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Attorneys for Plaintiffs and the putative Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

KARIN ANDERSON, individually and on
behalf of all others similarly situated;
ANTHONY GUAJARDO, individually and on
behalf of all others similarly situated; MARY
LOCKE, individually and on behalf of all
others similarly situated; and JULIE GERACI,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

PACIFIC GAS & ELECTRIC COMPANY and
PG&E CORPORATION,

Defendants.

Case No.: 25CV01147

CLASS ACTION

**COMPLAINT FOR
INJUNCTIVE RELIEF**

1. Public Nuisance
2. Private Nuisance

DEMAND FOR JURY TRIAL

Plaintiffs hereby complain of Defendants, and each of them, for causes of action and allege
as follows:

INTRODUCTION

1. The Capitola Village is a small area consisting of several blocks near the waterfront
in the beach town of Capitola. It includes a picturesque collection of small homes and apartments
alongside local businesses. Year-round residents make up a tightly knit community. Those who

live and vacation in Capitola Village see it as a place of peace and refuge.

2. Early on Christmas morning of 2024, the residential property at 105 Lawn Way in Capitola exploded. The blast and resulting fire completely devastated the property, which was a two-story residential building. The west wall and the floor of the second story were entirely blown out, and the fire consumed virtually all of the fixtures and items inside.

3. The following photo shows 105 Lawn Way several hours after the explosion:



4. In the course of the firefighting and subsequent investigation, it was determined that the source of the explosion was natural gas coming from an underground plastic gas service line owned and operated by Defendants Pacific Gas & Electric Company and PG&E Corporation (together “PG&E”).

5. Further investigation revealed that an electrical meltdown or arcing event from the underground electrical supply line, also owned and operated by PG&E, melted holes into the nearby gas service line, releasing gas into the environment where it built up over several hours until it reached an ignition point inside 105 Lawn Way. The heat generated by the underground electrical event became so hot that packing sand between PG&E’s electrical and gas lines melted and clumped inside the trench.

1 6. This Christmas Day catastrophe represents the “tip of the iceberg” with respect to
2 the dangerous and ultra-hazardous conditions existing underneath the ground in Capitola Village
3 with respect to placement of the underground utilities throughout Capitola Village, a significant
4 percentage of which are out of compliance with the California Public Utilities Commission
5 (“CPUC”) regulations, internal PG&E guidelines, California Civil Code section 1714 and the
6 common law duty of reasonable care. The following factual description of this Christmas Day
7 catastrophe at 105 Lawn Way and the reason it happened provides but one graphic example of the
8 dangerous conditions beneath Capitola Village. These persistent dangerous conditions of public
9 and private property create a substantial risk of injury to members of the general public—
10 including the visiting public, class members, and businesses within the class definition area (see
11 paragraph 78, *infra*.)—and will continue to do so, until such underground utility violations are
12 corrected.

13 7. At the time of this Christmas Day catastrophe, one resident of the building was
14 inside 105 Lawn Way when it exploded. She suffered substantial personal injuries, including a
15 severe concussion, potential traumatic brain injury (“TBI”), and has been diagnosed with Post
16 Traumatic Stress Disorder (“PTSD”) as well as other neurological conditions since the explosion.

17 8. Numerous individuals experienced property damage and loss of income relating to
18 their homes, rental properties and small businesses as a result of the explosion. For example, a
19 restaurant which is adjacent to and shares a wall with 105 Lawn Way was severely impacted. The
20 explosion and fire substantially damaged the building, and the firefighting efforts inundated the
21 entire building with water which soaked into the ceiling, walls, and items of property inside. The
22 restaurant business closed immediately and will remain closed until intensive remediation and
23 reconstruction work is completed.

24 9. Beyond these acute injuries and pecuniary losses, the explosion profoundly
25 impacted the Capitola community. Residents experienced emotional distress hearing the explosion
26 and witnessing the fire burn down 105 Lawn Way. Residents and local business owners are
27 extremely concerned that because the conditions and configurations of the gas and electric lines
28 are the same or similar to those at 105 Lawn Way throughout the area, the dangerous conditions

1 which provoked the electrical meltdown and gas leak are present throughout Capitola Village.
2 They rightly fear that another leak and explosion could occur again given the underground
3 conditions in the Village in conjunction with saltwater intrusion, a phenomenon commonly known
4 to occur due to the fact that the Village lies at low elevation along the coast.

5 10. Representative Plaintiffs Karin Anderson, Anthony Guajardo, Mary Locke, and
6 Julie Geraci (“Plaintiffs”) are emblematic of the fear and uncertainty experienced by the Capitola
7 Village community. Karin Anderson, Mary Locke, and Julie Geraci live and/or own houses in
8 Capitola Village near 105 Lawn Way. Anthony Guajardo owns and operates a business in Capitola
9 Village, Mijo’s Taqueria, and is a leader in the business community, serving as a board member
10 of multiple local business organizations.

11 11. Plaintiffs have been greatly distressed by the findings on the cause and origin of
12 the explosion which suggest that the layout of the gas and electric lines could be similar throughout
13 the Capitola Village, meaning that the likelihood for another explosion is present and imminent
14 throughout Capitola Village.

15 12. Excavation of the utility trench near 105 Lawn Way revealed that the gas and
16 electric lines were too close together, in violation of CPUC General Order 112-F section 144.3
17 and General Order 128 section 31.4 which provide that gas and electric service lines shall be
18 separated by at least 6 inches when crossing and 12 inches when paralleling. In fact, recent digging
19 around Capitola Village has revealed numerous additional locations where the gas and electric
20 lines are too close together, in violation of, *inter alia*, the duty of reasonable care and CPUC
21 regulations.

22 13. Furthermore, excavation of the utility trench near 105 Lawn Way revealed that
23 PG&E had left a non-operational defunct steel gas line underground in close proximity to the
24 active gas and electric lines. This defunct steel gas line likely acted as a conductor, exacerbating
25 the severity of the underground meltdown event which led to the gas leak and explosion.

26 14. The instant action seeks injunctive relief on behalf of Plaintiffs, residents, business
27 owners in Capitola Village as well as the visiting public, to order Defendants to remediate their
28 gas and electric lines to make them safe, particularly considering the intrusion of seawater which

1 over the last few years has periodically inundated Capitola Village and left gas and electrical lines
2 under salt water for days at a time.

3 **JURISDICTION AND VENUE**

4 15. This Court has personal jurisdiction over Defendants Pacific Gas & Electric
5 Company and PG&E Corporation since they are incorporated and have their headquarters in
6 California, and therefore are residents of California.

7 16. The amount in controversy in this action exceeds the jurisdictional minimum for
8 an unlimited civil action in this Court.

9 17. Venue is proper in this Court since Defendants Pacific Gas & Electric Company
10 and PG&E Corporation conducted business in the County of Santa Cruz which caused personal
11 injury and property damage to individuals within the County of Santa Cruz.

12 **PARTIES**

13 **A. Representative Plaintiffs**

14 18. **Plaintiff Karin Anderson** is a resident of Capitola Village residing at 119 Lawn
15 Way, Capitola Village, CA, 95010

16 19. **Plaintiff Anthony Guajardo** owns and operates **Mijo's Taqueria** located in
17 Capitola Village at 200 Monterey Ave. Ste 2., Capitola, CA 95010.

18 20. **Plaintiff Mary Locke** is a resident of Capitola Village residing at 130 Lawn Way,
19 Capitola, CA 95010

20 21. **Plaintiff Julie Geraci** is a resident of Capitola Village residing at 114 Esplanade,
21 Capitola, CA 95010.

22 **B. Defendants**

23 22. **Defendant Pacific Gas & Electric Company** ("PG&E") is a combination natural
24 gas and electric utility which provides gas and electric service to millions of customers in northern
25 and central California. Defendant PG&E is incorporated in California and has its headquarters at
26 300 Lakeside Dr., Oakland, CA. Defendant PG&E is a subsidiary of Defendant PG&E
27 Corporation.
28

23. **Defendant PG&E Corporation** is the parent company of Defendant PG&E. Defendant PG&E Corporation is incorporated in California and has its headquarters at 300 Lakeside Dr., Oakland, CA.

FACTUAL ALLEGATIONS

A. The Explosion

24. Capitola is a small, quiet beach community. The total population as of the 2024 census is 9,456, and the town spans only a small area of 1.59 square miles.

25. 105 Lawn Way in Capitola sat at the heart of the Capitola Village, a small community of homes and local businesses right by the beach. It was a two-story residential building with four units, three occupied by residential lessees and one serving as a Bed & Breakfast rental.

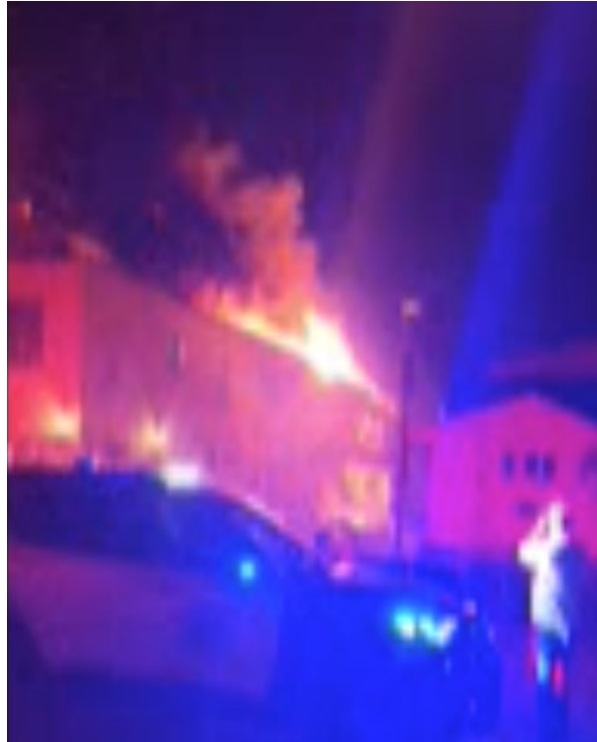
26. The following screenshot from the County of Santa Cruz GIS shows the Capitola Village area, with 105 Lawn Way (as it was prior to the explosion) marked with a red dot:



27. Early in the morning of December 25, 2024, at approximately 3:00 a.m., the electricity went out in Capitola Village.

28. At approximately 5:05 a.m., an extreme and violent explosion occurred at 105 Lawn Way. The building was obliterated, especially along the western side at street level.

1 29. The following is a screenshot of a video taken by Plaintiff Julie Geraci showing
2 105 Lawn Way burning immediately after the explosion:



15 30. The following photos show additional views of 105 Lawn Way in the days
16 following the explosion:





31. 105 Lawn Way was a two-story residential building consisting of two units on the ground floor and two units on the second floor. Three of the units were occupied by tenants at the time of the explosion and the fourth unit served as a Bed & Breakfast unit.

32. One of the three residents was at home at the time of the explosion. She was sleeping next to an interior side of the building near the origin of the explosion and sustained severe personal injuries.

33. The other two residents of the building were luckily not at home in the building at the time of the explosion due to fortuitous, last-minute decisions to stay elsewhere at Christmas time.

34. The blast blew out the walls, collapsing the entire structure and damaging the structural integrity of the adjacent building. The fire consumed virtually all of the personal property and furnishings inside 105 Lawn Way, rendering it utterly uninhabitable and unrecognizable.

35. Glass shards and other debris forcefully pelted neighboring homes, creating projectile shrapnel which lodged in the side of those structures. The blast melted paint and blew out windows in some of the surrounding homes. Unknown quantities of fire residue and toxic contaminants from the building materials, including asbestos, were released onto neighboring

1 properties.

2 36. Firefighters arrived shortly after the explosion. The fire suppression effort
3 inundated the building with a deluge of water. The roof of the adjacent restaurant building at 103
4 Lawn Way, which had holes cut in it by firefighters, was also inundated with water, which leaked
5 into the building via those holes and other damaged areas created by the explosion. The water
6 soaked into the insulation and drywall in the ceilings and many walls of both the first and second
7 floors. Subsequent environmental testing revealed that airborne fire residue entered the building
8 as well. Additionally, subsequent testing showed that the drywall remained waterlogged several
9 weeks after the explosion, making the growth of toxic black mold an inevitable occurrence,
10 necessitating the removal and replacement of the drywall and insulation of most ceilings and many
11 walls in the building. The restaurant closed immediately following the explosion and will remain
12 closed indefinitely until remediation and reconstruction are completed. All of the food inventory
13 had to be discarded, and the extent of the damage to items such as the kitchen appliances is
14 currently being evaluated.

15 37. Nearby local businesses also experienced property damage and business losses due
16 to reduced traffic by virtue of the disruption and fear generated in the community. Indeed, the
17 force of the explosion was so great that earrings in display cases were pushed out of their felt
18 holders and shattered in a jewelry store, Phoebe's Fine Art and Jewelry, located on the next block
19 and over 200 feet from 105 Lawn Way. Since the explosion happened on Christmas morning, the
20 days that followed were days that many people had off from work and were otherwise lucrative
21 days for local businesses who rely heavily on tourist traffic. Many patrons and tourists continue to
22 avoid Capitola Village and its shops for fear that conditions are ripe for another explosion.

23 38. PG&E has performed initial trench work to look at and measure its electrical and
24 gas lines. This work has been disruptive to the community and entailed blocking off important
25 streets throughout the Village. It has obstructed business activities—particularly during the
26 important spring break tourist season—and interfered with residential enjoyment in Capitola
27 Village.

28 39. Disturbingly, **PG&E's recent digging has uncovered several areas where its gas**

1 and electric lines are even closer together than they were in the ground at 105 Lawn Way, in
2 violation of the duty of reasonable care, PG&E's internal guidelines, and CPUC General Order
3 112-F section 144.3 and General Order 128 section 31.4 which require gas and electric lines to be
4 12 inches apart when paralleling and 6 inches apart when crossing.

5 **B. Cause and Origin**

6 40. It is well-known that in Capitola Village, seawater frequently floods the area during
7 storms, which can sit for some time until it is pumped out, evaporates, or sinks into the earth.

8 41. PG&E supplies gas and electric services to the Capitola Village area, including to
9 105 Lawn Way.

10 42. There was an electrical cable housing box bearing the marking "PG&E" in the
11 ground approximately five feet from the southwest corner of 105 Lawn Way.

12 43. This electrical box held the splice connectors to electrical power supply lines which
13 ran underground.

14 44. The following is a photo of the electrical supply lines in the box by 105 Lawn Way:



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22 45. During the firefighting efforts, a gas leak became the suspected origin of the fire
23 when flames persisted in certain areas despite being doused with water. The gas supply was then
24 turned off and the fire was suppressed.

25 46. After the fire was out and the area was secured, the area beneath and around the
26 electrical box was excavated. This revealed that gas and electrical supply lines, along with AT&T
27 cable lines, run parallel to one another in close proximity underground. The active gas supply line
28 was a yellow plastic PVC type of piping.

1 47. There was a significant melted area of sand underground. Notably, the yellow gas
2 supply line was visibly melted through in several spots, which was the source of the gas leak.

3 48. A photo of the section of the gas supply line showing the melted spots is as follows:



16 49. A photo of the melted gas supply line in the ground among the other partially
17 uncovered parallel lines is as follows:



1 50. As digging progressed, three melted electrical supply cables were uncovered.

2 51. Since there was no other cable in the ground carrying the necessary voltage to melt
3 surrounding sand and nearby pipes to the degree found at this site, the electrical supply cables are
4 the only possible cause of the electrical arcing event which was responsible for melting and
5 penetrating the active gas line, creating holes in it.

6 52. The fact that the power went out in the Capitola Village area at approximately 3:00
7 a.m. on December 25, 2024, several hours before the explosion, further supports the fact that the
8 PG&E electrical supply cable caused the melting event which ultimately penetrated PG&E's
9 adjacent yellow gas line. The power likely went out as part of the melting event, which would
10 mean that gas would have had from approximately 3:00 a.m. to approximately 5:05 a.m. to release
11 and build up under, in, and around 105 Lawn Way until it found an ignition point.

12 53. On or about January 15, 2025, counsel for Plaintiffs and the putative class convened
13 an informational town hall meeting. Putative class counsel had worked with their clients and other
14 community members to obtain photographs of the gas and electric lines as they were uncovered
15 by PG&E workers and others in the days following the explosion. Counsel presented the findings
16 about the melted holes in the gas line and the evidence of an electrical arcing event to the
17 community, which prompted questions and discussion about the layout and condition of the gas
18 and electric lines throughout Capitola Village.

19 54. On or about February 13, 2025, representatives from PG&E met at the Capitola
20 City Hall with a member of the city council, members of the business community, and Capitola
21 residents. During this public meeting, Ms. Teresa Alvarado, Vice President of the South Bay &
22 Central Coast Region for PG&E, stated that the cause of the explosion was an underground
23 electrical fault in an electrical line which melted a hole into the nearby gas line. Specifically,
24 PG&E described the "root cause" as the proximity of its gas and electrical lines. During this public
25 meeting, Plaintiffs and putative class counsel's other clients posed questions to PG&E personnel
26 regarding the condition of the gas and electrical piping under the ground throughout Capitola
27 Village. With prior consultation from putative class counsel, Plaintiffs and class members inquired
28 of PG&E personnel how they could be sure, given the periodic intrusion of salt water and the

1 condition of PG&E's gas and electrical piping and wiring, that another explosion would not occur.
2 PG&E personnel were unable to provide direct answers to Plaintiffs' and class members' questions
3 and were further unable to provide assurances that such an event would not occur again. At most,
4 PG&E stated that it did not identify any further gas leaks in the Village. It did not, however, say
5 anything about whether it could or would prevent another electrical arcing event such as the one
6 that melted its gas line on December 25, 2024, or that it even knew why such an electrical arcing
7 event had occurred. To be sure, if PG&E could not identify the reason or source of its electrical
8 malfunction, it had no way to prevent it from happening again. Nor could it assure residents,
9 business owners, and visitors that conditions were, and are, safe.

10 55. After the February 13, 2025 morning City Hall meeting, putative class counsel
11 immediately convened a meeting to discuss what PG&E presented at City Hall with Plaintiffs,
12 putative class counsel's other clients, and other members of the community.

13 56. To date, PG&E still has not released its findings, any plan to address the "root
14 cause" of the explosion or close proximity of its gas and electric lines throughout the Village, any
15 explanation for the electrical overheating/arcing event, or any other measures to prevent this from
16 happening again in Capitola Village.

17 57. The three electrical supply lines which were in the ground at the time of the
18 explosion were extracted and examined. At least one foot of the electrical lines was completely
19 melted and/or combusted and so no longer exists.

20 58. A photo of the melted remnants of the cabling of the most extremely melted
21 electrical supply cable is as follows:

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59. When the three electrical cables are travelling underground, the majority of the time, they are housed in a plastic housing or conduit pipe approximately 4 inches in diameter.

60. However, the conduit pipe ended several feet away from the electrical box on each side. This meant that the electrical cables travelled unprotected in the earth for several feet before they came up into the enclosure of the electrical box.

61. Based on the location of the melted area as it was uncovered after the explosion, the melting event likely occurred in the section of the electrical cables that were unprotected in the earth near the electrical box and perhaps surrounded by seawater or damp conditions.

62. A photo showing the conduit pipe ends at the top and bottom of the photo containing the electrical supply cables is as follows (**note** that in this photo, the melted section of gas line had already been replaced and the melted ends of the electrical cable had been cut off and removed):

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63. In addition to the gas supply line and the electrical supply cables, there were several other lines in the ground at the site of the explosion origin.

64. Notably, there was a defunct, non-operational steel gas line owned and previously operated by PG&E running parallel to the gas and electric lines in the ground. This defunct steel gas line appeared highly corroded and likely melted as well, contributing to the extreme heat event.

65. A photo of pieces of the defunct steel gas line is reflected below:

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66. The defunct or “orphaned” steel gas line ran parallel in close proximity to the electrical supply cables and to the gas line, so when the electrical meltdown event occurred, the orphaned/defunct steel gas line would have acted as a conductor for electricity and heat, further contributing to the underground meltdown at that site.

67. The close proximity of the defunct or orphaned steel gas line to the active gas and electric lines violated CPUC General Order 112-F section 144.3 and General Order 128 section 31.4, which require active gas and electric lines to be separated from “other pipe systems or other foreign substructures” by at least 12 inches when paralleling and 6 inches when crossing.

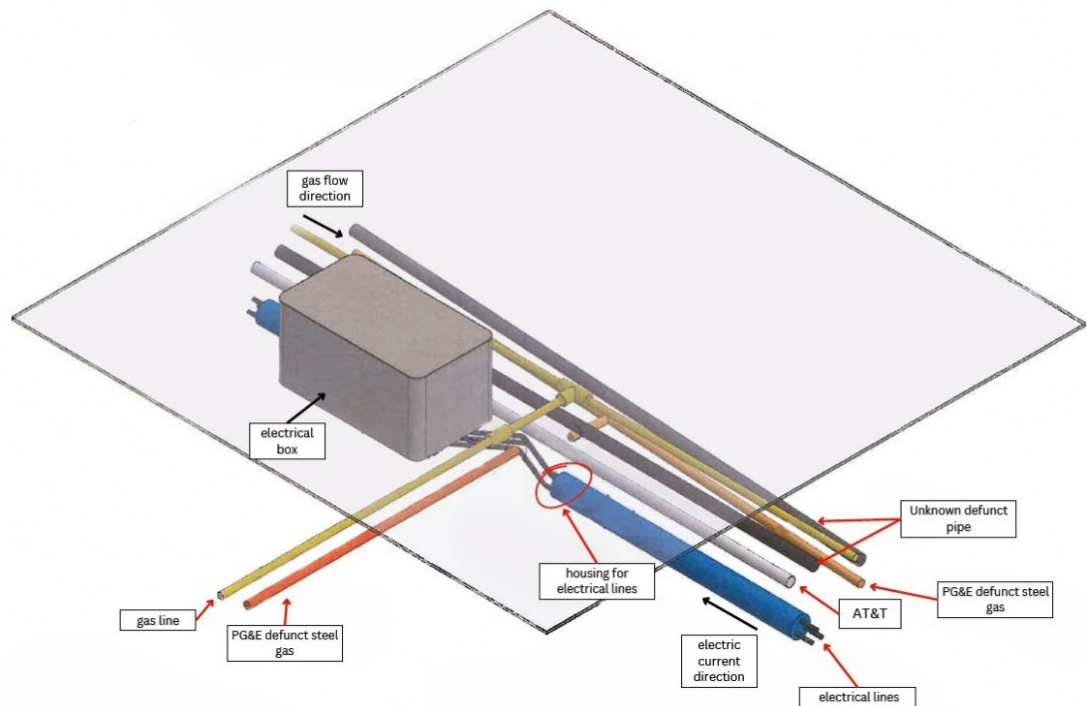
68. The recurring presence of seawater in the area also likely contributed to corrosion of the electrical cables and the other pipes, as well as the conduction of heat and electricity.

69. In addition to the active gas line, the defunct gas line, and the three electrical cables in the conduit, there were also: (1) a cable and internet line owned by AT&T, encased in a light gray conduit; and (2) two other defunct, non-operational lines of an electrical nature whose origin and use are unknown, encased in black conduits.

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70. A diagram approximating the locations of the collection of pipes underground at 105 Lawn Way is as follows:



71. In sum: Electrical supply cables and gas service lines, both owned by PG&E, ran parallel to one another in close proximity underground. Early in the morning of December 25, 2024, an electrical short, arcing, or meltdown event in one of the electrical cables running outside of the conduit directly in the earth melted and combusted the surrounding material, melting a hole into the gas service line which caused gas to build up over several hours until it reached an ignition point and exploded. The corrosion from the recurring seawater intrusions, as well as the presence of the defunct PG&E steel gas line and bevy of other cables, contributed to the meltdown.

C. Dangerous Conditions Remain

72. Following Plaintiffs' ongoing complaints to PG&E following the January 15, 2025 informational town hall, as well as complaints by Plaintiff Karin Anderson and other community members directly to PG&E in the February 13, 2025 town hall meeting, PG&E sent a public email notice on or about March 20, 2025 to community members including Plaintiff Guajardo that they would begin excavations in Capitola Village to ascertain the conditions and layout of the gas and electric lines throughout Capitola Village. This email stated that excavation would begin on March

26, 2025 and be completed by March 28, 2025.

73. PG&E began undertaking excavations in Capitola Village on or about March 26, 2025.

74. Community members including Plaintiff Anderson witnessed the excavations and the gas and electric lines that were uncovered. In numerous locations, the gas lines were within 6 inches of an electrical line, in violation of CPUC General Orders and PG&E's internal regulations.

75. As one example, the following photo shows PG&E gas and electric lines in "Hole 14A" where the gas and electric lines were measured as being only 1 inch apart:



76. Another example is "Hole 15A" where the gas and electric lines were measured as being only 3.5 inches apart, as seen in the following photo:

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77. While all the various pipes and service lines in Hole 14A and Hole 15A have not been identified by Plaintiffs, the numerous pipes in the above photos are consistent with the defunct or “orphaned” PG&E steel gas service line being present in these locations and throughout Capitola Village.

78. Additionally, the above photos of Hole 14A and Hole 15A appear to show active electric cables running directly in the earth and not encased within a conduit pipe, which was the condition of the electric cables outside of 105 Lawn Way when the meltdown event occurred.

79. On or about March 31, 2025, PG&E again emailed community members, including Plaintiff Guajardo, stating that the excavations would not be completed until April 2, 2025.

80. These excavations have been highly disruptive to the life and commerce of the Capitola Village. Important streets near the beachfront have been blocked off, greatly reducing the amount of traffic upon which local businesses depend. Moreover, this is occurring during the spring break period, which is an especially valuable tourist season.

81. On or about April 3, 2025, PG&E sent another email to community members, including Plaintiff Guajardo, stating that PG&E had conducted fifteen (15) excavations and found that twelve (12) of them “will require adjustment to the existing gas facilities in order to obtain sufficient clearance from other utilities.” This communication also stated that PG&E hopes to have

1 this work completed by the end of April 2025.

2 82. In other words, **more than three-fourths of the exemplar locations surveyed**
3 **showed that PG&E's gas and electric lines were out of compliance with CPUC regulations.**

4 83. Given that the explosion of 105 Lawn Way occurred because PG&E's electric line
5 overheated or arced in close proximity to its gas line, melting an opening in the gas line that
6 allowed gas to leak underground for roughly two hours before combusting, these findings mean
7 that PG&E's gas and electric lines are in an unsafe and ultrahazardous condition in possibly the
8 majority of locations throughout Capitola Village.

9 84. These findings have reaffirmed Plaintiffs' and the community's reasonable fear that
10 such an explosion is likely to occur again, particularly with the recent and ongoing intrusion of
11 saltwater into PG&E trenches.

12 **CLASS ALLEGATIONS**

13 85. Plaintiffs seek to represent a class defined as the following:

14 All persons who, as of December 25, 2024, owned property, resided, or owned or
15 operated a business, in the area known as Capitola Village bounded by the following
16 streets and features within Capitola, California:

- 17 a. On the north, by Capitola Avenue.
- 18 b. On the east, by Monterey Avenue.
- 19 c. On the south, by the beach.
- 20 d. On the southwest, by Soquel Creek.
- 21 e. On the northwest, by Stockton Avenue.

22 86. Plaintiffs reserve the right to proffer a different class definition should further
23 investigation or discovery reveal that a different definition is warranted.

24 87. The proposed class is readily ascertainable since city and county records can show
25 all of the properties within the class definition area. Residential lessees can be identified through
26 the documentation held by landlords or property owners.

27 88. The proposed class is sufficiently numerous to support a finding that treatment as
28 a class is efficient. According to the assessor's information on the County of Santa Cruz GIS map,

1 there are 70 unique street addresses within the class definition area. The number of units is higher
2 since some street addresses contain more than one unit, 105 Lawn Way itself being one example
3 since it had four residential units.

4 89. The proposed class members all share a community of interest such that treatment
5 as a class is appropriate.

6 90. Questions of both law and fact are common to the class. Whether PG&E engaged
7 in the conduct set forth herein and whether the gas and electric lines are in violation of CPUC
8 regulations or General Orders or PG&E's internal manual and guidelines and present unsafe
9 conditions are central questions in this action. Upon information and belief, PG&E's gas and
10 electric lines run in similar conditions—if not more dangerous conditions, as has been shown in
11 several instances—throughout the class definition area, meaning that the conditions which gave
12 rise to the explosion at 105 Lawn Way are present throughout the class definition area. Since this
13 action seeks injunctive relief only, there are no individualized issues of injuries or damages.

14 91. Plaintiffs are typical of the class. All four Plaintiffs own property or a business or
15 reside within the class definition area. Plaintiffs Karin Anderson and Julie Geraci reside in their
16 properties full-time and have been living in fear and anxiety that such an explosion may occur
17 again if the conditions of the gas and electric lines are allowed to remain in their current condition
18 and/or if PG&E is not required to establish to the satisfaction of Plaintiffs, the class and the Court
19 that the underground conditions of the piping throughout Capitola Village are safe. Plaintiff
20 Anthony Guajardo owns and operates Mijo's Taqueria, a restaurant also within the class definition
21 area. Plaintiff Mary Locke resides in her property within the class definition area part-time and
22 has been avoiding staying in that property due to the fear and anxiety this situation produces. This
23 is the same or a highly similar situation to the rest of the class members who own property and/or
24 reside and/or own and operate their businesses within the class definition area.

25 92. Representative Plaintiffs will provide adequate representation to the proposed
26 class. Plaintiffs were each present in the aftermath on the day of the explosion. Plaintiffs have each
27 been closely following the investigation. Plaintiffs have each been active members of the Capitola
28 Village community for many years and are motivated to make their community safe.

- 1 b. Creating and failing to remedy dangerous conditions with respect to the gas and
2 electric supply lines underneath the ground throughout Capitola Village, many of
3 which are out of compliance with CPUC regulations and/or General Orders,
4 including General Order 112-F section 144.3 and General Order 128 section 31.4,
5 and/or PG&E's internal guidelines, which places Plaintiffs and the class in a
6 position, both with and without the periodic inundation of seawater, where they are
7 fearful of further catastrophic explosions, and which places Plaintiffs, class
8 members and members of the general and visiting public at great risk of serious
9 bodily injury or death; and
- 10 c. Creating and failing to remedy the foregoing dangerous conditions with respect to
11 the gas and electric supply lines underneath the ground throughout the Capitola
12 Village which create reasonable fear, distress, and anxiety for Plaintiffs and class
13 members that such an explosion may occur again.

14 100. The public nuisance created by PG&E affected a substantial number of people at
15 the same time.

16 101. The nuisance created by PG&E would be disturbing and annoying to a reasonable
17 person.

18 102. The seriousness of the harm caused by PG&E outweighs any social utility of its
19 conduct.

20 103. Plaintiffs did not consent to PG&E's conduct in creating the nuisance.

21 104. The harms suffered by Plaintiffs and class members as described herein are
22 different than the harms suffered by the general public since Plaintiffs and class members own
23 property and/or reside in and/or own and operate businesses in Capitola Village, and therefore
24 justifiably have heightened fears for their personal safety given the threat of similar or identical
25 conditions as those precipitating the explosion on Lawn Way and the potential for the same
26 throughout the Village. This threat results in Plaintiffs and class members being fearful of using
27 their own property and conducting business, a fear and/or risk the general public does not face.
28 PG&E's conduct in creating this nuisance was a substantial factor in causing the foregoing class

1 wide harm and uncertainty.

2 **COUNT II: Private Nuisance**

3 **All Plaintiffs Against All Defendants**

4 105. Plaintiffs incorporate each of the paragraphs above as though fully set forth herein.

5 106. Plaintiffs, as applicable, owned, leased, rented, occupied, and/or controlled
6 residential and business property in the Capitola Village.

7 107. PG&E, failed to install, design, and maintain the gas and electric supply systems
8 throughout Capitola Village in accordance with CPUC regulations, General Orders, and its own
9 internal guidelines, including those in its Greenbook Manual entitled Electric& Gas Service
10 Requirements (2022 – 2023).

11 108. In conjunction with this failure to properly install its gas and electrical conduit,
12 over the past several years seawater has increasingly inundated Capitola Village creating a
13 situation in which the Village sits under two to three feet of seawater for days at a time. Seawater
14 seeps into and infiltrates PG&E's trenches and is highly corrosive.

15 109. PG&E's failure to properly install its underground conduit in combination with the
16 increasing inundation of seawater throughout the Village has created a dangerous condition of
17 public and private property that creates a substantial risk of injury to members of the general public
18 including the visiting public and class members when the streets and buildings in the class
19 definition area are used with reasonable care and in a reasonable foreseeable manner. The danger
20 posed by the foregoing condition poses risk of serious bodily injury and/or death as demonstrated
21 by the explosion at 105 Lawn Way on Christmas Day 2024.

22 110. There is a substantial urgency to remedy this situation before further injury to life
23 or property occurs again.

24 111. The foregoing conditions for which PG&E is substantially responsible has created
25 a private nuisance in the following respects without limitation:

- 26 a. Causing a gas explosion which inflicted serious bodily injury, destroyed real and
27 personal property, released toxic debris and fire residue throughout Capitola
28 Village, and created an unsightly ruin in a high-traffic tourist area;

- 1 b. Creating and failing to remedy dangerous conditions with respect to the gas and
2 electric supply lines underneath the ground throughout Capitola Village, many of
3 which are out of compliance with CPUC regulations and/or General Orders,
4 including General Order 112-F section 144.3 and General Order 128 section 31.4,
5 and/or PG&E's internal guidelines, which, both with and without the periodic
6 inundation of seawater, places Plaintiffs and the class in a position where they are
7 fearful of further catastrophic explosions, and which places Plaintiffs, class
8 members and members of the general and visiting public at great risk of serious
9 bodily injury or death; and
- 10 c. Creating and failing to remedy dangerous conditions with respect to the gas and
11 electric supply lines beneath the ground throughout Capitola Village which create
12 reasonable fear, distress, and anxiety for Plaintiffs and the class that there is a real
13 risk of serious bodily injury or death.

14 112. PG&E created the private nuisance by and through its own reckless and/or grossly
15 negligent conduct and through the undertaking of abnormally dangerous activities.

16 113. The nuisance created by PG&E would be disturbing and annoying to a reasonable
17 person.

18 114. The nuisance created by PG&E has and is causing substantial interference to
19 Plaintiffs' and class members quiet use and enjoyment of their properties and businesses.

20 115. The seriousness of the harm caused by PG&E outweighs any social utility of its
21 conduct.

22 116. Plaintiffs did not consent to PG&E's conduct in creating the nuisance.

23 117. PG&E's conduct in creating the nuisance was a substantial factor in causing
24 Plaintiffs' and putative class members' harms.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Plaintiffs, and each of them, pray for judgment against Defendants, and
27 each of them, as follows:

- 28 1. For an injunction ordering Defendants to reveal and inspect all gas and electric

1 supply lines beneath the ground in the class definition area, to make the gas and electric supply
2 lines safe, to ensure that its active gas and electric supply lines are at the required distance from
3 any defunct or orphaned lines or to otherwise remove such orphaned lines to comply with
4 applicable regulations, orders, and guidelines, to determine the cause of the electrical
5 overheating/arcing event as described herein, and to ensure the active gas and electric supply lines
6 comply with all applicable laws and regulations, including, without limitation, CPUC General
7 Order 112-F section 144.3 and General Order 128 section 31.4, which require that gas and electric
8 supply lines be at least 12 inches apart from one another when paralleling and 6 inches apart when
9 crossing;

10 2. For an injunction requiring PG&E to establish a Joint Task Force with all
11 stakeholders participating or having an interest in the placement and construction of underground
12 utility lines throughout Capitola Village. The purpose and objective of such a Joint Task Force
13 should be to assure the safety of those living in, doing business in, and the safety those members
14 of the general public visiting Capitola Village. Establishment of this Joint Task Force is
15 necessitated by the dangerous conditions created by not only the improper placement and
16 maintenance of underground utilities contrary to regulations, General Orders and PG&E's own
17 internal guidelines, but in light of the increasing inundation of corrosive seawater which has the
18 capacity to further damage and disrupt the improperly installed and inadequately maintained
19 utilities. The members of this Joint Task Force should include representatives from PG&E,
20 residents and business owners in Capitola Village, representatives from the City of Capitola, as
21 well as representatives from other utilities using PG&E's trenches, such as AT&T, COMCAST
22 and other communication companies whose lines often intersect and contact those of PG&E.

23 3. For an Order certifying this action as a class action pursuant to California Code of
24 Civil Procedure section 382 and consistent with Federal Rule of Civil Procedure 23(b)(2), which
25 California jurisprudence establishes as persuasive authority;

26 4. For an Order appointing Plaintiffs as the class representative of the Class;

27 5. For an award of reasonable attorneys' fees and costs, as provided by law;

28 6. For such other and further relief as the Court may deem just and proper.

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JURY DEMAND

Plaintiffs demand a trial by jury on all issues so triable.

Dated: April 8, 2025

KERSHAW TALLEY BARLOW PC

By: _____



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