership, operation, use, control, and/or maintenance for a public use of the Santa Ynez and Chautauqua Reservoirs, Defendants' fire hydrants lost water pressure and ran dry, causing or worsening the damage and destruction to the Plaintiffs' personal and real property. Moreover, as a direct, necessary, and legal result of LADWP's deliberate decision to drain and delay repairs of the Santa Ynez and Chautauqua Reservoirs as part of, among other things, its maintenance of those reservoirs, Defendants caused or worsened the damage and destruction to the Plaintiffs' personal and real property.

84. Plaintiffs are informed and believe that the Sana Ynez and Chautauqua Reservoirs were drained by the LADWP prior to the fire and that this failure was the result of LADWP's decision to forgo proper maintenance on the reservoirs as a cost savings decision, which was an inherent risk of this public improvement as deliberately designed, constructed and maintained by LADWP.

1 LADWP's decision to forgo maintenance of the Santa Ynez Reservoir was a substantial factor in  
2 causing Plaintiffs to suffer the losses alleged in this Complaint. The Santa Ynez Reservoir, a 117-  
3 million-gallon water storage complex that is part of the Los Angeles water supply system, and  
4 neighboring Chautauqua Reservoir, were both empty at the time the Palisades Fire erupted, leaving  
5 fire crews little to no water to fight the Palisades Fire.

6 85. The damage to Plaintiffs' properties was proximately and substantially caused by  
7 Defendants' actions in that Defendants' design, installation, ownership, operation, use, supply,  
8 maintenance, and/or control for public use of its water delivery systems and overhead electrical  
9 transmission and distribution equipment.

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

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

17 88. Plaintiffs have incurred and will continue to incur attorney's, appraisal, and  
18 engineering fees and costs because of Defendants' conduct, in an amount that cannot yet be  
19 ascertained, but which are recoverable in this action pursuant to *Code of Civil Procedure* § 1036.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, the Plaintiffs pray for judgment against Defendants as follows:

- 22 1. Costs of repair and/or replacement of damaged, destroyed, and/or lost personal and/or  
23 real property;
- 24 2. Loss of use, benefit, goodwill, and enjoyment of Plaintiffs' real and/or personal  
25 property, and/or alternate living expenses;
- 26 3. Loss of wages, earning capacity, and/or business profits or proceeds and/or any related  
27 business interruption losses;
- 28 4. Attorney's fees, expert fees, consultant fees, and litigation costs and expenses, as

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allowed under California *Code of Civil Procedure* § 1021.9;

5. All costs of suit;

6. Prejudgment interest; and

7. For such other and further relief as the Court shall deem appropriate, all according to proof.

Dated: March 24, 2025

ROBERTSON & ASSOCIATES, LLP  
FOLEY BEZEK BEHLE & CURTIS, LLP



By: \_\_\_\_\_

Alexander Robertson, IV  
*Attorneys for Plaintiffs*

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**JURY TRIAL DEMANDED**

Plaintiffs hereby demand a trial by jury on claims for which a jury is available under the law.

Dated: March 24, 2025

ROBERTSON & ASSOCIATES, LLP  
FOLEY BEZEK BEHLE & CURTIS, LLP



By: \_\_\_\_\_

Alexander Robertson, IV  
*Attorneys for Plaintiffs*