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Exempt from filing fees under Gov.
Code Section 6103

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF RIVERSIDE

10
11 **CALIFORNIA DEPARTMENT OF FORESTRY**
12 **AND FIRE PROTECTION,**
13 **Plaintiff,**
14 **v.**
15 **SOUTHERN CALIFORNIA EDISON, A**
16 **CALIFORNIA CORPORATION, AND**
17 **DOES 1-50, INCLUSIVE,**
18 **Defendants.**

Case No. **CVSW2107612**

COMPLAINT FOR FIRE COST RECOVERY

[Health & Safety Code §§ 13009, 13009.1]

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20 [Note—Pursuant to California Code of Civil Procedure sections 446, subdivision (a) and
21 431.30, subdivision (d), your answer to this complaint is required to be a verified answer, not a
22 general denial.]
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1 Plaintiff California Department of Forestry and Fire Protection (CAL FIRE) alleges as
2 follows:

3 INTRODUCTION

4 1. On September 4, 2019, a fire started in wildland near the Northwest corner of the
5 Tenaja Road and Clinton Keith Road intersection (Site) in Murrieta, California. The fire is now
6 known as the Tenaja fire.

7 2. On information and belief, the electrical equipment in the area where the Tenaja fire
8 originated is owned and/or operated by Defendant Southern California Edison (SCE).

9 3. Defendants' electrical equipment failed and started the Tenaja fire because defendants
10 failed to properly design, install, operate, inspect, and/or maintain their electrical power lines
11 (hereafter, Lines) and/or associated devices, poles, and equipment (hereafter, Equipment).

12 4. Defendants' failures resulted in their Lines and/or Equipment coming into sufficiently
13 close proximity to one another to cause an electrical arc. The resultant arcing caused by
14 defendants' Lines and Equipment ejected molten metal particles or sparks into adjacent receptive
15 fuel beds of dry vegetation. As a result, the Tenaja fire ignited and expanded.

16 5. By the time the Tenaja fire was fully contained, it burned approximately 1,939 acres
17 of annual grasses, brush, and oak woodland.

18 6. Health and Safety Code sections 13009 and 13009.1 authorize CAL FIRE to recover
19 its fire suppression costs associated with putting out the fire, along with investigation,
20 administrative, accounting, and collection costs, when a defendant negligently, or in violation of
21 law, sets a fire or allows a fire to be set.

22 7. CAL FIRE is also entitled to recover expert fees, reasonable attorney fees, and costs
23 pursuant to Code of Civil Procedure section 1021.8.

24 8. Finally, CAL FIRE is also entitled to pre-judgment interest pursuant to Civil Code
25 section 3287.

26 9. Consequently, CAL FIRE seeks those amounts against the defendants named herein.
27 Through negligence and violations of law, the defendants, and each of them, set the Tenaja fire or
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1 allowed it to be set, as more fully alleged below. All of the allegations in this complaint occurred
2 on or about September 4, 2019, and are made on information and belief, unless otherwise noted.

3 10. On February 8, 2021, CAL FIRE sent a letter of demand to SCE. As of the date of
4 filing this complaint, SCE has not paid any amount of CAL FIRE's demand.

5 **PARTIES**

6 11. CAL FIRE is, and at all times herein was, a state agency created within the California
7 Natural Resources Agency. (Pub. Resources Code, § 701.) CAL FIRE is responsible for
8 providing fire protection, fire prevention, maintenance, and enhancement of the state's forest,
9 range, and brushland resources, contract fire protection, associated emergency services, assistance
10 in civil disasters and other non-fire emergencies, and for enhancing and enforcing forest and fire
11 laws. (Pub. Resources Code, §§ 713, 714.) CAL FIRE is authorized to file suit pursuant to
12 Government Code section 945.

13 12. The defendants are "persons" within the meaning of Health and Safety Code section
14 19 and Public Resources Code section 4101.

15 13. CAL FIRE is informed and believes, and on that basis alleges, that Defendant SCE is a
16 public utility and California corporation within and subject to the jurisdiction of the California
17 Public Utilities Commission. SCE's principal place of business is in Rosemead, California. CAL
18 FIRE is informed and believes, and on that basis alleges, that at all times relevant to this
19 complaint, SCE owned, operated, and was responsible for Lines and Equipment at the Site that
20 caused the arcing events that ejected molten metal particles into adjacent receptive fuel beds of
21 dry vegetation causing the Tenaja fire.

22 14. The true names and capacities of defendants Does 1 through 50, inclusive, whether
23 corporate, individual, or otherwise, are unknown to CAL FIRE, which therefore sues such
24 defendants by fictitious names. CAL FIRE will seek leave of court to amend this complaint to
25 show their true names and capacities when they have been ascertained. On information and belief,
26 the Doe defendants, and each of them, are connected to and responsible for the acts complained
27 of herein.
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1 15. CAL FIRE is informed and believes, and thereon alleges, that, at all times relevant
2 herein, each of the defendants was the agent and/or employee of, and/or engaged in a joint
3 venture with, each of the other defendants, and in doing the acts alleged herein, was acting within
4 the course and scope of such agency, employment, or joint venture.

5 **JURISDICTION AND VENUE**

6 16. The Court has jurisdiction to hear the claims alleged in this complaint and is
7 competent to grant the relief requested. The amount in controversy exceeds the minimal
8 jurisdictional limits of this Court.

9 17. Venue is proper in Riverside County because the Tenaja fire burned in, and CAL
10 FIRE incurred costs in, Riverside County, giving rise to obligations and liability herein alleged
11 against each defendant, and because defendants reside in, manage, own, operate, possess, or lease
12 property in, do or have done business in, and/or employ agents or employees within Riverside
13 County.

14 **GENERAL ALLEGATIONS**

15 18. Electric arcing due to energized power lines is a known cause of fires. When electric
16 arcing occurs near a receptive fuel bed such as vegetation, it is foreseeable that the electrical
17 discharge may eject sparks, molten metal, and other hot material into the adjacent vegetation and
18 cause a fire.

19 19. Defendant SCE installs, constructs, builds, maintains, manages, owns, and operates
20 electrical equipment throughout Southern California for the purpose of transmitting and
21 distributing electricity to the general public.

22 20. On information and belief, at all times relevant to this complaint, Defendant SCE
23 owned and operated electrical equipment located near the intersection of Tenaja Road and Clinton
24 Keith Road in Murrieta, California, the Site where the Tenaja fire started.

25 21. On information and belief, in the area around the Site, Defendant SCE provides power
26 to a 33 kilovolt (kV) "Wildomar Circuit," which includes Lines and Equipment such as utility
27 poles and power lines.

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1 22. On information and belief, on September 4, 2019, SCE's 33 kV Wildomar Circuit was
2 energized.

3 23. On information and belief, on September 4, 2019, SCE owned and operated utility
4 poles number 4532048E (Pole 1) and number 2225276E (Pole 2), located at the Site.

5 24. On information and belief, on September 4, 2019, SCE's Pole 1 and 2, and the Lines
6 and Equipment connected thereto, were part of the Wildomar 33 kV circuit.

7 25. On information and belief, on September 4, 2019, three SCE power lines ran between
8 and were connected to SCE's Poles 1 and 2.

9 26. On information and belief, on September 4, 2019, SCE's three power lines were
10 arranged vertically on Pole 1 and transitioned to a horizontal arrangement on Pole 2.

11 27. On information and belief, prior to September 4, 2019 due to vehicles hitting Pole 1
12 and/or 2, SCE reconfigured its Lines and Equipment in the area around and/or between Poles 1
13 and 2.

14 28. On information and belief, on September 4, 2019, the temperature at the Site at or
15 around the time the Tenaja fire started was between 90 to 100 degrees Fahrenheit and winds were
16 reported to be in the 20-25 mile per hour range.

17 29. On information and belief, on September 4, 2019, SCE's power lines touched or
18 became close enough to cause an arc.

19 30. An arc event occurred due to SCE's power lines' being sufficiently close in proximity
20 to each other, which resulted in molten metal particles and/or sparks being ejected onto the dry
21 vegetation. Thus, Defendant SCE's Lines and Equipment caused the Tenaja fire.

22 31. The Tenaja fire burned approximately 1,939 acres of wildland, beginning on property
23 owned by the Riverside County Region Park and Open Space District and spreading to property
24 owned by the California Department of Fish and Wildlife.

25 32. As a direct, foreseeable, and proximate consequence of defendants' negligence and
26 violations of law described in this complaint, the Tenaja fire burned approximately 1,939 acres of
27 mixed wildland.

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1 33. The Tenaja fire burned out of defendants' control, onto property they did not own, and
2 damaged or destroyed property owned by others.

3 34. CAL FIRE is informed and believes, and thereon alleges, that defendants designed,
4 installed, controlled, operated, and were responsible for inspecting and/or maintaining the Lines
5 and Equipment described herein at all relevant times.

6 35. Defendants were engaged in activities related to the supply of electricity and/or
7 telecommunications to members of the public at all times relevant to this complaint. In that
8 capacity, defendants were responsible for designing, installing, constructing, inspecting,
9 maintaining, and/or operating the Lines and Equipment described herein, which are in
10 mountainous land, or forest-covered land, brush-covered land, or grass-covered land, and each
11 had a duty to meet all obligations under Public Resources Code sections 4421, 4422, 4292, and
12 4293, Health and Safety Code sections 13000 and 13001, and Public Utility Commission General
13 Order 95 (General Order 95).

14 36. Defendants, and each of them, failed to properly design, install, construct, operate,
15 maintain, and/or inspect the Lines and Equipment, as described herein, so as to mitigate or
16 remove the reasonably foreseeable fire hazard that electrical Lines and Equipment present.

17 37. As a direct, foreseeable, and proximate consequence of defendants' failures to
18 properly design, install, operate, inspect, and maintain the Lines and Equipment, defendants'
19 Lines and Equipment created conditions that set a fire or allowed a fire to be set, including, but
20 not necessarily limited to, the Lines and Equipment contacting or coming sufficiently close to
21 each other and creating molten metal and/or sparks that fell into the adjacent receptive vegetation
22 as described above, igniting the Tenaja fire.

23 38. As alleged herein, defendants, and each of them, set the Tenaja fire or allowed the
24 Tenaja fire to be set negligently and in violation of the law, including but not limited to Public
25 Resources Code sections 4421, 4422, 4292, and 4293, Health and Safety Code sections 13000
26 and 13001, and General Order 95, and allowed the fire to escape control and to burn public
27 property.
28

1 39. As a direct, foreseeable, and proximate consequence of the Tenaja fire, CAL, acting
2 by and through its firefighting units, incurred reasonable costs to be determined at trial to
3 suppress the Tenaja fire, and incurred investigation, administrative, accounting, and collection
4 costs. As of the time of filing this complaint, CAL FIRE has incurred and will continue to incur
5 additional administrative, collection, and litigation costs as a result of the Tenaja fire.

6 40. CAL FIRE is informed and believes, and thereon alleges that as a direct, foreseeable,
7 and proximate result of the defendants' negligence and violations of the law described herein,
8 CAL FIRE incurred fire suppression costs, investigation and report-making costs, and costs
9 relating to accounting for the Tenaja fire and the collection of funds pursuant to Health and Safety
10 Code sections 13009 and 13009.1, including, but not limited to, the administrative costs of
11 operating a fire suppression cost recovery program. These costs were incurred in suppressing the
12 Tenaja fire, were the proximate result of the wrongful conduct of defendants, and each of them,
13 and were reasonably incurred by CAL FIRE.

14 41. Code of Civil Procedure section 1021.8 provides that whenever the Attorney General
15 prevails in an action to enforce Health and Safety Code sections 13009 and 13009.1, the Court
16 shall award to the Attorney General all costs of investigation and prosecuting the action,
17 including expert fees, reasonable attorney fees and costs.

18 42. Civil Code sections 3287 and 3289 allow for CAL FIRE to recover pre-judgment
19 interest at a rate at a rate of 10 percent per annum from the date of CAL FIRE's letter of demand.

20 **FIRST CAUSE OF ACTION**
21 **(Health & Safety Code §§ 13009 and 13009.1 Cost Recovery – Against All Defendants)**

22 43. CAL FIRE incorporates each and every prior allegation of this complaint by reference
23 as if fully set forth herein.

24 **A. Negligence**

25 44. Pursuant to Health and Safety Code sections 13009 and 13009.1, any person who
26 negligently sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to
27 escape onto any public or private property is liable for fire suppression, investigative, and other
28 administrative costs incurred by CAL FIRE as a result of said fire.

1 45. Defendants, and each of them, owed the public and CAL FIRE a duty to exercise
2 reasonable care in the design, installation, operation, inspection, and maintenance of the Lines
3 and Equipment, including properly and safely designing, installing, operating, inspecting, and
4 maintaining their Lines and Equipment.

5 46. CAL FIRE is informed and believes, and thereupon alleges, that defendants, and each
6 of them, breached their duty to exercise care in the design, installation, operation, inspection, and
7 maintenance of their Lines and Equipment, including by failing to properly design, install,
8 operate, inspect, and/or maintain the Lines and Equipment in a careful and safe manner,
9 including, but not limited to, ensuring that the Lines and Equipment were appropriately designed
10 and installed, properly maintained, properly kept at the proper tension and integrity, were
11 properly inspected, were properly cleared of surrounding vegetation, and remained a safe distance
12 apart from other Lines and Equipment and materials on the ground and adjacent vegetation, and
13 as a result caused an unnecessary risk of a fire and/or caused the Lines and Equipment to be in
14 violation of any of the Public Resources Code sections referenced below and/or applicable Public
15 Utility Commission General Order rules.

16 47. As a result of defendants' breaches, the arcing of the energized Lines and Equipment
17 melted portions of the Lines, which cast hot material capable of starting a fire, including but not
18 necessarily limited to molten metal and/or sparks, into adjacent receptive, dry vegetation in the
19 area of the Lines and Equipment as described above, igniting the Tenaja fire.

20 48. CAL FIRE is informed and believes, and thereupon alleges, that defendants knew or
21 should have known that it was foreseeable that their acts, omissions, and/or carelessness in failing
22 to exercise ordinary care in the design, installation, inspection, operation, and maintenance of the
23 Lines and Equipment could be harmful to others, including through damage caused by a fire.

24 49. Moreover, wildland fires such as the Tenaja fire ordinarily do not happen in the
25 absence of negligence. Defendants had exclusive control and management of their Lines and
26 Equipment. Defendants have superior access to information concerning the precise cause of the
27 events leading to the Tenaja fire, and CAL FIRE did not cause or contribute to the events that
28 created the harm alleged in this complaint. Defendants' negligence, accordingly, may be inferred

1 from the general facts alleged in this complaint.

2 50. Defendants' violations of law identified below were a direct, foreseeable, actual, and
3 legal cause of the Tenaja fire, and thus defendants were also negligent *per se*.

4 51. CAL FIRE reasonably has incurred substantial fire suppression, investigative, and
5 other administrative costs and will continue to incur investigative and other administrative costs
6 as a direct and proximate result of defendants' negligence in causing the Tenaja fire.

7 52. Because defendants, and each of them, negligently set the Tenaja fire and/or
8 negligently allowed the Tenaja fire to be set and cause the harm alleged in this complaint,
9 defendants, and each of them, are liable for CAL FIRE's fire suppression, investigation,
10 administrative, accounting, and collection costs sought herein and to be proved at trial that arose
11 as a direct, foreseeable, and proximate consequence of the Tenaja fire as herein alleged pursuant
12 to Sections 13009 and 13009.1.

13 **B. Violation of Law - Public Resources Code sections 4421, 4422, 4292, 4293,
14 4435**

15 53. Pursuant to Health and Safety Code sections 13009 and 13009.1, any person who, in
16 violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him
17 or her to escape onto any public or private property is liable for fire suppression, investigative,
18 and other administrative costs incurred by CAL FIRE as a result of said fire.

19 54. CAL FIRE is informed and believes, and thereon alleges, that defendants, and each of
20 them, caused fire to be set to brush or other flammable material on land that is not under
21 defendants' legal control without the permission of the owner, lessee, or agent of the owner or
22 lessee of the land in violation of Public Resources Code section 4421.

23 55. CAL FIRE is informed and believes, and thereon alleges, that defendants, and each of
24 them, allowed the Tenaja fire, kindled by them, to escape from their control and to spread to the
25 land of persons other than from the land from which the fire originated in violation of Public
26 Resources Code section 4422, subdivision (b).

27 56. CAL FIRE is informed and believes, and thereon alleges, that SCE's 33 kV Wildomar
28 circuit ignited the Tenaja fire as described above. CAL FIRE is further informed and believes,

1 and thereon alleges, that defendants, and each of them, violated Public Resources Code section
2 4292 because defendants each constitute a “person that owns, controls, operates, or maintains any
3 electrical transmission or distribution line upon any mountainous land, or in forest-covered land,
4 brush-covered land, or grass-covered land,” and defendants each failed to maintain around and
5 adjacent to the Lines and Equipment at issue a firebreak which consists of a clearing of not less
6 than ten feet in each direction from the outer circumference of the poles during a time and in an
7 area determined to be necessary by the director or the agency which has primary responsibility for
8 fire protection of such areas.

9 57. CAL FIRE is informed and believes, and thereon alleges, defendants, and each of
10 them, violated Public Resources Code section 4293 because defendants each constitute a “person
11 that owns, controls, operates, or maintains any electrical transmission or distribution line upon
12 any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land,” and
13 defendants each failed to maintain between the Lines at issue herein a clearance of four feet in all
14 directions during a time and in an area determined to be necessary by the director or the agency
15 which has primary responsibility for fire protection of such areas.

16 58. Public Resources Code section 4435 provides, in pertinent part, that “[i]f any fire
17 originates from the operation or use of any . . . device which may kindle a fire, the occurrence of
18 the fire is prima facie evidence of negligence in the maintenance, operation, or use of such . . .
19 device. If such fire escapes from the place where it originated and it can be determined which
20 person’s negligence caused such fire, such person is guilty of a misdemeanor.” CAL FIRE is
21 informed and believes and on that basis alleges that defendants, and each of them, designed,
22 installed, inspected, maintained, and/or operated the Lines and Equipment, which may kindle a
23 fire, and which caused the Tenaja fire to ignite and escape as described above, in violation of
24 Public Resource Code section 4435.

25 59. Because defendants, and each of them, violated Public Resources Code sections 4421,
26 4422, 4292, and 4293, and 4435, each defendant directly, foreseeably, and proximately caused
27 CAL FIRE to incur suppression, investigation, administrative, accounting, and collection costs
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1 arising from the Tenaja fire as alleged herein, defendants, and each of them, are liable to CAL
2 FIRE for those costs pursuant to Sections 13009 and 13009.1.

3 **C. Violation of Law - Health & Safety Code sections 13000 and 13001**

4 60. Health and Safety Code section 13000 provides that “[e]very person is guilty of a
5 misdemeanor who allows a fire kindled or attended by him to escape from his control or to spread
6 to the lands of any person other than the builder of the fire without using every reasonable and
7 proper precaution to prevent the fire from escaping.”

8 61. Health and Safety Code section 13001 provides that “[e]very person is guilty of a
9 misdemeanor who, through careless or negligent action, throws or places any lighted cigarette,
10 cigar, ashes, or other flaming or glowing substance, or any substance or thing which may cause a
11 fire, in any place where it may directly or indirectly start a fire, or who uses or operates a welding
12 torch, tar pot or any other device which may cause a fire, who does not clear the inflammable
13 material surrounding the operation or take such other reasonable precautions necessary to insure
14 against the starting and spreading of fire.”

15 62. CAL FIRE is informed and believes, and thereon alleges, that defendants, and each of
16 them, allowed the Tenaja fire, kindled by them, to escape from their control and to spread to the
17 land of persons other than SCE without using every reasonable and proper precaution to prevent
18 the fire from spreading, as alleged herein.

19 63. The defendants’ Lines and Equipment that supplied and distributed electricity to the
20 Site and that were also involved in igniting the Tenaja fire constitute a thing or device which may
21 cause a fire within the meaning of Health and Safety Code section 13001.

22 64. CAL FIRE is informed and believes, and thereon alleges, that defendants, and each of
23 them, operated the Lines and Equipment in a manner that could and did place a glowing or
24 flaming substance in a place where it caused a fire, and/or defendants used or operated their Lines
25 and Equipment without taking reasonable precautions necessary to insure against the starting and
26 spreading of fire as alleged herein.

27 65. Because defendants, and each of them, violated Health and Safety Code sections
28 13000 and 13001, directly, foreseeably, and proximately causing CAL FIRE to incur suppression,

1 investigation, administrative, accounting, and collection costs arising from the Tenaja fire as
2 alleged herein, defendants, and each of them, are liable to CAL FIRE for those costs pursuant to
3 Sections 13009 and 13009.1.

4 **D. Violation of Law – General Order 95**

5 66. Upon information and belief, defendants are public utilities within and subject to the
6 jurisdiction of the California Public Utilities Commission and required to comply with rules and
7 regulations promulgated by the California Public Utilities Commission, including but not limited
8 to Code sections, standards, general orders, and guidelines, for the safe operation of its Lines and
9 Equipment, including General Order 95. (See Cal. Pub. Util. Code § 216; General Order 95, Rule
10 12.)

11 67. Public Utilities Code section 399.2, subdivision (a) states that electrical corporations
12 shall provide electrical service in a safe and reliable manner, Public Utilities Code section 451
13 provides that public utilities shall furnish and maintain such service and facilities as to promote
14 the safety and health of its patrons and the public, Public Utilities Code section 702 provides that
15 public utilities shall obey and comply with every order prescribed by the commission, and Public
16 Utilities Code section 8386, subdivision (a) states that electrical corporations must operate
17 equipment in a manner that will minimize the risk of wildfire.

18 68. General Order 95, Rule 12.2 2 (Maintenance of Lines), Rule 43.2 (Light Loading),
19 Rule 44.1 (Installation and Reconstruction), Rule 44.2 (Additional Construction), and Rule 44.3
20 (Replacement) provide that lines and portions of lines shall be installed, reconstructed, replaced,
21 added to, and maintained in such condition as to provide not less than specifically enumerated
22 safety factors and requirements regarding wind pressure, temperature, and deadweight.

23 69. General Order 95, Rule 31.1 provides that electrical supply systems shall be designed,
24 constructed, and maintained for their intended use, with regard being given to the conditions
25 under which they are to be operated, to enable the furnishing of safe, proper, and adequate
26 service, and that maintenance should be done in accordance with accepted good practice for the
27 given local conditions known at the time, and that certain uses and local conditions require a
28 higher standard to enable the furnishing of safe, proper, and adequate service.

1 70. General Order 95, Rule 31.2 provides that lines shall be inspected frequently and
2 thoroughly for the purpose of insuring that they are in good condition so as to conform with
3 General Order 95's rules.

4 71. General Order 95, Rule 38 specifies minimum vertical, horizontal or radial clearances
5 of wires from other wires based on a temperature of 60 degrees Fahrenheit and no wind.

6 72. Due to defendants' acts, omissions, and carelessness as alleged hereinabove,
7 defendants operated their Lines and Equipment in an unsafe and unacceptable manner.
8 Defendants failed to properly design, install, construct, operate, maintain, and/or inspect their
9 Lines and Equipment and implement measures to mitigate the risk of arcing, such as assuring the
10 proper spacing of its Lines and Equipment at a proper distance from each other so that they would
11 not swing and touch each other, and defendants knew or should have known that given the
12 existing and known weather and fire-risk conditions that there was a foreseeable and proximate
13 risk of causing a fire, and these factors were concurrent and/or substantial factors in causing the
14 arcing events that ignited the Tenaja fire and thereby violated the above-referenced General Order
15 95 rules, among other violations.

16 73. Due to defendants' acts, omissions, and carelessness as alleged herein, defendants
17 designed, installed, operated, maintained, and/or inspected their Lines and Equipment in a manner
18 inconsistent with its intended use and inadequate for the conditions under which it was to be
19 operated and thereby violated Public Utilities Code sections 399.2, 451, 8386 and the above-
20 referenced General Order 95 rules, among other violations.

21 74. Because defendants violated Public Utilities Code sections and General Order 95
22 rules, including but not limited to those sections and rules stated above, and directly, foreseeably,
23 and proximately caused CAL FIRE to incur suppression, investigation, administrative,
24 accounting, and collection costs arising from the Tenaja fire as alleged herein, defendants are
25 liable to CAL FIRE for those costs pursuant to Sections 13009 and 13009.1.
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27
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1 **PRAYER FOR RELIEF**

2 WHEREFORE, CAL FIRE prays for judgment against the defendants, and each of them, as
3 follows:

4 1. For recovery of fire suppression, investigation, report-making, administrative,
5 accounting, and collection costs incurred by CAL FIRE related to the Tenaja fire, in an amount to
6 be determined at trial according to proof as allowed by Health and Safety Code sections 13009
7 and 13009.1;

8 2. For all costs of investigating and prosecuting this action, including expert fees,
9 reasonable attorney fees, and costs as provide in Code of Civil Procedure section 1021.8;

10 3. For pre-judgment interest as provided for by Civil Code sections 3287 and 3289 and
11 as allowed by law;

12 4. For post-judgment interest as allowed by law; and

13 5. For such other and further relief as this Court deems just and proper.

14
15 Dated: September 2, 2021

Respectfully submitted,

16 ROB BONTA
17 Attorney General of California
18 GARY E. TAVETIAN
Supervising Deputy Attorney General

19 **Ross**
20 **Hirsch**  Digitally signed by
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