

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Russell Reiner SBN: 84461 REINER, SLAUGHTER, MAINZER & FRANKEL, LLP 2851 Park Marina Drive, Suite 200 Redding, CA 96001 TELEPHONE NO: 530-241-1905 FAX NO. (Optional): 530-241-0622 E-MAIL ADDRESS (Optional): rreiner@reinerslaughter.com ATTORNEY FOR (Name): Tim Smith	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU SEP - 6 2022 BY <u>D. HABERMAN</u> DEPUTY CLERK CASE NUMBER: CV PO 22-951
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SISKIYOU STREET ADDRESS: 411 Fourth Street MAILING ADDRESS: 411 Fourth Street CITY AND ZIP CODE: Yreka, 96097 BRANCH NAME: Yreka Division	
PLAINTIFF: TIM SMITH DEFENDANT: ROSEBURG FOREST PRODUCTS CO.; and <input checked="" type="checkbox"/> DOES 1 TO <u>10</u> , inclusive	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Fire <input checked="" type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death Double or treble <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): damages to trees	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	

1. Plaintiff (name or names): Tim Smith
alleges causes of action against defendant (name or names): Roseburg Forest Products Co.
2. This pleading, including attachments and exhibits, consists of the following number of pages: 4
3. Each plaintiff named above is a competent adult
 - a. except plaintiff (name):
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):
 - b. except plaintiff (name):
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):

Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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4. Plaintiff (name):
 is doing business under the fictitious name (specify):

 and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. except defendant (name): Roseburg Forest Products Co.

(1) a business organization, form unknown

(2) a corporation

(3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

c. except defendant (name):

(1) a business organization, form unknown

(2) a corporation

(3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

b. except defendant (name):

(1) a business organization, form unknown

(2) a corporation

(3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

d. except defendant (name):

(1) a business organization, form unknown

(2) a corporation

(3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. Doe defendants (specify Doe numbers): 1-5 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. Doe defendants (specify Doe numbers): 6-10 are persons whose capacities are unknown to plaintiff.

7. Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. at least one defendant now resides in its jurisdictional area.

b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. injury to person or damage to personal property occurred in its jurisdictional area.

d. other (specify):

9. Plaintiff is required to comply with a claims statute, and

a. has complied with applicable claims statutes, or

b. is excused from complying because (specify):

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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (specify):

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (specify): Double or treble damages to trees.

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
- (2) punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

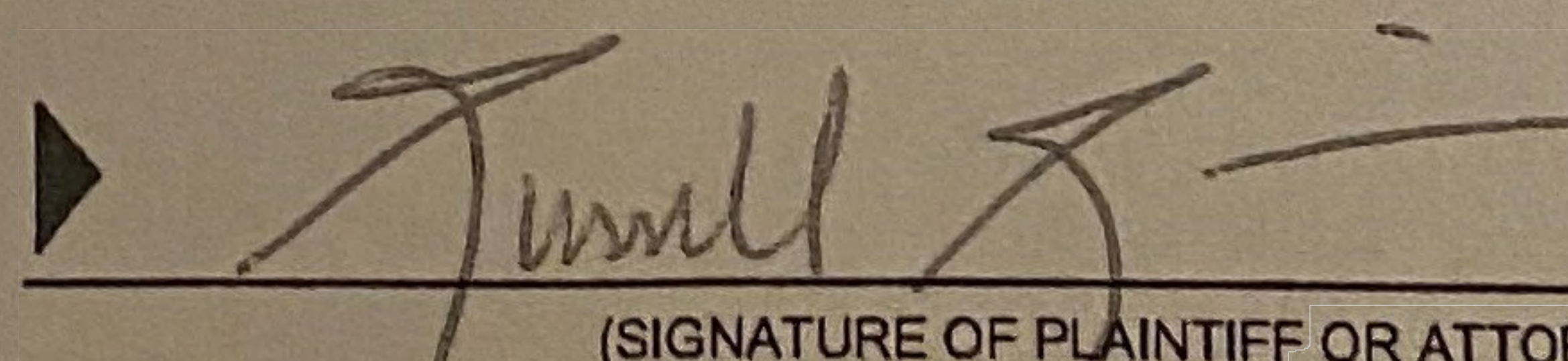
- (1) according to proof
- (2) in the amount of: \$

15. The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: September 6, 2022

Russell Reiner

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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First
(number)
CAUSE OF ACTION—General Negligence
Page 4

ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff *(name)*: TIM SMITH

alleges that defendant *(name)*: ROSEBURG FOREST PRODUCTS CO.; and

Does 1 to 10

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on *(date)*: September 2, 2022

at *(place)*: 1187 Tent Avenue, Weed, CA 96094

(description of reasons for liability):

On September 2, 2022, the Mill Fire destroyed over 100 homes in Siskiyou County and killed at least two people. The Mill Fire began in Weed, California, in or around a warehouse owned and operated by Roseburg Forest Products Co. Roseburg negligently maintained and operated the warehouse and adjacent property so as to create, cause, allow contribute to and assist in creating a dangerous condition on the property which caused a fire to burn and destroy plaintiff Tim Smith's home and all of his personal property and cherished belongings. Moreover, as a result of the negligence of Roseburg Forest Products Co., plaintiff Tim Smith was exposed to and had to flee the fire causing him to suffer personal injuries and serious emotional distress as well as property damages, in amounts which will the subject of proof at trial. He was displaced from his home.

At all relevant times, defendants and each of them knew or in the exercise of reasonable care should have known, that they were not properly operating and maintaining their warehouse and adjacent property such that it was likely to create and become a fire hazard and result in injury or cause other damages to persons or property throughout the community.

Defendants, and each of them, so negligently and carelessly operated and maintained the Roseburg warehouse and adjacent property that they caused personal injuries and damages, including property damages to plaintiff Tim Smith. The property damage includes the cost to replace Mr. Smith's home and all of his personal property. It also includes the cost to demolish and remove debris from his property.