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14 Plaintiff N.S.T., a minor, by and through her
15 Guardian Ad Litem, MICHAELANGELO
16 SAINT THOMAS

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA
18 SOUTHERN DIVISION

18 N.S.T., a minor, by and through her
19 Guardian Ad Litem, MICHAELANGELO
20 SAINT THOMAS, individually and on behalf
21 of others similarly situated,

20 Plaintiffs,

21 v.

22 AMPLIFY ENERGY CORPORATION, a
23 Delaware corporation; BETA OPERATING
24 COMPANY, LLC, a Delaware corporation;
25 SAN PEDRO BAY PIPELINE COMPANY, a
26 California corporation,

25 Defendants.

Civil Case No. _____

CLASS ACTION COMPLAINT

- 1. **Strict Liability for Ultrahazardous Activities;**
- 2. **Negligence;**
- 3. **Public Nuisance;**
- 4. **Battery; and**
- 5. **Medical Monitoring**

DEMAND FOR JURY TRIAL

1 Plaintiff N.S.T., a minor, by and through her Guardian Ad Litem,
2 MICHAELANGELO SAINT THOMAS, individually and on behalf of all others similarly
3 situated, alleges the following against Amplify Energy Corporation, Beta Operating
4 Company, LLC, and San Pedro Bay Pipeline Company (“Defendants”).

5 **NATURE OF THE CASE**

6 1. An offshore oil pipeline near the California coast ruptured on October 1, 2021.
7 Defendants, who owned and operated the pipeline, could have prevented this. Their failure to
8 maintain and monitor the pipeline led to its rupture. Moreover, Defendants could have
9 promptly stopped the oil from escaping, but failed to do so. As a result, massive amounts of
10 highly toxic crude oil went into the ocean and onto land. This has caused and will cause
11 widespread harm, including without limitation to children who live in the vicinity.

12 2. Pursuant to Federal Rule of Civil Procedure 23, Plaintiff brings this case as a
13 class action on her own behalf and as representative of others similarly situated.

14 **JURISDICTION AND VENUE**

15 3. This Court has jurisdiction over this action pursuant to Class Action Fairness
16 Act (“CAFA”), 28 U.S.C. § 1332(d), because at least one Class member is of diverse
17 citizenship from one Defendant, there are more than 100 Class members, and the aggregate
18 amount in controversy exceeds \$5 million, exclusive of interest and costs.

19 4. This Court has personal jurisdiction over Defendants because they are
20 registered to conduct business in California, and have sufficient minimum contacts with
21 California.

22 5. Venue is proper in this District under 28 U.S.C. § 1391(b) because a
23 substantial part of the events or omissions giving rise to the claims occurred and/or emanated
24 from this District, and because Defendants have caused harm to Class members residing in
25 this District.

26 **PARTIES**

27 6. Plaintiff N.S.T. is a minor and appears in this action by and through her
28 Guardian Ad Litem, MICHAELANGELO SAINT THOMAS. They reside in Orange County,

1 California.

2 7. Defendant Amplify Energy Corp. (“Amplify”) is a corporation formed in
3 Delaware with its headquarters and principal place of business in Houston, Texas.

4 8. Defendant Beta Operating Company, LLC, doing business as Beta Offshore, is
5 a limited liability corporation formed in Delaware with its headquarters and principal place of
6 business in Long Beach, California. Defendant Beta Operative Company, LLC, is a subsidiary
7 of Defendant Amplify Energy Corp.

8 9. Defendant San Pedro Bay Pipeline Company is a corporation formed in
9 California with its headquarters and principal place of business in Long Beach, California.
10 Defendant San Pedro Bay Pipeline Company is a subsidiary of Defendant Amplify Energy
11 Corp.

12 10. Defendants are private businesses engaged in the business of transporting oil to
13 private entities for commercial purposes. Defendants own and operate three offshore oil
14 platforms and a 17.5-mile pipeline off the coast of Southern California. Defendant Beta
15 Offshore owns and operates the three oil platforms, known as Elly, Ellen, and Eureka.
16 Defendant San Pedro Bay Pipeline Company owns and operates the 17.5 miles pipeline that
17 transports crude oil from the Elly platform to the Port of Long Beach. Defendant Amplify is
18 the parent company of both San Pedro Pipeline Company and Beta Offshore.

19 **FACTS**

20 11. Because Defendants did not shut down the pipeline, reduce the flow of oil, or
21 close crucial valves for hours, the spill grew to disastrous proportions. It has been estimated
22 that as much as 131,000 gallons of toxic crude oil was released.

23 12. On October 3, 2021, the OC Health Care Agency issued a health advisory for
24 residents exposed to oil contaminants, warning that the “effects of oil spills on humans may
25 be direct and indirect,” and requested that residents “refrain from participating in recreational
26 activities on the coastline such as swimming, surfing, biking, walking, exercising, gathering,
27 etc.” The Agency advised that spilled oil, which can contain toxic chemicals, poses health
28 threats via skin contact or inhalation. Symptoms of “excessive exposure to oil or dispersants

1 commonly include the following: skin, eye, nose and throat irritation; headache; dizziness;
2 upset stomach; vomiting; cough or shortness of breath.”

3 13. Much of the resulting damage is out of sight but will continue for years, and
4 the impact on children is particularly significant. A study recently published in *Environmental*
5 *Hazards* illustrates various aspects of the damage. The study found that the Deepwater
6 Horizon oil spill was harmful to the mental and physical health of children in the area.

7 14. Led by Jaishree Beedasy from the National Center for Disaster Preparedness
8 (NCDP) at Columbia University’s Earth Institute, the study found that Gulf Coast children
9 who were exposed to the oil spill – either directly, through physical contact with oil, or
10 indirectly through economic losses – had a significantly higher likelihood of experiencing
11 physical and mental health problems compared to kids who were not exposed. When
12 interviewed in 2014, three out of five parents reported that their child had experienced
13 physical health symptoms and nearly one third reported that their child had mental health
14 issues after the oil spill. The findings also show that “the impacts of the oil spill on children’s
15 health appear to persist years after the disaster,” said Beedasy.

16 15. On July 15, 2020, *Science News* reported on the Beedasy study and stated:
17 “Although natural disasters don’t discriminate, they do disproportionately harm vulnerable
18 populations, such as people of color and people with lower incomes. Children are another
19 vulnerable group, because their coping and cognitive capacities are still developing, and
20 because they depend on caregivers for their medical, social, and educational needs. A growing
21 body of evidence demonstrates that disasters are associated with severe and long-lasting
22 health impacts for children.”

23 16. Oil spills affect children in many ways. The July 15, 2020 article in *Science*
24 *News* stated: “The child might come into direct contact with the oil by touching it, inhaling it,
25 or ingesting it. Direct exposure to oil, dispersants, and burned oil can cause itchy eyes, trouble
26 breathing, headache, dizziness, rashes, and blisters, among other issues. Children can also
27 suffer from secondary impacts if a parent loses their job, if their daily routines are disrupted,
28 or if others in the family feel distressed or suffer health problems.”

1 17. In interviews conducted for the Beedasy study, 60 percent of the parents
2 reported that their child had experienced physical health problems – defined as respiratory
3 symptoms, vision problems, skin problems, headaches, and unusual bleeding – at sometime
4 after Deepwater Horizon. Thirty percent of the parents said their child had experienced mental
5 health issues such as feeling depressed or very sad, feeling nervous or afraid, having sleeping
6 problems, or having problems getting along with other children.

7 18. The survey found that physical health problems were 4.5 times more common
8 in children who had been directly exposed to oil, and in children whose parents had been
9 exposed to oil smell. Children with indirect exposure to oil through their parents were also
10 much more likely to have physical health issues. And those living in households that reported
11 loss of income or jobs as a result of the oil spill were nearly three times more likely to have
12 physical health problems compared to kids whose families hadn't had those problems. In
13 households where the parent was white, held at least a college degree, or the household
14 income was more than \$70,000 a year, the parent was less likely to report physical health
15 issues for the child.

16 19. The Beedasy study found similar links in regard to children's mental health.
17 Kids who had been directly exposed to oil were 4.5 times more likely to have mental health
18 issues. These effects were also three times more common in children whose parents had been
19 exposed to oil smell, or whose parents had lost incomes or jobs as a result of the spill.

20 20. Defendants could have averted this spill had they properly maintained and
21 monitored their pipeline. Defendants should have automatically shut down the pipeline
22 immediately following the rupture, before residents noticed an oil sheen. Defendants should
23 have been the first to notice the spill and alert authorities. Indeed, if the pipeline contained
24 industry-standard safety alarms properly set to measure a drop in pressure and/or a change in
25 the flow rate of oil, the pipeline should have shut down soon after the rupture. Additionally,
26 valves would have shut, preventing the approximately seventeen-mile pipeline from releasing
27 all of its oil into the water. As is now evident, Defendants lacked or ignored this industry-
28 standard safety alarms and equipment.

1 21. Defendants also violated their own integrity management plan. According to
2 Defendants, the pipeline was monitored by an automatic leak detection system that reported
3 problems to a control room in Houston staffed around-the-clock. According to Defendants,
4 the system was designed to trigger an alarm when a change in oil flow occurred. That did not
5 happen. For a spill of this size, with 10% or more of the oil flowing through the pipeline, the
6 Defendants' integrity management plan pegged the detection time at 5 minutes. Defendants
7 did not detect the spill until long after five minutes, in violation of their own integrity
8 management plan.

9 22. Defendants violated their integrity management plan in other ways as well. For
10 example, Defendants' integrity management plan stated that for smaller levels amounting to
11 less than 10% of the oil flowing through their pipeline, Defendants' system was designed to
12 detect the spill in 50 minutes or less. As is now clear, Defendants did not detect the spill in 50
13 minutes or less, or for quite some time thereafter.

14 23. Moreover, Defendants' spill response plan from 2016 stated that they would
15 immediately notify federal officials when more than one barrel was released into the water.
16 When more than five barrels were released into the water, or a release threatens state waters or
17 the shoreline, as this spill clearly did, Defendants were required to notify the state fire marshal
18 and California wildlife officials immediately.

19 24. Defendants, however, were not the first to notify authorities. After the public
20 noticed the spill, two calls came into the National Response Center staffed by the Coast
21 Guard. The first call, from an anchored ship, reported a sheen on the water. The second call
22 came six hours later from a federal agency that said that satellite imagery showed an oil
23 slick.⁴⁴ It took Defendants hours from the times of these calls to notify officials of the oil spill.
24 Indeed, as described above, Defendants waited *an hour* to notify the authorities even after
25 they finally recognized that they had caused a spill.

26 25. This action seeks to compensate and protect children who have and will suffer
27 harm from the oil spill and to ensure that Defendants are prevented from causing additional
28 damage in the future.

CLASS ACTION ALLEGATIONS

1
2 26. Plaintiff brings claims pursuant to Federal Rule of Civil Procedure 23 on
3 behalf of a class of similarly situated persons.

4 27. Plaintiff initially proposes the class defined as: “Individuals who as of
5 October 1, 2021 were under age 18 and resided within 20 miles of the coastline between
6 Seaport Street in Huntington Beach, California, and the San Juan Creek in Dana Point,
7 California.”

8 28. Excluded from the Class are Defendants; the subsidiaries and affiliates of any
9 Defendant; the officers, directors, and employees of the foregoing entities, and the members
10 of their immediate families; and any judge or judicial officer presiding over this matter and
11 the members of his or her immediate family and judicial staff.

12 29. Plaintiff N.S.T. is a member of the class, and seeks to represent the class by
13 and through her Guardian Ad Litem, MICHAELANGELO SAINT THOMAS.

14 30. Plaintiff reserves the right to propose additional or more refined classes of
15 plaintiffs in connection with Plaintiff’s motion for class certification, and as determined by the
16 Court in its discretion.

17 31. The Class plainly satisfies the requirements of Rule 23(a) and Rule 23(b).

18 32. **Numerosity: Federal Rule of Civil Procedure 23(a)(1).** The members of the
19 Class are so numerous that individual joinder of all Class members is impracticable. There are
20 at least thousands of Class members, making joinder impracticable.

21 33. **Commonality and predominance: Federal Rules of Civil Procedure**
22 **23(a)(2) and 23(b)(3).** Defendants have acted with respect to Plaintiff and the other members
23 of the proposed Class in a manner generally applicable to each of them. There is a well-
24 defined community of interest in the questions of law and fact involved, which affect all Class
25 members. The questions of law and fact common to the Class predominate over the questions
26 that may affect individual Class members, including the following:

27 A. Whether the Defendants violated and/or are liable under the provisions of
28 federal and state law pled herein;

- 1 B. Whether the Defendants owed a duty to Plaintiff and the other Class
- 2 members;
- 3 C. Whether the Defendants breached that duty;
- 4 D. Whether the Defendants caused harm to the Plaintiff and other Class
- 5 members;
- 6 E. Whether compensatory or consequential damages should be awarded to
- 7 Plaintiff and the other Class members;
- 8 F. Whether restitution should be awarded to Plaintiff and the other Class
- 9 members; and
- 10 G. Whether injunctive and/or other equitable relief is appropriate, and what
- 11 that relief should be.

12 34. **Typicality: Federal Rule of Civil Procedure 23(a)(3).** Plaintiff's claims are
13 typical of other Class members' claims because Plaintiff and class members were subjected to
14 the same allegedly unlawful conduct and damaged in the same way.

15 35. **Adequacy of Representation: Federal Rule of Civil Procedure 23(a)(4).**
16 Plaintiff is an adequate class representative because Plaintiff's interests do not conflict with
17 the interests of Class members whom they seek to represent, Plaintiff has retained counsel
18 competent and experienced in complex class action litigation, and Plaintiff intends to
19 prosecute this action vigorously. The Class members' interests will be fairly and adequately
20 protected by Plaintiff and their counsel.

21 36. **Declaratory and Injunctive Relief: Federal Rule of Civil Procedure**
22 **23(b)(2).** The prosecution of separate actions by individual Class members would create a risk
23 of inconsistent or varying adjudications with respect to individual Class members that would
24 establish incompatible standards of conduct. Such individual actions would create a risk of
25 adjudications that would be dispositive of the interests of other Class members and impair
26 their interests. Defendants have acted and/or refused to act on grounds generally applicable to
27 the Class, making final injunctive relief or corresponding declaratory relief appropriate.

28 37. Injunctive relief is particularly necessary in this case because Plaintiff and

1 other Class members continue suffer harm due to the leak caused by the Defendants' conduct.

2 38. **Superiority: Federal Rule of Civil Procedure 23(b)(3).** A class action is
3 superior to any other available means for the fair and efficient adjudication of this
4 controversy, and no unusual difficulties are likely to be encountered in the management of this
5 class action. The damages or other financial detriment suffered by Plaintiff and Class
6 members are relatively small compared to the burden and expense that would be required to
7 individually litigate their claims. Even if Class members could afford litigation, the court
8 system could not. Individualized litigation creates a potential for inconsistent or contradictory
9 judgments and increases the delay and expense to all parties and the court system. By contrast,
10 the class action device presents far fewer management difficulties and provides the benefits of
11 single adjudication, economies of scale, and comprehensive supervision by a single court.

12 39. **Certification with respect to particular issues: Federal Rule of Civil**
13 **Procedure 23(c)(4).** In the alternative, this action may be maintained as a class action with
14 respect to particular issues. For example, the liability of Defendants for damages caused to
15 Plaintiff and Class members, including liability for negligence, liability for public nuisance,
16 liability for battery, and strict liability for ultrahazardous activities, is suitable for certification
17 under Fed. R. Civ. Proc. 23(c)(4).

18 **CAUSES OF ACTION**

19 **FIRST CAUSE OF ACTION**

20 **Strict Liability for Ultrahazardous Activities**

21 40. Plaintiff incorporates all paragraphs of this complaint as if fully set forth
22 herein.

23 41. At all times relevant to this action, Amplify Energy Corporation, Beta
24 Operating Company, LLC, and San Pedro Bay Pipeline Company were the owners and
25 operators of the pipeline.

26 42. At all times relevant to this action, Defendants had supervision, custody, and
27 control of the pipeline.

28 43. At all times relevant to this action, Defendants were under a continuing duty to

1 protect Plaintiff and the Class from the harm caused by the pipeline.

2 44. Defendants were engaged in ultrahazardous activities by transporting
3 flammable, hazardous, and toxic oil through the pipeline.

4 45. Plaintiff and the Class have suffered harm from the discharge of toxic oil from
5 the pipeline.

6 46. The injuries sustained by Plaintiff and the Class as a result of the oil spill,
7 including without limitation the necessity for long-term medical monitoring, annoyance,
8 upset, aggravation, and inconvenience, were the direct and proximate result of Defendants'
9 activities.

10 47. The harm to Plaintiff and the Class was and is the kind of harm that would be
11 reasonably anticipated as a result of the risks created by Defendants transporting flammable,
12 hazardous, and toxic oil in a pipeline on which local oil and gas facilities and their workers
13 depend, and not properly maintaining the pipeline in close proximity to the Pacific Ocean.

14 48. Defendants' operation of the pipeline and its failure was a substantial factor in
15 causing the harms suffered by Plaintiff and the Class.

16 49. Plaintiff and members of the Class are entitled to recover actual damages.
17 The acts and omissions of Defendants were conducted with malice, fraud, and/or oppression
18 as set out in this Complaint.

19 **SECOND CAUSE OF ACTION**

20 **Negligence**

21 50. Plaintiff incorporates all paragraphs of this complaint as if fully set forth
22 herein.

23 51. Defendants owed a duty to Plaintiff and the Class to exercise reasonable and
24 ordinary care. That duty arose generally as well as from, among other things, federal, state,
25 and local laws, ordinances and regulations that require Defendants to operate a pipeline in a
26 manner that does not damage public health and safety. These laws include, but are not limited
27 to, the Lempert-Keene Act, Government Code Section 8670, *et seq.*, the Oil Pollution Act, 33
28 U.S.C. § 2701, *et seq.*, the Porter-Cologne Act, Water Code Sections 13000, *et seq.*, Cal. Fish

1 & Game Code Section 5650, *et seq.*, the Federal Clean Water Act, 33 U.S.C. § 1251 *et seq.*,
2 applicable county codes, and state and federal spill response and notification laws.

3 52. Defendants' contractual transactions to safely operate the pipeline system were
4 also intended to directly benefit the Class because the members of the Class—known to
5 Defendants because they live in the direct vicinity of the pipeline system—would be able to
6 live safely in an industrialized society that continually depends upon energy and fuel. It is
7 foreseeable that Defendants' failure to safely operate the pipeline and mitigate the impacts of
8 the spill would harm this Class. Plaintiff and the Class suffered injury as a result of
9 Defendants' failures to safely operate the pipeline system, because Defendants' actions have
10 fouled the ocean and coastline. Additionally, Defendants' failures were closely connected to
11 the harms Plaintiffs have suffered and will continue to suffer, Defendants' gross misconduct
12 causing an oil spill is morally blameworthy, and policy reasons favor imposing a duty on
13 Defendants in order to deter future misconduct by Defendants and other pipeline operators.

14 53. Defendants breached their duty to Plaintiff and the Class by, among other
15 things, failing to install reasonable safety equipment to prevent a spill, failing to detect and
16 repair corrosion, failing to have adequate safety measures in place to detect the spill
17 expeditiously, and failing to promptly respond to and contain the spill.

18 54. Defendants, in the exercise of reasonable care, should have known that the
19 pipeline could rupture or otherwise fail, that its safety measures were insufficient to detect and
20 contain a spill, and that it could spill significant amounts of oil.

21 55. Moreover, Defendants' violations of the above-cited statutes, ordinances,
22 and/or regulations resulted in precisely the harm to Plaintiff that the laws listed above were
23 designed to prevent, and Plaintiff and the Class are members of the class of persons for whose
24 protection those laws were adopted.

25 56. At all relevant times, Defendants negligently, wantonly, carelessly and/or
26 recklessly maintained and operated the pipeline.

27 57. As a direct and proximate result of Defendants' negligence, Plaintiff and the
28 Class have sustained damages. Those damages may be short-term and long-term. As a direct

1 and legal cause of the Defendants' wrongful acts and omissions herein above set forth,
2 Plaintiff and the Class have suffered and will continue to suffer harm, injury, and other losses
3 including without limitation the necessity for long-term medical monitoring, annoyance,
4 upset, aggravation, and inconvenience.

5 58. The acts and omissions of Defendants, and each of them, were conducted with
6 malice, fraud, and/or oppression as described in this Complaint.

7 **THIRD CAUSE OF ACTION**

8 **Public Nuisance**

9 59. Plaintiff incorporates all paragraphs of this complaint as if fully set forth
10 herein.

11 60. Defendants have created a condition that is harmful to health and unreasonably
12 and substantially interferes with the comfortable enjoyment of life and property by
13 discharging as much as 131,000 gallons of crude oil into the Pacific Ocean and onto the
14 California coastline. That nuisance affects a substantial number of individuals similarly
15 situated to the Plaintiff that rely on the safe and healthy environment in the community.

16 61. Defendants' oil spill is a condition that would reasonably annoy and disturb an
17 ordinary person, as shown by, for example, the health impacts warned of by the county, the
18 community outrage in response to the spill, and the nationwide interest in the spill's impacts
19 on the California Coast.

20 62. The seriousness and gravity of that harm outweighs the social utility of
21 Defendants' conduct. There is little or no social utility associated with releasing tens of
22 thousands of gallons of oil into the unique ecological setting of the geographic area where
23 Plaintiff and Class members reside.

24 63. Plaintiff and Class members suffered harm and injury to which they did not
25 consent.

26 64. The acts and omissions of Defendants described herein were also in violation
27 of various California state laws including but not limited to the Lempert-Keene Act,
28 Government Code Section 8670, *et seq.*, the Oil Pollution Act, 33 U.S.C. § 2701, *et seq.*, the

1 Porter-Cologne Act, Water Code Sections 13000, *et seq.*, and Cal. Fish & Game Code Section
2 5650, *et seq.*

3 65. Defendants' violations of those statutes directly and proximately caused, and
4 will cause, injury to the Plaintiffs and the Class of a type which the statutes are intended to
5 prevent. Plaintiff and the Class are of the class of persons for whose protection these statutes
6 were enacted.

7 66. As a direct and legal result of Defendants' wrongful acts and/or omissions
8 herein set forth, Plaintiff and the Class have suffered and will suffer injury and losses,
9 including without limitation the necessity for long-term medical monitoring, annoyance,
10 upset, aggravation, and inconvenience.

11 67. To remedy the harm caused by Defendants' nuisance, Plaintiff will seek public
12 injunctive relief, including without limitation an order requiring Defendants to: (1) provide for
13 long-term medical monitoring; (2) repair and restore beaches and other areas impacted by the
14 spill; and (3) prevent Defendants from operating the pipeline without adequate safety
15 mechanisms and ongoing monitoring, to ensure that no future spill occurs.

16 68. In maintaining the nuisance, which is ongoing, Defendants are acting with full
17 knowledge of the consequences and damage being caused, and the acts and omissions of
18 Defendants were done with malice, fraud, and/or oppression as described in this Complaint.

19 **FOURTH CAUSE OF ACTION**

20 **Battery**

21 69. Plaintiff incorporates all paragraphs of this complaint as if fully set forth
22 herein.

23 70. Defendants contacted Plaintiff and Class members through the release of toxic
24 oil and thereby into the bodies of Plaintiff and Class members.

25 71. Defendants intended and/or were recklessly indifferent to making such contact.

26 72. The contact between the toxic oil and the Plaintiff and Class members was
27 harmful or offensive.

28 73. As a direct and proximate result of Defendants' battery, Plaintiff and Class

1 members have suffered damages, including without limitation for long-term medical
2 monitoring, annoyance, upset, aggravation, and inconvenience, for which Defendants are
3 liable in damages.

4 **FIFTH CAUSE OF ACTION**

5 **Medical Monitoring**

6 74. Plaintiff incorporates all paragraphs of this complaint as if fully set forth
7 herein.

8 75. Defendants have exposed Plaintiff and Class members to oil and other
9 chemicals, toxins, and particulates proven hazardous to health.

10 76. Defendants have also exposed Plaintiff and Class members to conditions
11 proven hazardous to mental health.

12 77. The exposure to these dangerous substances and conditions is such that
13 Plaintiff and the Class members have been placed at an increased risk of contracting latent
14 illness and disease, including but not limited to cancer and mental health issues, and as such,
15 require medical monitoring which Defendants are responsible for providing and paying for.

16 78. Monitoring and testing procedures for cancer and other illnesses associated
17 with exposure to oil and other chemicals, toxins, and particulates exist, as well as for mental
18 health issues, which make the early detection and treatment of such diseases and health
19 conditions possible and beneficial.

20 79. Accordingly, the Court should establish a Court-supervised and administered
21 trust fund and medical monitoring regime to compensate Plaintiff and Class members.

22 **PRAYER FOR RELIEF**

23 WHEREFORE, Plaintiff, individually and on behalf of all Class members, pray for relief
24 against Defendants as follows:

25 A. For an order certifying the Class, appointing Plaintiff as representative of the Class,
26 and appointing the lawyers and law firms representing Plaintiff as counsel for the
27 Class;

28 B. For an order awarding Plaintiff and Class members damages an amount greater than

1 Five Million Dollars (\$5,000,000) for all recoverable compensatory, statutory,
2 nominal, and other damages sustained by Plaintiff and the Class, including without
3 limitation for long-term medical monitoring, annoyance, upset, aggravation, and
4 inconvenience, and including all relief allowed under applicable laws;

5 C. For preliminary, permanent, and mandatory injunctive relief, including without
6 limitation an injunction requiring each Defendant to fund, establish, and/or implement
7 a long-term Court-supervised and administered trust fund and medical testing
8 protocol, medical monitoring, and/or testing regime to monitor the health of Plaintiff
9 and Class members and diagnose at an early stage any ailments associated with
10 exposure to chemicals in toxic crude oil and/or mental health problems resulting
11 directly or indirectly from the oil spill;

12 D. For costs;

13 E. For both pre-judgment and post-judgment interest on any amounts awarded;

14 F. For treble damages insofar as they are allowed by applicable laws;

15 G. For exemplary or punitive damages under California Civil Code Section 3294 for the
16 oppression, fraud, and malice alleged herein;

17 H. For disgorgement of profits;

18 I. For a declaratory judgment that Defendants have violated California law as alleged
19 herein and are responsible for past and future costs to remedy the harm caused to
20 Plaintiff and Class members;

21 J. For payment of attorneys' fees and expert fees as may be allowable under applicable
22 law, including without limitation California Code of Civil Procedure §§ 1021.5 and
23 1033.5; and

24 K. For such other and further relief, as the Court may deem just and proper, including
25 without limitation injunctive and declaratory relief.

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DATED: October 17, 2021

Respectfully submitted,

THE TIDRICK LAW FIRM LLP

By: /s/ Joel B. Young

JOEL B. YOUNG, SBN 236662
STEVEN G. TIDRICK, SBN 224760

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Attorneys for Individual and Representative
Plaintiff N.S.T., a minor, by and through her
Guardian Ad Litem, MICHAELANGELO
SAINT THOMAS

JURY DEMAND

Plaintiffs hereby demands a trial by jury on all counts so triable.

DATED: October 17, 2021

Respectfully submitted,

THE TIDRICK LAW FIRM LLP

By: /s/ Joel B. Young

JOEL B. YOUNG, SBN 236662
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