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12
13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 SPENCER PRATT, AN INDIVIDUAL;
16 HEIDI PRATT, AN INDIVIDUAL;
17 WILLIAM PRATT, AN INDIVIDUAL;
18 JANET PRATT, AN INDIVIDUAL;
19 DAN TRAPP, AN INDIVIDUAL;
20 ZACH QUITTMAN, AN INDIVIDUAL;
21 NICOLE DIACO, AN INDIVIDUAL;
22 MICHAEL BURGESS, AN INDIVIDUAL;
23 JOANNE GARY, AN INDIVIDUAL;
24 FRANK LONGO, AN INDIVIDUAL;
25 GINA GIGLIOTTI, AN INDIVIDUAL;
26 BERNARD GIGLIOTTI, AN
27 INDIVIDUAL;
28 AELINA LONGO, AN INDIVIDUAL;
MARCO LONGO, AN INDIVIDUAL;
HOVSEP KOUZOUYAN, PRINCIPAL OF
20300 PACIFIC COAST HIGHWAY, LLC;
NICHOLAS PICCIRILLO, AN
INDIVIDUAL;
CATHERINE MONTGRAIN, AN
INDIVIDUAL;
JANET BROWN, AN INDIVIDUAL;
CHUCK MINIUM, AN INDIVIDUAL;

CASE NO.: 25STCV01720
COMPLAINT FOR DAMAGES:

1. Inverse Condemnation

Demand for Jury Trial

CAROLYN MINIUM, AN INDIVIDUAL;
RYAN MINIUM, AN INDIVIDUAL;
LINDA HINDS, AN INDIVIDUAL;
and NATHAN WILLIAM COX, AN
INDIVIDUAL;

Plaintiffs,

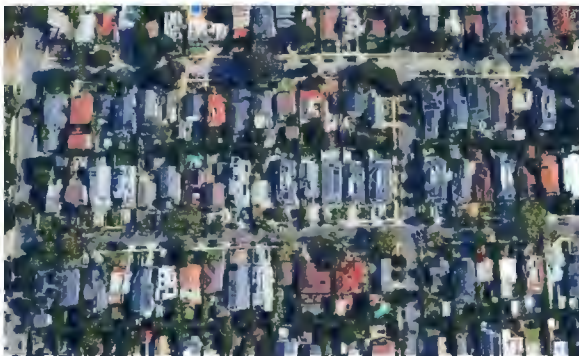
CITY OF LOS ANGELES, a governmental
entity; and CITY OF LOS ANGELES
ACTING BY AND THROUGH THE LOS
ANGELES DEPARTMENT OF WATER
AND POWER, a government entity; and
DOES 1 through 100, inclusive,

Defendants.

1 INTRODUCTION

2 1. This case arises out of the devastating Palisades Fire southeast of Palisades Drive
3 in Pacific Palisades, California. Since it began on January 7, 2025, around 10:30 a.m., the Palisades
4 Fire has become the worst natural disaster in the history of the City of Los Angeles. It has engulfed
5 over 23,713 acres in flames, destroying at least 5,300 structures in Pacific Palisades, Malibu and
6 Topanga Canyon, and injuring numerous civilians and firefighters. The Palisades Fire has killed
7 at least nine people. The victims of the Palisades Fire lost their homes and businesses and all their
8 earthly possessions in a matter of hours.

9 2. The pictures below show part of the Pacific Palisades area before and after the fire:¹



16 3. Picture after picture reveals the extent of the devastation:²



24
25 ¹ keithcody, *Four Pacific Palisades Before & After Photos*, Reddit, <https://bit.ly/4g406kf>
(accessed Jan. 20, 2025).

26 ² [https://www.latimes.com/california/story/2025-01-17/some-residents-allowed-to-return-to-](https://www.latimes.com/california/story/2025-01-17/some-residents-allowed-to-return-to-devastated-pacific-palisades-altadena-neighborhoods)
27 [devastated-pacific-palisades-altadena-neighborhoods;](https://www.latimes.com/environment/story/2025-01-13/could-brush-clearance-have-helped-slow-the-spread-of-the-palisades-fire)
28 [https://www.latimes.com/environment/story/2025-01-13/could-brush-clearance-have-helped-](https://www.latimes.com/environment/story/2025-01-13/could-brush-clearance-have-helped-slow-the-spread-of-the-palisades-fire)
[slow-the-spread-of-the-palisades-fire.](https://www.latimes.com/environment/story/2025-01-13/could-brush-clearance-have-helped-slow-the-spread-of-the-palisades-fire)

1 4. As the New York Times put it, the Palisades Fire “expose[d] a web of governments,
2 weak by design.”³ On information and belief, the Palisades Fire was an inescapable and
3 unavoidable consequence of the water supply system servicing areas in and around Pacific
4 Palisades as it was planned and constructed. The system necessarily failed, and this failure was a
5 substantial factor in causing Plaintiffs to suffer the losses alleged in this Complaint.

6 5. For example, the Santa Ynez Reservoir, the reservoir that services Pacific
7 Palisades, was completely offline and emptied before the fires erupted in the area, leaving fire
8 crews little-to-no water to fight the Palisades Fire. The Santa Ynez Reservoir had been out of
9 commission since February of 2024, awaiting repairs to its cover. Defendant Los Angeles
10 Department of Water and Power (“LADWP”) made the conscious decision to operate the water
11 supply system with the reservoir drained and unusable as a “cost-saving” measure. With the Santa
12 Ynez Reservoir effectively out of commission, hydrants in Pacific Palisades failed after three tanks
13 each holding one million gallons of water went dry within a span of 12 hours. According to Janisse
14 Quiñones, the LADWP’s chief executive and chief engineer, by 4:45 p.m. on January 7, 2025, the
15 first of the three tanks ran out of water; the second tank ran empty about 8:30 p.m. that same day;
16 and the third was dry by 3:00 a.m. on January 8, 2025.

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

22 7. Defendants also designed the water system for public use such that it would not
23 have enough water pressure to fight an urban fire.

24 8. Pushed by strong northeast winds, the fire spread rapidly down canyon and into
25 heavily populated neighborhoods, incinerating everything in its path. Residents were forced to
26

27 _____
28 ³ <https://www.nytimes.com/live/2025/01/19/us/los-angeles-wildfires-california#wildfires-los-angeles-governance>.

1 California, and Defendant City of Los Angeles is a municipal entity with the capacity to sue and
2 be sued.

3 **PLAINTIFFS**

4 13. Plaintiffs are property owners, tenants and individuals who suffered varying types
5 of injuries, damages, losses and harm as a result of the Palisades Fire.

6 14. Plaintiffs' damages include but are not limited to: (a) Complete loss of home and/or
7 personal property; (b) Damage to home and/or personal property; (c) Insurance coverage short
8 falls due to coverage limits, uncovered items (fine art, collectibles, landscaping) and high
9 deductibles; (d) Mandatory evacuation from home/dwelling and related expenses; (e) Delay
10 damages and expenses due to permitting and unreimbursed/inadequately covered rebuilding costs
11 including loss of use, alternative housing, code compliance and required upgrades; (f) Personal
12 injury damages; (g) medical expenses; and (h) other damages as may be proved at trial to include
13 punitive damages if willful and/or conscious disregard for victims' property, health and safety can
14 be shown.

15 15. At all times material, plaintiffs SPENCER PRATT, AN INDIVIDUAL and HEIDI
16 PRATT, AN INDIVIDUAL; lawfully lived in and owned the home and real property located at
17 1420 Chautauqua Blvd., Pacific Palisades, CA 90272, and suffered damages as a result of the
18 Palisades Fire.

19 16. At all times material, plaintiffs WILLIAM PRATT, AN INDIVIDUAL; and
20 JANET PRATT, AN INDIVIDUAL; lawfully owned real property located at 333 Lombard
21 Avenue, Pacific Palisades, CA 90272, and suffered damages as a result of the Palisades Fire.

22 17. At all times material, plaintiff DAN TRAPP, AN INDIVIDUAL; lawfully lived in
23 and owned the home and real property located at 1368 Chautauqua Blvd., Pacific Palisades, CA
24 90272, and suffered damages as a result of the Palisades Fire.

25 18. At all times material, plaintiff ZACH QUITTMAN, AN INDIVIDUAL; lawfully
26 lived in and owned the home and real property located at 16827 Livorno Drive, Pacific Palisades,
27 CA 90272, and suffered damages as a result of the Palisades Fire.

1 19. At all times material, plaintiffs NICOLE DIACO, AN INDIVIDUAL and
2 MICHAEL BURGESS, AN INDIVIDUAL; lawfully lived in and owned the home and real
3 property located at 1216 Las Pulgas Road, Pacific Palisades, CA 90272, and suffered damages as
4 a result of the Palisades Fire.

5 20. At all times material, plaintiff JOANNE GARY, AN INDIVIDUAL; lawfully lived
6 in and owned the home and real property located at 21401 Calle Del Barco, Malibu, CA 90265,
7 and suffered damages as a result of the Palisades Fire.

8 21. At all times material, plaintiff FRANK LONGO, AN INDIVIDUAL; lawfully lived
9 in and owned the home and real property located at 21429 Pacific Coast Highway, Malibu, CA
10 90265, and suffered damages as a result of the Palisades Fire.

11 22. At all times material, plaintiffs GINA GIGLIOTTI, AN INDIVIDUAL and
12 BERNARD GIGLIOTTI, AN INDIVIDUAL; lawfully lived in and owned the home and real
13 property located at 21531 Pacific Coast Highway, Malibu, CA 90265, and suffered damages as a
14 result of the Palisades Fire.

15 23. At all times material, plaintiffs AELINA LONGO, AN INDIVIDUAL and
16 MARCO LONGO, AN INDIVIDUAL; lawfully lived in and rented the home and real property
17 located at 21507 Pacific Coast Highway, Malibu, CA 90265, and suffered damages as a result of
18 the Palisades Fire.

19 24. At all times material, plaintiff HOVSEP KOUZOUYAN, a principal of 20300
20 PACIFIC COAST HIGHWAY, LLC; owned the homes and real property located at 20300 Pacific
21 Coast Highway, Malibu, CA 90265; 20302 Pacific Coast Highway, Malibu, CA 90265; and 20304
22 Pacific Coast Highway, Malibu, CA 90265 and suffered damages as a result of the Palisades Fire.

23 25. At all times material, plaintiff NICOLAS PICCIRILLO, AN INDIVIDUAL;
24 owned the home and real property located at 879 Galloway, Pacific Palisades, CA 90272, and
25 suffered damages as a result of the Palisades Fire.

26 26. At all times material, plaintiff CATHERINE MONTGRAIN, AN INDIVIDUAL;
27 lawfully lived in and owned the home and real property located at 901 Galloway, Pacific Palisades,
28 CA 90272, and suffered damages as a result of the Palisades Fire.

1 40. Further, Mark Pestrella, director of Los Angeles County Public Works, said the
2 hydrant system alone was “not designed to fight wildfires.”⁷

3 41. Defendants deliberately designed and maintained this water supply system in this
4 way, despite Los Angeles being in a fire-prone area. In the last 90 years, for example, more than
5 30 wildfires have scorched parts of neighboring Malibu.⁸ The most recent was the Franklin Fire,
6 which ignited on December 9, 2024. The Woolsey Fire, which started on November 8, 2018,
7 burned 96,949 acres of land in Malibu, destroyed 1,643 structures, killed three people, and
8 prompted the evacuation of more than 295,000 people.

9 42. Other government officials have acknowledged the deficiencies of the water supply
10 system, noting “that the Santa Ynez Reservoir had been closed since about February for repairs to
11 its cover, leaving a 117-million-gallon water storage complex empty in the heart of the Palisades
12 for nearly a year.”⁹

13 43. Upmanu Lall, director of the Water Institute at Arizona State University, attributed
14 the lack of water availability and water pressure to the closing of the Santa Ynez Reservoir.
15 Professor Lall determined that without water from the reservoir, fire fighters had to primarily rely
16 on water tanks, which were not designed to fight such a large fire.¹⁰

17 44. Regardless, Defendants designed the water supply system such that it would not
18 have enough water pressure to fight an urban fire.

19 45. The California Public Utilities Commission (CPUC) has created a map that
20 identifies regions with significant with significant fire threat potential.

21 46. Defendants were put on notice of the extreme fire danger in the relevant zone with
22 the publication of the CPUC Fire-Threat Map.

23
24 _____
25 ⁷ <https://www.nbclosangeles.com/news/california-wildfires/palisades-fire-firefighters-water-pressure/3597877/>.

26 ⁸ <https://www.latimes.com/projects/la-me-malibu-wildfire-history/>.

27 ⁹ <https://bit.ly/4anS18I>.

28 ¹⁰ <https://www.youtube.com/watch?v=IV0eCZYq-sU>.

1 52. Defendants' operation of its water supply and related infrastructure was a
2 substantial cause of Plaintiffs' damages. They constitute a public improvement for a public use.

3 53. Defendants' facilities, reservoir, water supply system, hydrants, infrastructure and
4 other public improvements, as deliberately designed and constructed, presented an inherent danger
5 and risk of fire to private property. In acting in furtherance of the public objective of supplying
6 water, the Defendants took and did take on or about January 7, 2025, and in the days thereafter
7 and for about a year before, a known, calculated risk that private property would be damaged and
8 destroyed by fire.

9 54. On or about January 7, 2025, and in the days thereafter, the inherent and foreseeable
10 risk of a fire exacerbated by Defendants' water supply management and infrastructure occurred
11 when the Palisades Fire burned and spread, which directly and according to law resulted in the
12 taking of Plaintiffs' private property.

13 55. Defendants' reservoir, water supply system, hydrants, and other infrastructure were
14 designed, engineered, constructed, used, operated, maintained by Defendants. That operation
15 caused damages to Plaintiffs' property and the Defendants' conduct as described herein constitutes
16 an improper taking or condemnation of their property under Article I § 19 of the California
17 Constitution and Public Utilities Code § 612.

18 56. The conduct as described here was a substantial factor in causing damage to a
19 property interest protected by the Fifth Amendment to the United States Constitution and Article
20 I, Section 19, of the California Constitution, which entitles Plaintiffs to just compensation
21 according to proof at trial for all damages incurred.

22 57. The above-described damage to Plaintiffs' property was proximately and
23 substantially caused by the actions of Defendants, and each of them, in that Defendants'
24 installation, ownership, operation, use control, and/or maintenance for a public use of the water
25 supply system caused Plaintiffs' damages.

26 58. Plaintiffs have not received adequate compensation for the damage to and/or
27 destruction of their property. This constitutes a taking or damaging of Plaintiffs' property by the
28 Defendants, and each of them, without just compensation.

1 **DEMAND FOR TRIAL BY JURY**

2 Plaintiffs hereby respectfully demand a jury trial on all causes of action for which a jury
3 trial is available under the law of the State of California.

4
5 DATED: January 21, 2025

6 **MCNULTY LAW FIRM**
7 **WOOD LAW FIRM**

8 By: Peter McNulty
9 Peter J. McNulty, Esq.
10 Brett L. Rosenthal, Esq.
11 *Attorneys for Plaintiffs*
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