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Electronically FILED by
Superior Court of California,
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5/14/2026 4:47 PM
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By M. Arellanes, Deputy Clerk

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17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE

19 **PALISADES FIRE LITIGATION**

Lead Case No. 25STCV00832

20 DAN GRIGSBY, et al.,

JOINT STATUS CONFERENCE REPORT

21 Plaintiff,

Date: May 20, 2026

22 vs.

Time: 1:45 p.m.

Dept.: 7

23 CITY OF LOS ANGELES ACTING BY AND
THROUGH THE LOS ANGELES
24 DEPARTMENT OF WATER AND POWER,
et al.,

Assigned for All Purposes to:
Hon. Samantha Jessner, Dept 7

25 Defendants.

Action Filed: January 13, 2025
Trial Date: Not set

26
27 AND ALL RELATED CASES
28

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1 Plaintiffs (Individual Plaintiffs, Subrogation Plaintiffs, and the City of Malibu) and
2 Defendants (the State of California, including California Department of Parks and Recreation,
3 (“STATE”); the City of Los Angeles acting by and through the Department of Water and Power
4 (“City”); the County of Los Angeles; Los Angeles Waterworks District No. 29; Las Virgenes
5 Municipal Water District; Mountains Recreation and Conservation Authority; Santa Monica
6 Mountains Conservancy; Pacific Bell Telephone Company and AT&T Mobility LLC (“AT&T”);
7 Spectrum Pacific West, LLC; Frontier Communications; Edison International and Southern
8 California Edison Company; J. Paul Getty Trust; Biggs Realty; Pacific Palisades Bowl Mobile
9 Estates, LLC; Pacific Palisades Bowl Mobile Estates Del, LLC; Sempra and Southern California
10 Gas Company; and Victor Martinez and Associates), hereby submit this Joint Status Conference
11 Report in advance of the May 20, 2026, status conference in the above-entitled action.

12 **I. WRIT PETITIONS**

13 On March 27, 2026, the City of Los Angeles filed a Petition for Writ of Mandate with the
14 California Court of Appeal. On April 6, 2026, Individual Plaintiffs and the City of Malibu filed a
15 Preliminary Opposition to the City’s writ petition. On April 20, 2026, the State of California filed
16 its Petition for Writ of Mandate. On April 30, 2026, Individual Plaintiffs and the City of Malibu
17 filed their Preliminary Opposition to that writ petition. On May 6, 2026, the Court of Appeal
18 denied both writ petitions.

19 **II. DISCOVERY**

20 **A. Written Discovery:**

21 Pursuant to the order of this Court, the stay on discovery as to the STATE and the City was
22 lifted on March 31, 2026. Consistent with that order, Individual Plaintiffs, Subrogation Plaintiffs
23 and the Public Entity Plaintiff jointly served the following targeted written discovery:

24 **1. Plaintiffs’ Joint Discovery to the City:**

25 **(a) Power Claims:**

- 26 i) Requests for Admissions (Nos. 1 – 34);
27 ii) Requests for Production of Documents (Nos. 1 – 64);
28 iii) Form Interrogatories.

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(b) Water Claims:

- i) Requests for Production of Documents (Nos. 65 – 121);
- ii) Special Interrogatories (Nos. 1 – 82);

2. Plaintiffs’ Joint Discovery to the STATE:

- i) Requests for Admissions (Nos. 1 – 49);
- ii) Form Interrogatories;
- iii) Requests for Production of Documents (Nos. 1 – 20).

B. Southern California Gas Company’s (“SoCalGas”) Position:

SoCalGas filed a complaint against the STATE on January 30, 2026. On February 26, 2026, the Court found SoCalGas’s complaint to be related to the lead Palisades Fire action and ordered it stayed. Because, however, the Court has already partially overruled the STATE’s demurrer and discovery against the STATE has been lifted, SoCalGas respectfully requests that SoCalGas be permitted to proceed with discovery against the STATE on any claims it asserted that survived the STATE’s demurrer. Meet and confers regarding the STATE’s discovery obligations, including its document productions and depositions of its personnel, are ongoing, and SoCalGas submits that permitting SoCalGas to proceed with discovery against the STATE will promote efficiency and judicial economy and will eliminate the risk of duplicative efforts and unnecessary burdens on the parties and the Court.

III. DEPOSITIONS

A. Plaintiffs Position:

The STATE has repeatedly violated this Court's discovery orders. The STATE’s violations have caused prejudice to PLAINTIFFS. Plaintiffs request that the Court Order the STATE to immediately, within 5 court days, produce copies of all text messages, emails or other written communications regarding the Lachman Fire, the Lachman burn scar, smoldering roots, or smoke observed in the burn scar between January 2 – 7, 2025 – including such communications that concern that time period. The STATE has already violated 2 discovery Orders. Plaintiffs reserve their rights to seek monetary and/or other sanctions for the STATE's bad faith discovery misconduct. A summary of this Court's orders and the STATE's serial violations of those orders is

1 provided below.

2 **1. Order Re: Limited Discovery:**

3 Following an extensive hearing on November 25, 2025, on December 1, 2025, this Court
4 issued its Order Re: Limited Discovery (“Order 1”), which partially lifted the stay on discovery in
5 order to allow the Plaintiffs to "preserve the memories" of a dozen LAFD firefighters who were
6 involved in the mop-up of the January 1, 2025 Lachman Fire in Topanga STATE Park, as well as
7 several STATE Park employees who were present on the Lachman Fire burn scar between January
8 1 – 7, 2025. Among other things, that Order required the STATE to produce:

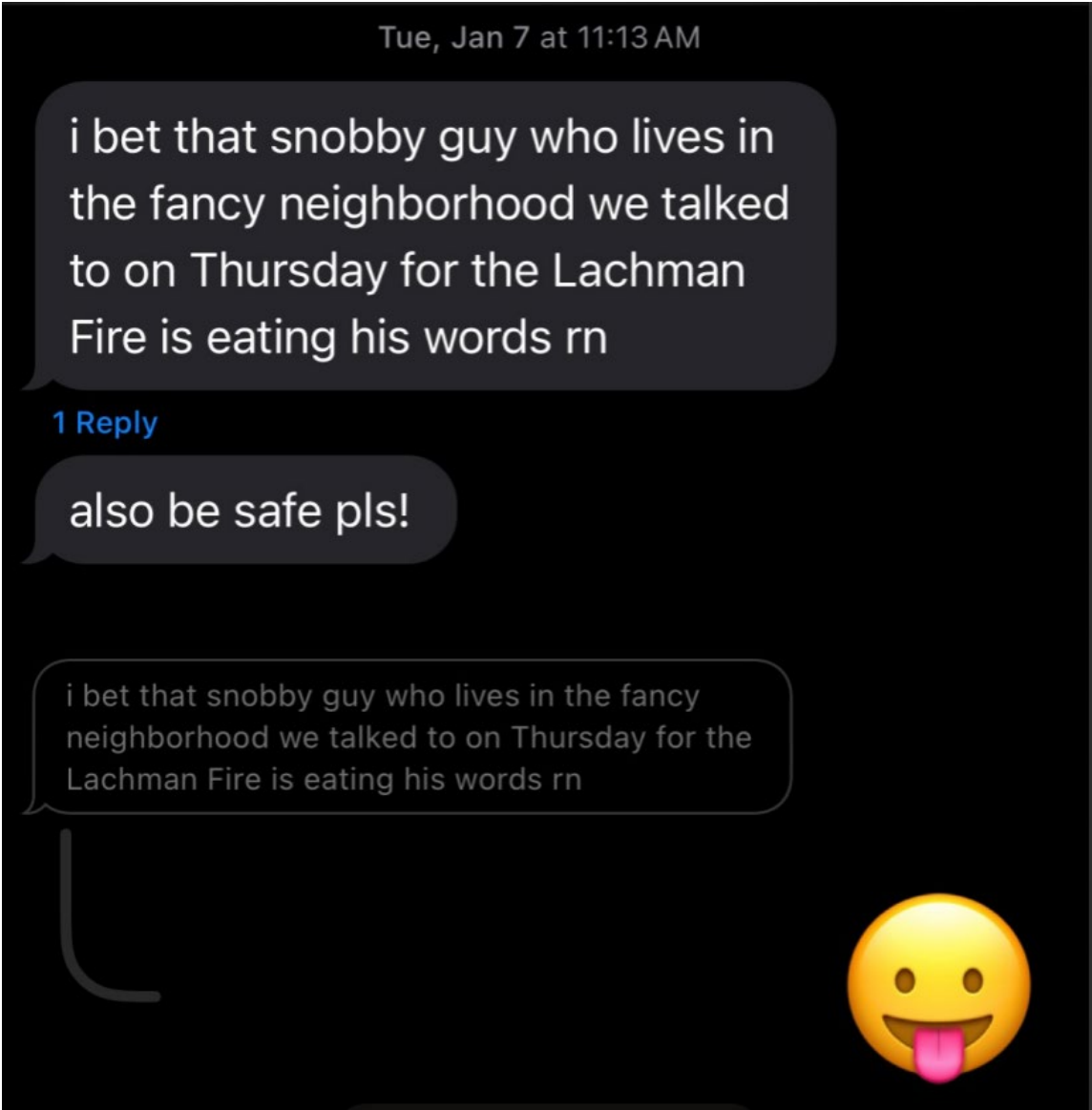
9 *"All communications (including text messages, emails, instant messaging platforms,*
10 *or other written communication mediums) relating to the Lachman Fire for each of*
11 *the personnel of the STATE of California, including California STATE Parks...*
12 *between 12:00 a.m. on January 1, 2025 and 10:30 a.m. on January 7, 2025."*

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1 Pursuant to Order 1, Plaintiffs conducted depositions of five STATE Park employees
2 between December 11 - 17, 2025 and examined those witnesses based upon documents produced
3 by the STATE in response to Order 1. However, on January 23, 2026, five weeks after the
4 depositions, the STATE produced new documents in response to a Public Records Act request
5 sent in October of 2025. These documents included dozens of photographs of the Lachman burn
6 scar taken by a sixth STATE Park employee, Michael Moss (“Moss”), on January 2, 2025, and
7 *some* text messages between Moss and a seventh employee, Maegan Ealy (“Ealy”). None of those
8 photographs or text messages were previously produced by the STATE in response to Order 1,
9 thereby depriving Plaintiffs of the opportunity to question the five STATE employees about them.

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1 One of these new documents is the text message immediately above – a text sent by Ealy
2 to Moss on January 7, 2025 within an hour of the Palisades Fire erupting. Ealy’s text message
3 appears to mock a homeowner Ealy and Moss encountered while photographing the Lachman
4 burn scar on January 2, 2025 (in light of the fact that his neighborhood was once again threatened
5 by a wildfire). Ealy immediately associates the new fire with the Lachman Fire as well. Notably,
6 Ealy does not express any shock, surprise, or confusion about there being a new fire where the
7 Lachman Fire occurred days earlier.

8 Because this text message, and the dozens of photographs taken by Moss and Ealy on
9 January 2nd of their inspection of the Lachman burn scar, had been withheld by the STATE in
10 violation of Order 1, Plaintiffs filed an *Ex Parte* Application Re: Enforcement of Discovery Order
11 on January 26, 2026. This Court granted the Plaintiffs' application and issued its Order Granting
12 Plaintiffs' *Ex Parte* Application Re: Enforcement of Discovery Order on February 18, 2026
13 (“Order 2”). In Order 2, the STATE was specifically ordered to "make a full, final and complete
14 production of documents identified in Section (E)(1) of the 12/1/25 Discovery Order" and to
15 "produce unedited, non-cropped and the entire text chain of all text messages which were
16 produced by the STATE in response to PRA Nos. 25-699, ,25-501, 25-700 and 25-787." The
17 STATE was also ordered to serve a formal Response to Order 2, which it did on February 25,
18 2026. Additionally, the STATE was ordered to produce Moss and Ealy for their depositions.

19 2. Deposition of Michael Moss and More *Unproduced* Texts:

20 On April 8, 2026, STATE Park employee Michael Moss was deposed by the Plaintiffs.
21 When asked about the "snobby guy" text above, Moss confirmed that this text message was sent to
22 him on January 7, 2025 by his co-worker Ealy. However, Moss claimed that he had no
23 recollection of the text message or any interaction with a member of the public on January 2nd
24 when he and Ealy were photographing the Lachman burn scar. Moss admitted that he sent the
25 smiling face emoji at the bottom of the text message but claimed he had no idea what that emoji
26 meant or why he sent it to Ealy. Then, when asked if he had any further communications with
27 Ealy about that text, Moss admitted that Ealy had sent him another text message after this lawsuit
28 had been filed asking Moss if he remembered the interaction with the "snobby guy" while they

1 were photographing the Lachman burn scar on January 2nd. When asked if he still had a copy of
2 Ealy's text on his cell phone, Moss admitted he did and that his cell phone was in his possession at
3 the deposition. However, when asked to review Ealy's text message to him, Ken Lake, Deputy
4 Attorney General for the STATE, instructed Moss not to answer any questions about that text
5 message or show it to Plaintiffs' counsel. In fact, Mr. Lake instructed Moss not to answer
6 questions about that text message six (6) different times during the deposition, each time invoking
7 the "attorney-client privilege" despite the fact that Moss testified that no attorneys were included
8 in the text message nor were there any communications with counsel referenced.

9 Below is an excerpt from the Moss deposition where Mr. Lake instructed his client not to
10 share or discuss Ealy's text message with the Plaintiffs:

11 "By MR. ROBERTSON:

12 Q: Mr. Moss, I want to go back and ask you some follow-up questions about Exhibit 8,
13 specifically the text message that Maegan Ealy sent you on January 7, 2025. I'll call it the 'snobby
14 guy text message.' You know what I'm talking about?

15 A: Yes, sir.

16 Q: Okay. So we are going to take this to the judge, so I want to make sure we have a
17 complete record. So you testified that when Maegan Ealy sent this message to you, being the
18 January 7th message, you did not know what she was referring to, correct?

19 A: Correct.

20 Q: Okay. And that after this lawsuit was filed, meaning the Palisades Fire lawsuit was
21 filed, Maegan Ealy sent you at least one additional text message, trying to refresh your
22 recollection about an interaction that you had with some member of the public, when you were
23 surveying the Lachman burn scar on January 2nd, correct?

24 A: Yes.

25 Q: Okay, and I asked you if you had a copy of that text message from Maegan Ealy that
26 she sent you after this lawsuit was filed on your cell phone that you have with you today. You
27 confirmed that you did, correct?

28 A: Yes.

1 Q: And that you took a break with counsel, left the deposition room. You reviewed that
2 text message from Maegan Ealy, correct?

3 MR. LAKE: Well, now, that's not – well, first off, that's privileged what we did discuss in
4 the hallway, but we've already made the record on that.

5 MR. ROBERTSON: Okay, That's – I'm asking the witness, Ken, not you to testify.

6 MR. LAKE: Well, I'm instructing him not to answer any questions about what he looked at
7 in the hallway.

8 MR. ROBERTSON: So you are instructing him to not answer whether he reviewed that
9 text message from Maegan Ealy, correct?

10 MR. LAKE: I'm – yeah. Our conversation – it's part of our conversation in the hall. So I'm

11 —

12 MR. ROBERTSON: I'm not asking for the conversation. I'm just asking what he looked at.

13 MR. LAKE: Well, I can say he pulled up the – the text. But as far as what we reviewed
14 together, I'm going to instruct him not to answer that.

15 MR. ROBERTSON: Okay, for the record, what is the privilege that you are relying on
16 instructing the witness not to answer?

17 MR. LAKE: Attorney-client privilege.

18 MR. ROBERTSON: You're asserting an attorney-client privilege over a text
19 communication a coworker sent this witness?

20 MR. LAKE: No, the question was, what did we just talk about in reviewing the hallway.

21 MR. ROBERTSON: No, I never asked about communications. I made it clear I don't want
22 any discussion about what you and the witness have talked about. I'm simply asking – and I'll
23 repeat the question – when you took a break from this deposition, were you able to pull up a copy
24 of the text message that Maegan Ealy sent to you, trying to refresh your recollection about an
25 interaction you and she had with a member of the public while you were doing your survey of the
26 Lachman burn scar on January 2nd?

27 MR. LAKE: You can answer that.

28 THE WITNESS: Yes, sir.

1 MR. LAKE: But as far as the substance of what we looked at or discussed, I'm not going to
2 allow him to answer that.

3 Q: And –

4 MR. LAKE: Like I said, it's – we're – I'm going to review the matter further, and we can
5 meet and confer upon it at some point.

6 MR. ROBERTSON: And that text message that you just reviewed during a break today,
7 sent from Maegan Ealy to you, was anyone else included in that text message besides you and
8 Maegan Ealy?

9 A: No.

10 Q; And in reviewing that text message that Meagan Ealy sent you, did it refresh your
11 recollection about that interaction?

12 A: No.

13 Q: Did you reply back to that text message she sent you?

14 MR. LAKE: I'm going to instruct him not to answer anything further.

15 MR. ROBERTSON: I'm not asking what he said; I'm asking if he replied to her.

16 MR. LAKE: Well, here is the thing. I want to review it further because I want to see if
17 there was – the context – that's really what I was talking about. I want to see the context of
18 whether there was counsel involved. I want – I would need more time to review it; so that's why.

19 MR. ROBERTSON: Ken, the witness has just testified that there was no one else other
20 than Magean Ealy and himself on that text message.

21 MR. LAKE: Well, I know he said that, but I'm not sure of that; so I want to take a look at
22 it, and then we'll discuss it further. Like I said, f he has to come back to discuss it later on, then so
23 be it."

24 Immediately following the deposition of Moss, Liaison Counsel for Individual Plaintiffs
25 emailed Mr. Lake again demanding that the STATE produce Ealy's text messages to Moss
26 regarding the Lachman burn scar, reiterating that such texts were clearly within the scope of the
27 Court's December 1, 2025 Discovery Order and Order Granting Plaintiffs' *Ex Parte* Application
28 Re: Enforcement of Discovery Order issued on February 18, 2026. Plaintiffs demanded that the

1 STATE produce those text messages before Ealy's deposition. Mr. Lake's response was "still
2 reviewing with our client."

3 **3. Deposition of Maegan Ealy:**

4 On April 13, 2026, Plaintiffs deposed Maegan Ealy. Just three hours before her
5 deposition, Mr. Lake emailed Liaison Counsel for the Individual Plaintiffs copies of multiple text
6 messages Ealy had sent to Moss after this lawsuit had been filed. These text messages were
7 specifically about the Lachman burn scar. These text messages were not served on other counsel
8 of record, were not Bates-stamped, and were not part of the STATE's official production in
9 response to Order 1 *or* Order 2. When Liaison Counsel reviewed these text messages, it became
10 clear why the STATE didn't want anyone to read them. **The texts completely substantiate the**
11 **Plaintiffs' theory that smoldering embers existed on STATE Park land on January 2, 2025**
12 **and that the STATE had notice of this dangerous condition on its land.**

13 In these text messages (hereinafter the "Withheld Texts") Ealy told Moss that she received
14 a call from her former supervisor, Noa Rishe on November 20, 2025 asking her about the
15 Lachman Fire. This call occurred days after the November 17, 2025 Status Conference where the
16 Court indicated it was going to partially lift the discovery stay to allow for the depositions of
17 STATE Park employees who were present at the Lachman burn scar. These Withheld Texts
18 included the following message by Ealy (black box at top) describing what she told her supervisor:
19 about the Lachman burn scar on January 2, 2025 after the firefighters had left the scene:

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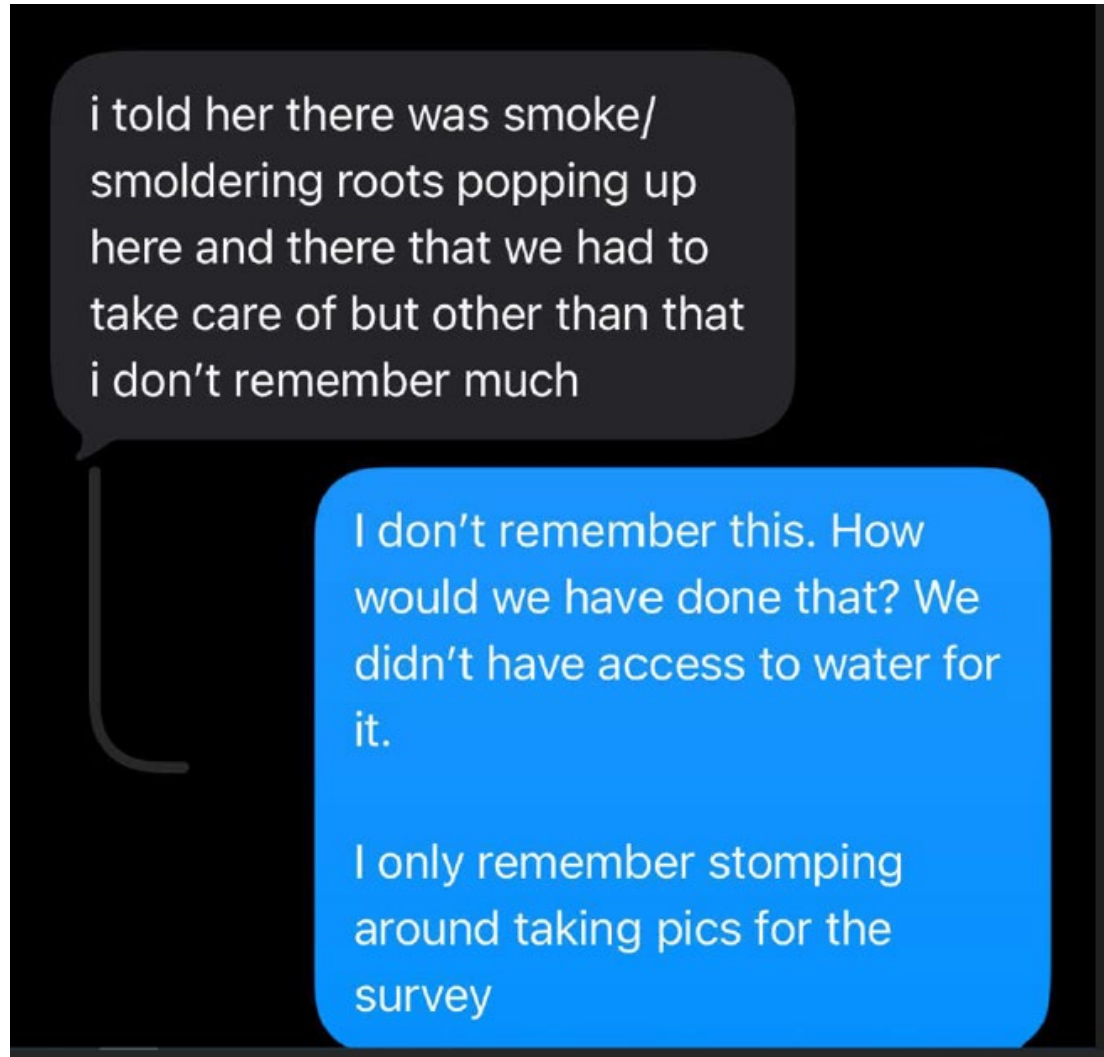
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Plaintiffs believe that Ealy's text messages to Moss, and her report to her supervisor that she saw "smoke/smoldering roots" in the Lachman burn scar on January 2nd is the truth. Ealy's observation of "smoke/smoldering roots" on January 2nd is corroborated by the testimony of LAFD firefighter Scott Pike.

4. The STATE Has Repeatedly Concealed Material Evidence From Plaintiffs

The STATE has repeatedly ignored this Court's discovery orders and concealed critical evidence from the Plaintiffs. This is now the THIRD time that the STATE has been caught not producing critical documents and not disclosing known witnesses. Even more alarming is Mr. Lake's admission that 16 months into this litigation, the STATE has not searched its own server(s)

1 to preserve and produce emails relating to the Lachman Fire, nor instructed its former employee
2 Maegan Ealy to preserve her text messages. Only a handful of emails have been produced by the
3 STATE concerning the Lachman Fire. Mr. Lake has explained that STATE personnel claimed
4 they didn't use emails to communicate about the Lachman Fire or burn scar, and that was enough
5 to excuse the STATE from checking its email servers. Mr. Lake admits that to date no formal
6 search has been conducted of the STATE PARK servers to look for such emails.

7 The Plaintiffs have been prejudiced by the STATE's failure to comply with the Court's
8 discovery orders. At a minimum, Plaintiffs need to re-depose witnesses, such as Noa Rishe about
9 her phone call with Ealy on Nov. 20, 2026 wherein Ealy told Rishe that she saw
10 "smoke/smoldering roots" at the Lachman burn scar on January 2nd.² Plaintiffs may also need to
11 re-depose Moss based upon Mr. Lake's baseless assertion of the attorney-client privilege. The
12 STATE should reimburse Plaintiffs for the costs to re-depose these witnesses. Ealy also testified at
13 her deposition that nobody from the STATE has ever asked her to preserve or produce all of her
14 text messages relating to the Lachman Fire. This is hard to believe given the Courts' previous
15 discovery orders.

16 **B. SoCalGas's Position as to Order 1**

17 Under CMO 3, all parties are entitled to copies of documents that have been produced in
18 this litigation, including documents produced in response to Public Records Act Requests. As of
19 the date of this filing, the STATE has not provided its document productions to SoCalGas, but has
20 committed to do so by May 20, 2026. To the extent that the STATE does not produce such
21 documents by May 20, SoCalGas reserves its right to raise this issue with the Court.

22 Further, pursuant to Order 1, Individual Plaintiffs took the depositions of 20 Los Angeles
23 Fire Department ("LAFD") and California State Parks personnel. SoCalGas was not able to
24 meaningfully participate in those depositions, some of which occurred prior to SoCalGas being
25 served with a complaint in this action. Moreover, as stated above, the STATE has not produced

26 _____
27 ² That conversation occurred in the same time period as Plaintiffs' request to the Court and the
28 STATE for limited discovery. Yet, the messages about the conversation and the messages about it
were not disclosed until just recently, as described herein.

1 documents to SoCalGas, and any documents the City produced pursuant to Order 1 were not
2 provided to SoCalGas until after the depositions of the LAFD occurred. SoCalGas intends to
3 review the transcripts of the deponents as well as the documents produced in connection with the
4 depositions to assess whether it believes that limited additional questioning is warranted, but
5 reserves its right to request that the depositions taken pursuant to Order 1 be reopened.

6 **C. SCE's³ Position as to Order 1**

7 Under Sections X.A. and IX of CMO 3, all parties are entitled to copies of documents that
8 have been produced in this litigation—including documents produced in response to Public
9 Records Act Requests. SCE, however, has yet to receive the STATE's productions pursuant to
10 Order 1 or documents produced in response to any Public Records Act Requests. SCE therefore
11 respectfully requests that the Court order the STATE to produce copies of those documents to
12 SCE, and all other Defendants in this matter.

13 Additionally, for the reasons stated by SoCalGas, SCE reserves the right to request that
14 depositions taken pursuant to Order 1 be reopened.

15 **D. STATE's Position:**

16 The State disputes that it has violated the Court's discovery orders. Plaintiffs' stated
17 position contains misstatements and omissions of facts. The State submits that it is fundamentally
18 unfair for it to attempt to fully respond in a status conference statement and requests an
19 opportunity to fully brief these matters. There is no basis for plaintiffs' request for a further
20 discovery order and, at this juncture under the Code, they should be required to file a fully noticed
21 motion to compel to establish a basis for such an order which the State submits would rightfully be
22 denied. A summary of the State's response is as follows:

23 On December 9, 2025, the State timely produced 32 pages of group text exchanges
24 comprising the known texts that were communications relating to the Lachman Fire between
25 12:00 a.m. on January 1, 2025, and 10:30 a.m. on January 7, 2025. The State had previously

26 _____
27 ³ Edison International ("EIX") has been dismissed from the lead case pursuant to the Court's
28 order, dated April 20, 2026. Counsel for EIX is in the process of seeking its dismissal from all
related cases.

1 disclosed the names of Sgt. Christy Araujo, John Ota, Noa Rishe-Khalili, Sergeant David Gunn
2 and Ranger Greg Urban as the State Parks employees who had visited the Lachman Fire location
3 between 12:00 a.m. on January 1, 2025, and 10:30 a.m. on January 7, 2025. All five were deposed
4 between December 11 and 15, 2025. While Michael Moss and Maegan Ealy were mentioned in
5 the group texts, it was unclear from the text document whether or not they actually visited the site.
6 However, on December 12, 2025, State Parks disclosed and confirmed that Mr. Moss and Ms.
7 Ealy went to the burn scar area on January 2, 2025 through the deposition testimony of John Ota.
8 Mr. Ota also indicated that trail maintenance supervisor Jason Finlay had visited the site on or
9 around January 2. Therefore, as of December 12, 2025, the State had fully complied with section
10 E.1 of the December 1 limited discovery order by providing testimony and documents that
11 identified the names and titles all State personnel who responded to the Lachman Fire between
12 12:00 a.m. on January 1, 2025, and 10:30 a.m. on January 7, 2025. Plaintiffs never indicated they
13 wanted to depose Mr. Moss and Ms. Ealy until filing the January 28, 2026, ex parte application.
14 At that time, the State advised it was agreeable to producing them for deposition.

15 At the deposition of Ms. Rishe-Khalili on December 15, 2025, she indicated that she had
16 assigned Mr. Moss to go look at the burn area and take photos of any fire suppression damage.

17 At that time, counsel for plaintiff requested that State Parks produce these documents.
18 Counsel for the State advised that said documents were not responsive to the court's limited
19 discovery order as they were not communications that were sent to anyone but nevertheless agreed
20 to produce them. The court subsequently directed State Parks to produce these documents but did
21 not set a date to do so. State Parks did its best to meet this direction. The Moss documents were
22 released on January 23, 2026, as part of a large group of documents released pursuant to multiple
23 PRA requests. Prior to that time, plaintiffs' counsel never inquired as to the status of producing
24 the Moss documents nor requested to meet and confer on this issue.

25 With regard to Ms. Ealy's text sent on January 7 at 11:13 a.m. referencing that
26 snobby guy, it is not responsive to the December 1 limited discovery order because it is not a
27 communication relating to the Lachman Fire between 12:00 a.m. on January 1, 2025, and 10:30
28 a.m. on January 7, 2025. (Order 12/1/25, p. 6:13-17.) It was released on January 23, 2026, as part

1 of the group of documents released pursuant to multiple PRA requests from plaintiffs. In
2 response to the court's order February 18, 2026, order, the State produced an updated uncropped
3 copy of this text but redacted the text above the January 7 text as it occurred a number of days
4 before January 1 and therefore could not be responsive. At a subsequent meet and confer,
5 plaintiffs' counsel indicated they wanted some confirmation that the texts before and after were
6 not responsive. The State agreed to produce the pages before and after the January 7 text that
7 contained dates/times confirming that the texts occurring before and after the January 7, 11:13
8 a.m. texts were outside the responsive timeframe.

9 With regard to the text exchange between Mr. Moss and Ms. Ealy that was disclosed at Mr.
10 Moss' deposition on April 8, 2025, this text exchange occurred in November, 2025, many months
11 after this litigation commenced. For this reason, counsel for the State expected that witnesses
12 would not be communicating regarding the case at that point in time. At the deposition, State
13 counsel indicated that, based on the date of the texts, it appears that they were outside the scope of
14 the limited discovery order but that he would review them. After this deposition, defense counsel
15 obtained and reviewed copies of these texts exchanges and confirmed that the time frame of these
16 communications were outside the scope of the court's limited discovery order. However, given
17 that the court had recently lifted the discovery stay and with Ms. Ealy's deposition scheduled to
18 occur a few days later, the State agreed to produce these text messages. Plaintiffs have misstated
19 the situation regarding the production of Ms. Ealy's texts. Ms. Ealy has indicated that the copies
20 of her texts produced before her deposition comprise all of her texts relating to the Lachman fire.
21 She was not asked this question in her deposition. The fact that her texts were not copied from her
22 cell phone does not mean all of her texts were not produced.

23 It should be noted that while plaintiffs' counsel would like to discount Ms. Ealy's
24 testimony that her recollection of smoke and smoldering roots popping up actually occurred at
25 Will Rogers State Park during the Palisades fire many days later, every photo taken at the
26 Lachman Fire burn site after 9:00 am on January 1 up to and through the start of the Palisades fire
27 on January 7 clearly show that there was no visible smoke or smoldering at the fire site.

28 Plaintiffs' counsel also completely misstate a meet and confer discussion with State

1 counsel regarding State Parks' efforts in searching for potentially responsive emails incorrectly
2 asserting that the State did not search for emails. State counsel indicated that he was not aware of
3 the specific manner in which State Parks looked for potentially responsive emails in the January 1-
4 7 timeframe or whether that included a search of a "server" per se. State counsel did advise of his
5 understanding that email was not the mode of communication used by the responsive witnesses
6 during the January 1-7 timeframe. Furthermore, the Code requires a document response to
7 indicate that a diligent search and reasonable inquiry was made which was included in the State's
8 response. There is no requirement under the Code to state in a response that a "server" was
9 searched. Nevertheless, subsequent to this meet and confer discussion, State counsel was advised
10 by State Parks staff that they did search for responsive emails in its their email program and found
11 none. Also, out of the eight State Parks witness depositions taken, plaintiffs' counsel did not ask
12 any of the witnesses about emails except for Mr. Ota who was asked if he prepared any emails that
13 summarized his observations at the fire site on January 1 to which he replied, no. (Ota Dep., p.
14 31:23-32:1.)

15 With regard to re-deposing State Parks witnesses, the December 1 limited discovery order
16 specifically contemplated that witnesses deposed pursuant to that order would have to appear at
17 some point for a second deposition. (Order, 12/1/25, p. 5:1-11.) In addition, at the recent round of
18 depositions of State Parks witnesses Mr. Moss, Ms. Ealy, Sgt. Araujo and Jason Finlay, that took
19 place on April 8, 9 and 13, many of the parties that were subject to the discovery stay stated that
20 they had not had an opportunity to conduct initial discovery and therefore were not in a position to
21 depose these witnesses. All of these parties reserved their rights to take the depositions of these
22 witnesses a second time at a later date. Thus, it became readily apparent that these witnesses
23 would need to appear for a second deposition. Therefore, even if plaintiffs could establish any
24 violation of the discovery order or prejudice, which they cannot, the assertion by plaintiffs'
25 counsel that they should be reimbursed for costs to re-depose these witnesses is without merit
26 because they are going to be deposed again anyway.

27 Finally, plaintiffs recently propounded a comprehensive request for production of
28 documents which expands the parameters of documents that were the subject of the court's

1 previous discovery orders but also requests all of the same documents that were responsive to
2 those orders. Thus, as a practical matter, the previous discovery orders are essentially moot
3 because the State is going to re-produce all the documents subject to those orders anyway as well
4 as the newly requested documents.

5 **IV. DEMURRERS BY OTHER DEFENDANTS**

6 Pursuant to CMO No. 3, the following briefing schedule was ordered for pleading
7 challenges by defendants other than the City and STATE:

8 **A. Round One:**

9 (1) Sempra/So. Cal Gas; (2) County of Los Angeles; (3) Mountains Recreation and
10 Conservation Authority.

11 - Demurrers filed: March 31, 2026

12 - Oppositions due: May 29, 2026

13 - Reply due: June 26, 2026

14 - Hearing: July 15, 2026

15 **B. Round Two:**

16 (1) AT&T; (2) Biggs Realty, Inc.; (3) Spectrum; (4) SCE; (5) J. Paul Getty Trust; (6) Las
17 Virgenes Municipal Water District; (7) Pacific Palisades Bowl Mobile Estates Del, LLC;
18 (8) Frontier Communications; (9) Victor Martinez Associates; (10) Pacific Palisades Bowl Mobile
19 Estates, LLC..

20 - Demurrers due: May 29, 2026

21 - Opposition due: July 31, 2026

22 - Reply due: August 31, 2026

23 - Hearing: September 23, 2026.

24 **V. DATA SERVICE PROVIDER**

25 The Parties have mutually agreed to use the services of BrownGreer as the Data Service
26 Provider to track and gather data, including but not limited to, the Plaintiff registration portal,
27 Plaintiff Fact Sheets, Liability Questionnaires, Damages Questionnaires, and Plaintiff document
28

1 productions.⁴ Liaison Counsel for the Plaintiffs and Defendants continue to meet and confer about
2 the form of the Plaintiff Fact Sheet and Liability Questionnaire. In the meantime, the portal which
3 will allow Individual Plaintiffs to register their clients with BrownGreer is very close to being
4 completed. Pursuant to CMO No. 3, any Individual Plaintiff with a case on file and related to the
5 Lead Case is required to register in the Data Service Provider's portal within 30 days of when the
6 portal becomes active.

7 **VI. PARTIES' EFFORTS TO COORDINATE SERVICE OF PROCESS**

8 Individual Plaintiffs' Liaison counsel and counsel for LADWP have begun discussing a
9 uniform method of serving Short Form Complaints via the Brown Greer portal. If viable, this
10 method of service would be available to all plaintiffs and all defendants and will obviate the need
11 for piecemeal service methods (i.e., personal service, Notice and Acknowledgement of Receipt,
12 etc). It is not yet certain whether the Brown Greer portal will be suitable for this purpose, but if
13 not, counsel will look for alternative methods to simplify service. Counsel will keep the Court
14 apprised of their efforts.

15 Dated: May 13, 2026

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By: 
Alexander Robertson, IV

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Dated: May 13, 2026

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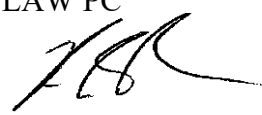
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⁴ Each defendant's share of the BrownGreer costs is subject to final approval and authority from their respective clients and/or insurance carriers.

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22 Dated: May 13, 2026

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