

# Lawsuits filed against Pep in wake of fire

## Baldwin Hills homeowners blame school for losses

by Kelley Farley and Mychel Walker

Lawsuits potentially totaling millions of dollars have been filed against Pepperdine as a result of the July 2 Baldwin Hills fire, and attorneys for the families of three persons who died in the blaze said they will soon file wrongful death suits against the university.

According to four suits filed in Superior Court in Los Angeles, Pepperdine, as owner of the land on which the arson-set fire apparently started, failed to properly clear brush from the 22-acre slope in compliance with a city weed abatement ordinance.

Forty-eight homes were destroyed and 18 were damaged in the fire, resulting in \$6.8 million in property damage. Three persons died, while approximately 300 were left homeless or temporarily homeless.

The fire started when "multiple incendiary devices" were tossed into dry weeds on Pepperdine's property along La Brea Avenue, according to a Los Angeles Fire Department spokesman, causing a 4,000-foot-wide "wall of flames" to engulf the affluent neighborhood.

A spokesman for Gary Hanson, Pepperdine's legal counsel, said the school would not comment on the case.

"Because it is in litigation, we are not at liberty to discuss the case," Dr. Larry Bumgardner, assistant vice president for university affairs, said.

Bumgardner did say, however, that early indications were that the fire was not started on Pepperdine land. "We're still not sure," he said.

Two wrongful death claims have already been filed against the city of Los Angeles, and attorneys said they will take similar action against Pepperdine once the claims are denied by the city.

"We'll wait until the claim is deemed denied before we file suit (against Pepperdine)," Johnnie L. Cochran, attorney for Bertha Allen, said. Allen's husband and mother died in the fire. We'll do it (sue the city and Pepperdine) all at once."

The claim, which is required in any action involving a public entity, is deemed denied if the city has not answered within 45 days from the date of filing.



A 'for sale' sign is the only recent addition to this property which was devastated by an arson fire on July 2. The fire destroyed or damaged 66 homes.

Graphic photo/Troy Maben

"When a claim is filed, it is referred to the city attorney for investigation," John Neville, senior assistant city attorney, said. "After investigation the claim will either be granted or denied and the plaintiff must then file suit within six months."

Both Cochran and John E. Sweeney, attorney for the family of Marie Gladden, the third person who died, plan to file wrongful death suits as soon as the 45-day period ends. Sweeney will be

able to file suit Oct. 14, while Cochran can file Oct. 24.

Sweeney said he expects his suits to be "multimillion-dollar cases."

Attorneys for many of the Baldwin Hills residents said scores of claims will eventually be filed against Pepperdine as residents' insurance companies seek to recoup their losses through subrogation.

"There will be 40-50, maybe up to 100 plaintiffs before this is over," Barry Krasner, attorney for two of the plaintiffs, said.

So far four separate suits have been filed against Pepperdine, representing 33 residents. Cochran, in addition to representing Allen, is counsel for 20 other households affected by the

► See Lawsuit pg. A5

# Baldwin Hills Fire Victims Seek to Consolidate Suit

By DOROTHY TOWNSEND, *Times Staff Writer*

Attorneys for about 90 victims of the July 2 Baldwin Hills fire filed papers in Los Angeles Superior Court on Monday to consolidate their cases against Pepperdine University and ask for preference in setting an early trial date.

Because civil lawsuits in Los Angeles County take as long as five years to get to trial, the lawyers are seeking preferential treatment, because "at least a dozen of the plaintiffs are 70 years old or older and one of them died a couple of weeks ago," attorney James H. Davis said.

The suits, filed on behalf of those who lost homes, belongings or loved ones in the arson-caused

brush fire that destroyed or damaged 66 homes and left three people dead, also name the City of Los Angeles as a defendant.

"In my judgment, the case against the city is weak," Davis acknowledged Monday. "But there is some indication there was some neglect [in getting fire-fighting equipment there in time]."

Davis said the basic case is against the university on the grounds that "Pepperdine allowed the grass and weeds [along La Brea Avenue, where the fire was started] to grow, after being told twice to clean it up. A nuisance was created, making them liable in our

Please see **BLAZE, Page 3**

## BLAZE: 90 Victims Seek Common Suit

Continued from Page 1

opinion."

The lawyer said no specific amount of dollar damage is sought in the cases, but added that "it will probably be upward of \$20 million."

He said punitive damages also are being sought "on the theory of conscious disregard."

In one case, Davis said, 64-year-old victim Vivian Schertle, who has undergone skin graft operations for second- and third-degree burns, still is undergoing treatment and has run up medical expenses of "several hundred thousand dollars."

A hearing on the motion for early trial is scheduled for March 26. California law allows for a trial to be set within 120 days under certain conditions—in this case, the age of the plaintiffs and the fact that a felony (arson) was involved.

Several lawsuits have been filed against the university since the fire, including at least two by insurance companies responsible for covering losses.

### New Cases

Two new lawsuits were filed at the downtown courthouse on Monday by attorney Johnnie L. Cochran Jr., and they too are included in the request for consolidation. Davis, Cochran and attorney John Sweeney are all seeking to have the cases joined and heard by a single judge at an early date.

With Davis Monday was Geraldine White, whose husband John, 64, died Feb. 27 of a stroke. She said she and her husband, who "already had a heart problem," lost their home in the fire and have had to move twice to apartments since.

"The stress didn't help him," she said.

Spokesmen for both the university and the city Monday reiterated their continuing policies not to comment on the pending litigation.