

Guide to Potential Claims and Damages Against Southern California Edison

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1. PRIMARY LEGAL THEORIES FOR RECOVERY

A. Inverse Condemnation

- Definition: A claim that property was taken or damaged for a public use.
- **Key Point**: Liability can attach even without proving negligence if the utility's equipment substantially caused the fire.
- Potential Recovery:
 - Just compensation for property damage.
 - Attorneys' fees and litigation costs.

B. Negligence

- Definition: A claim that Southern California Edison (SCE) failed to use reasonable care.
- Key Point: Typically requires showing SCE did not properly maintain equipment or adhere to safety protocols.
- Potential Recovery:
 - Can include a broader range of damages than those under inverse condemnation alone.

C. Other Potential Claims

- Trespass & Nuisance: For wrongful intrusion on property or interference with its use/enjoyment.
- Premises Liability: May apply if there was a failure to maintain safe conditions on SCE property.
- Violations of Public Utilities Code/Health & Safety Code: Statutory claims that may
 provide additional avenues for recovery or penalties.



2. TYPES OF DAMAGES RECOVERABLE

A. Property Damages

- Repair or Replacement: Costs to fix or rebuild damaged/destroyed homes and structures.
- Diminished Value: If property value has permanently decreased due to the fire.
- Personal Property: Reimbursement for lost contents (e.g., furniture, electronics).
- Insurance Gaps: Recovery for any costs not covered by insurance.

B. Economic Damages

- Loss of Use: Compensation for being unable to live in or use your property.
- Additional Living Expenses: Reimbursement for temporary housing, meals, and relocation costs.
- Business Losses / Lost Income: For business interruption or inability to work.
- Evacuation-Related Expenses: Out-of-pocket costs (e.g., hotels, travel, extra childcare).

C. Non-Economic Damages

- Emotional Distress: Psychological harm caused by the fire and its aftermath.
- Pain and Suffering: Physical or emotional toll arising from injury or trauma.
- Loss of Enjoyment of Life: Impact on day-to-day activities and quality of life.
- Mental Anguish / PTSD: Specific medical or psychological diagnoses stemming from the event.

D. Punitive Damages

- **Definition:** Additional damages meant to punish egregious wrongdoing.
- **Key Point:** Available if SCE is found to have acted with malice, oppression, or fraud—beyond mere negligence.



3. IMPORTANT CONSIDERATIONS

A. Insurance Coverage

- **Primary Recovery:** Most people should first file claims with their homeowner's or business insurance.
- Underinsurance Risks: Many policies don't fully cover extensive wildfire losses; a lawsuit could help recover the difference.

B. Statute of Limitations

- **Deadline:** In California, you typically have three years to file most wildfire-related property damage or personal injury claims.
- Why File Sooner?
 - Early filing can expedite a potential settlement or resolution.
 - Court dockets often address cases in the order they are filed.

If you have suffered losses due to a wildfire potentially caused by Southern California Edison's equipment or negligence, you may have legal recourse under multiple theories of liability.

Damages could include property losses, business and personal economic losses, as well as compensation for emotional harm. Always consult with a qualified attorney to understand how California law applies to your situation and to ensure you meet critical filing deadlines.





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