

NEWS RELEASE

MEDIA CONTACT: Angela Bailey
bailey@psblaw.com
909-286-4040



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SoCalGas Well Blowout Victims Denied Right to Restitution in Criminal Proceedings Seek Justice in California Court of Appeal

"As a former District Attorney for the County of Los Angeles, I am committed to victims and their rights including all appellate remedies to protect those rights under the California Constitution and Marsy's Law...."

Hon. Steve Cooley, former Los Angeles County District Attorney 2000-2012

LOS ANGELES, Calif. – Victims of the Southern California Gas Company (SoCalGas) Well Blowout are seeking to take their case before the California Court of Appeal, following an opinion issued by the Appellate Division of the Los Angeles County Superior Court that affirmed a judgment to deny victims the right to restitution in the criminal matter against SoCalGas. The judgment was a result of a September 2016 plea agreement between the Los Angeles County District Attorney and SoCalGas. The Los Angeles District Attorney allowed the utility to enter a no contest plea to one misdemeanor charge of failing to timely report the release of hazardous materials from the Aliso Canyon Gas Storage facility and pay a \$75,000 fine but did not require SoCalGas to make restitution to any person for economic loss.

*"The Superior Court Appellate Division denied the petition seeking to reverse the trial court's order denying the victims their right to restitution," says **Margaret M. Grignon**. "As a result, we are now seeking certification of the appeal to take these important legal issues to the Court of Appeal."*

Filed in Los Angeles, [the Appellants' Application for Certification](#) seeks to have the appellate division of the trial court certify the case to be transferred to the Court of Appeal to resolve "important questions of criminal law, several of which have not been previously addressed, as well as important criminal law issues that require uniform guidance." Those important questions involve the fundamental rights of crime victims, including whether a crime victim has a constitutional right to priority in payment of economic losses.

*"This is a case of huge significance, not only in terms of the number of people who were harmed by the worst, single natural gas blowout in history but because the Victims' Bill of Rights is being undermined," says **Brian Panish**, Plaintiffs Co-Lead Trial Counsel in the Porter Ranch litigation. "The Appellate Court should review these determinations so that the thousands of individuals harmed at the hands of SoCalGas may seek their constitutional right to restitution. This is an opportunity for the court system to reach these people and make them whole."*

The appellate panel's [opinion issued](#) on August 7, upheld the trial court's acceptance of the hasty plea agreement reached without the victims attorneys being present and the court's determination that no causal link was established between SoCalGas' criminal conduct in failing to report the gas leak for three days and the economic loss and damages suffered by the victims as a result. At the 2016 hearing in front of the trial court, there were 7,225 individuals seeking restitution; the number of victims is now much higher. Hundreds of small businesses were injured, and SoCalGas has claimed in the civil case, none of the businesses have a right to recover their damages. The constitutional right to restitution is vital to protect all of the victims operating businesses in Porter Ranch as well as individual victims.

Victims of crime in California have a right to be paid for damages before any government agency, but that hasn't been the case for the thousands of victims affected by the criminal misconduct of SoCalGas.

*"The District Attorney took money from SoCalGas in exchange for denying victims the right to restitution and according to the DA, this constitutional right is only worth pennies on the dollar," says **R. Rex Parris**, member of the Private Plaintiffs Steering Committee in the Porter Ranch litigation. "The City, County, and State followed the DA's lead when they settled with SoCalGas, again agreeing to take money first. Why does the government get paid before victims of any crime?"*

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