

PG&E San Bruno Explosion Cases



BY AMANDA L. RIDDLE, ESQ.

On a quiet Thursday night in September 2010, residents of the Crestmoor neighborhood in San Bruno settled in to watch the first football game of the season. Minutes later, they were startled by a loud rumbling. Many assumed it was an earthquake. But the rumbling was suddenly followed by a blast, with flames shooting over a hundred feet into the air. The flames were accompanied by unbearable heat and a roaring sound that was likened to the Blue Angels landing on your front lawn.

The media quickly reported that a

plane had crashed into the neighborhood following take-off from SFO. Reporters raced to be the first to identify the plane.

But there was no plane. Rather a 30-inch natural gas transmission line, owned and operated by utility giant Pacific Gas & Electric Company (“PG&E”), had ruptured and exploded beneath the neighborhood. The line ran directly through the center of the neighborhood, and had been improperly maintained by PG&E since it was installed in the 1950s. The residents were never told that it lay beneath their homes, and were unaware that they were living on top of a ticking time bomb.

EIGHT RESIDENTS KILLED

Eight residents, including two children, were killed. Dozens of others were burned and injured. Hundreds of people ran for their lives, the monstrous flames roaring and the heat scalding their skin as they fled. Due to the lack of emergency training of its personnel, it took PG&E over 90 minutes to shut off the flow of gas, with the gas continuing to fuel the flames in the interim. Forty homes were destroyed, and dozens of other were damaged.

Over the following three years, members of the San Mateo County legal community led by Frank Pitre, Dario de Ghetaldi, Amanda Riddle, and Jerry Nastari, along with Donald Dow-

ling, and Mike Danko, and 17 other firms around the state, represented the plaintiffs in their claims against PG&E. Over 180 cases, involving approximately 500 plaintiffs, were filed. The claims ranged from personal injury to property damage to nuisance, with emotional distress claims, resulting from diagnoses of Post-Traumatic Stress Disorder, prevalent amongst the plaintiffs, including for many young children who were victims of the explosion.

The Hon. Steven Dylina presided over the coordinated proceeding. Plaintiffs easily defeated PG&E's motion for summary adjudication on the issue of punitive damages with mountains of evidence that showed that PG&E knew or should have known that the pipe was never properly maintained, and that its existence posed a risk of death or injury to the residents of the neighborhood. Plaintiffs' counsel uncovered evidence that PG&E had minimal records regarding the nature and installation of the pipe, that it had artificially spiked the pressure in the pipe to avoid required testing by regulatory agencies, resulting in stress to and weakening of



The ruptured pipeline

the already faulty welds in the pipe, and that employees of PG&E believed that if the pipe were to rupture, that death or injury to the residents was almost certain.

VICTORY ON THE HORIZON

With a victory at trial by the plaintiffs clearly on the horizon, Judge Dylina encouraged the parties to develop a process that would allow the cases to settle swiftly so that the victims of the explosion did not have to be further victimized by protracted litigation. Using the individual settlements of several of the cases as benchmarks, Plaintiffs' counsel developed a global settlement

process to address the remaining 130 cases. The process was presented to and accepted by PG&E's counsel. With the assistance of California Supreme Court Justice Edward Panelli (ret.) and Court of Appeal Justice, and former San Mateo County Superior Court Judge, Zerne P. Haning, III (ret.), settlement of virtually all of the cases was reached by the third anniversary of the explosion. Resolution of the claims resulting from the explosion reached a reported cumulative amount of \$565 million. In addition, PG&E was ordered by the California Public Utilities Commission to pay \$1.6 billion in fines, and paid an additional \$70 million to the City of San Bruno for rebuilding expenses.

Plaintiffs' lead attorneys were praised by other counsel for their leadership and management of the case, with one experienced attorney commenting that it was the best managed mass tort case that he had ever worked on. Even more importantly, lifelong relationships were formed with the residents of the neighborhood, whose story greatly impacted and will continue to be carried by the attorneys who represented them. □

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