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FILED
Superior Court of California
County of Los Angeles
04/23/2025

David W. Stryker, Executive Officer / Clerk of Court

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Attorneys for Defendant City of Los Angeles Acting By and Through the Los Angeles Department of Water and Power

19 **Proposed Liaison Counsel for Individual**
20 **Plaintiffs**

21 **SUPERIOR COURT OF CALIFORNIA**

22 **COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE**

23 DAN GRIGSBY, et al.,
24 Plaintiffs,
25 vs.

Case No. 25STCV00832

[PROPOSED] CASE MANAGEMENT ORDER NO. 1

26 CITY OF LOS ANGELES ACTING BY
AND THROUGH THE LOS ANGELES
27 DEPARTMENT OF WATER AND POWER,
a government entity; and DOES 1 through 50,
28 inclusive,

Assigned to the Hon. Stuart M. Rice
Department 1

Action filed: January 13, 2025

1 Defendants.

2
3 **A. Complex Action**

4 On January 13, 2025, Plaintiffs filed a complaint in *Dan Grigsby, et al. v. City of Los Angeles*
5 *Acting By and Through The Los Angeles Department of Water and Power*, Case No. 25STCV00832
6 (“Lead Action”). Since then, at least 15 other actions have been filed, as further discussed in Section
7 B below. The Court has designated the Lead Action as complex within the meaning of the California
8 Standards of Judicial Administration for Complex Litigation Section 3.10, and California Rule of
9 Court (“Rule”) 3.400 (specifically, Rule 3.400(b)(2), (b)(3), and (b)(4)), and Rule 3.502.

10 Additionally, to the extent that they have not yet been deemed complex, the Court hereby
11 deems the matters referenced in Section B below (and listed in **Exhibit A**, attached) complex and
12 related under the Lead Action. Furthermore, the Court orders the matters identified in Exhibit A,
13 attached, consolidated for pre-trial purposes only, as these matters arise out of the same general set
14 of facts and circumstances and these cases seek damages caused by the same fire.

15 Pursuant to Code of Civil Procedure §§ 1010.6 and 187 and California Rules of Court, Rules
16 2.250, et. seq. and 3.751, and the stipulation of the Parties, the Court makes this Order to reduce the
17 costs of litigation and to facilitate case management, document retrieval, and case organization. The
18 Court finds that entry of this Order is necessary for the just, expeditious, and efficient litigation of
19 this action and that compliance with the terms herein will not result in unnecessary hardship or
20 significant prejudice to any of the parties in this matter.

21 This order applies to the matters identified in Exhibit A as well as any matter deemed related
22 to the Lead Action after the execution of this order. These consolidated cases shall be referred to as
23 the “Palisades Fire Litigation.”

24 **B. Related Actions in the Palisades Fire Litigation**

25 A list of cases filed in the Palisades Fire Litigation, that are related per this Order and are
26 each assigned to the Hon. Stuart M. Rice in Department 1 under the Lead Case of *Dan Grigsby, et*
27 *al. v. City of Los Angeles Acting By and Through The Los Angeles Department of Water and Power*,
28 Case No. 25STCV00832 is attached hereto as **Exhibit A**.

1 **C. Code Governs Where Silent**

2 Unless otherwise stated herein, or as to any matter as to which this Order is silent, the
3 California Code of Civil Procedure, the California Rules of Court, other applicable statutes, and the
4 Local Rules of this Court shall be controlling.

5 **D. Future Filed Actions for Consolidation**

6 The Parties anticipate that additional, related cases will be filed. Defendants shall include a
7 list of any newly filed and served lawsuits related to the Palisades Fire Litigation in each Joint Status
8 Conference Statement before each Status Conference. The lawsuits within this list are presumptively
9 related to the Palisades Fire Litigation, and the Court shall consolidate them into the Palisades Fire
10 Litigation for pretrial purposes unless a party demonstrates good cause not to consolidate.

11 **E. Plaintiff Organization**

12 **i. Individual Plaintiffs Liaison Counsel**

13 Individual Plaintiffs are a group of individuals, whether persons or business entities, seeking
14 damages arising from the Palisades Fire. Currently the Individual Plaintiffs in the Palisades Fire
15 Litigation are represented by various law firms listed in **Exhibit B**, hereto.

16 For convenience and efficiency, the preponderance of counsel representing Individual
17 Plaintiffs have selected Alexander Robertson, IV of Robertson & Associates, LLP; Roger Behle and
18 Robert Curtis of Foley Bezek Behle & Curtis, LLP, Kevin Boyle and Matthew Stumpf of Boyle
19 Law, P.C.; and Peter McNulty of McNulty Law Firm and E. Kirk Wood of the Wood Law Firm as
20 Liaison Counsel in the Palisades Fire Litigation. Details on Liaison Counsels roles are addressed
21 below.

22 **ii. Individual Plaintiffs' Steering Committee and Common Cost Fund**

23 Individual Plaintiffs have agreed to form a Steering Committee, which shall work in
24 collaboration with Liaison Counsel to conduct discovery and prepare the Individual Plaintiffs' cases
25 for trial. The following firms shall serve on this Steering Committee:

- 26 1. Walter Lack and Dan Whalen, Engstrom Lipscomb & Lack;
27 2. Jim Frantz, Frantz Law Group, APLC
28 3. Ellen Wolf, Wolf Wallenstein, PC

1 As new cases are filed and additional Individual Plaintiffs’ attorneys join the litigation, they
2 may agree to sign the Joint Prosecution Agreement and join the Steering Committee.

3 Individual Plaintiffs’ Liaison Counsel and all members of the Individual Plaintiffs’ Steering
4 Committee shall jointly advance the funds necessary to prosecute Individual Plaintiffs’ case. These
5 funds shall be held in a joint account and administered by a committee established by the Steering
6 Committee. If necessary, the Individual Plaintiffs’ Steering Committee may request appointment of
7 a retired judicial officer to oversee this fund and/or process. These assessments shall be considered
8 advances that are reimbursed by a common cost assessment to be proposed in a case management
9 order.

10 Joint costs include the following: liability work-up, including deposition costs; a joint
11 evidence repository system; joint liability expert costs; etc. They do not include travel costs, meals,
12 lodging for attorneys, or any other related costs.

13 The Individual Plaintiff’s Steering Committee shall prepare and propose a “common costs”
14 order in which a percentage of the recovery (not to exceed 1%) of all individual plaintiff settlements,
15 judgments or arbitration awards shall be withheld and deposited into the common costs fund. A sub-
16 committee shall be formed for the specific purpose of administering, distributing and accounting for
17 any such funds. Any funds collected or disbursed from the Individual Plaintiff common cost fund
18 shall solely be dedicated to Individual Plaintiff common costs and shall not be used for any other
19 purpose.

20 No member of the Steering Committee shall have any right to seek or obtain attorneys’ fees
21 from any matter in which they are not counsel of record for that specific client, whether
22 characterized as a “common benefit fee” or otherwise, and neither Liaison Counsel nor any other
23 member of the Steering Committee shall seek or receive any such common benefit attorney fees.

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1 **iii. Role of Liaison Counsel**

2 Liaison Counsel shall have the duties and responsibilities of a spokesperson and coordinator
3 generally.

4 The Court does not appoint Liaison Counsel with the authority to make decisions to bind
5 significant issues in the cases of others. The designation of Liaison Counsel confers no benefits or
6 right to attorney’s fees or other rights.

7 Each attorney in this case is representing their own client(s), and the designation of particular
8 attorneys as Liaison Counsel confers no rights or responsibilities from a lawyer to people who are
9 not their clients. The purpose is purely for there to be a smaller group of people within the three
10 Plaintiff Groups with whom Defense Counsel can coordinate to move the case along and keep the
11 Court and their respective groups informed of the progress in filings and during Court proceedings:

12 Should Defendants need an extension of time to take an act (for example an extension on a
13 filing or deposition), Defense Counsel may rely upon a communication from Liaison Counsel to
14 bind the entire group of Individual Plaintiffs. Liaison Counsel is instructed to attempt to meet and
15 confer with all Individual Plaintiffs as time permits but Liaison Counsel may bind the Individual
16 Plaintiffs’ group to extensions when there are time constraints that do not allow a meeting of the
17 entire group.

18 Following a Status Conference, or other hearing, Liaison Counsel shall coordinate and
19 prepare a Notice of Ruling to be e-served on the Parties via Case Anywhere of any matters at the
20 Status Conference or hearing that need to be addressed via a Notice of Ruling.

21 Liaison Counsel shall also take responsibility for working with Defendants to prepare joint
22 reports to the Court, subject to the ability of counsel for any plaintiff to set forth a different position
23 in the joint report if counsel does not agree with the position set forth by the other plaintiffs in the
24 joint report.

25 Liaison Counsel shall organize briefing in the Lead Case directed to common issues.

26 **F. Service by Electronic Service Provider Case Anywhere**

27 The Parties have agreed to, and the Court has ordered the use of, Case Anywhere, an
28 electronic case management system, for electronic service of documents in the Lead Case and in

1 each case consolidated under the Lead Case, even if the filing does not implicate the Lead Case.
2 For substantive filings, courtesy hard copies shall be provided to the Court.¹

3 Case Anywhere will maintain and update a global service list of all Counsel and Parties.
4 Parties shall notify Case Anywhere via email to support@caseanywhere.com when any changes or
5 updates are needed to the Electronic Service List.

6 Use of Case Anywhere shall apply only to the service of documents and not to their filing.
7 Original documents must still be filed pursuant to the applicable California Code of Civil Procedure
8 and Local Rules of Court.

9 In accordance with California Code of Civil Procedure section 1010.6(a)(4)(B), any period
10 of notice, or any right or duty to do any act or make any response within any period or on a date
11 certain after the service of the document, which time period or date is prescribed by statute or rule
12 of court, shall be extended after service by Case Anywhere by two court days, subject to the
13 exceptions noted in section 1010.6(a)(4)(B).

14 The Parties agree to make every effort to load all orders, previously served pleadings, and
15 written discovery requests and responses to the Case Anywhere Palisades Fire site such that the site
16 contains a history of all previously served materials; however, bates labeled documents produced in
17 discovery will not be uploaded to Case Anywhere but rather served on all Parties identified in the
18 Case Anywhere Electronic Service List.

19 The Court has also instructed the Parties to utilize the Case Anywhere Message Board to
20 allow for communication between the Court and Counsel. All Case Anywhere Message Board
21 postings to the Court shall be jointly submitted by the Parties. All Message Board postings to the
22 Court should include brief statements describing what is at issue.

23 **G. Court Transcripts**

24 The Parties have agreed to cooperate and coordinate with Coalition Court Reporters of Los
25 Angeles (hereinafter “CCROLA”) to create a standing order to receive a shared copy of a transcript
26 of all Court hearings in this case.
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28 ¹ [NTD: The City must be served per the Government Code]

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The Parties will confer with CCROLA regarding arrangements to the mutual satisfaction of CCROLA and the Parties. Upon reaching such an agreement, the Parties will provide a related proposed Order to the Court.

IT IS SO ORDERED.



A handwritten signature in black ink that reads "Stuart M. Rice".

Dated: 07/14/25, 2025

Stuart M. Rice / Judge

Hon. Stuart M. Rice
Judge of the Superior Court

EXHIBIT A

EXHIBIT A

LIST OF CASES FILED

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1. *GRIGSBY, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV00832;
2. *SAMMARTINO,, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV04627;
3. *HOLZMAN, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV07152;
4. *HELMINTOLLER, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV08053;
5. *AFN DEVELOPMENT, LLC, et al. v. CITY OF LOS ANGELES*, LASC Case No. 25STCV08270;
6. *PERKAL, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV08363;
7. *SMITH, et al. v. . CITY OF LOS ANGELES*, LASC Case No. 25STCV08564;
8. *MORRISSEY, et al. v. CITY OF LOS ANGELES*, LASC Case No. 25STCV09858;
9. *LAURIENT, et al. v. CITY OF LOS ANGELES*, LASC Case No. 25STCV010431;
10. *LOBL, et al. v. CITY OF LOS ANGELES*, LASC Case No. 25STCV010431;
11. *AFSHAR v. CITY OF LOS ANGELES, et al.*, LASC Case No. 25STCV06359;
12. *PARODI v. LOS ANGELES DEPARTMENT OF WATER AND POWER, et al.*, LASC Case No. 25STCV07459;
13. *PRATT v. CITY OF LOS ANGELES, et al.*, LASC Case No. 25STCV01720;
14. *HINDS v. LOS ANGELES DEPARTMENT OF WATER AND POWER, et al.*, LASC Case No. 25STCV07449;
15. *MARR v. CITY OF LOS ANGELES, et al.*, LASC Case No. 25STCV09869;
16. *BOYLE LAW PC v. CITY OF LOS ANGELES, et al.*, 25STCV08248;
17. *DE ROBERTIS v. CITY OF LOS ANGELES, et al.*, LASC Case No. 25STCV07863;
18. *CSOMBO v. CITY OF ANGELES, et al.*, LASC Case No. 25STCV03587.

EXHIBIT B

1 **EXHIBIT B**

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14 *25STCV08363 (Perkal), 25STCV08564 (Smith), 25STCV09858 (Morrissett), 25STCV010431*
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 32121 Lindero Canyon Road, Suite 200, Westlake Village, CA 91361.

On April 16, 2025, I served true copies of the following document(s) described as **[PROPOSED] CASE MANAGEMENT ORDER NO. 1** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address arusso@arobertsonlaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 16, 2025, at Westlake Village, California.



Ann Russo

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