

In this Wednesday, Dec. 7, 2016, photo, Oakland fire officials walk past the remains of the Ghost Ship warehouse damaged from a deadly fire in Oakland. The landlord of an Oakland warehouse where 36 people died in a fire earlier this month has retained a Southern California-based attorney. Attorney Keith G. Bremer of Bremer Whyte Brown & O'Meara will represent Chor Ng, who owns the Ghost Ship property in East Oakland. (AP Photo/Eric Risberg, file)

By **DAVID DEBOLT, ERIN BALDASSARI and MATTHIAS GAFNI / STAFF WRITERS**

OAKLAND – From the building owner to the concert promoter, the master tenant to the city and the county, everyone bears some responsibility in the Dec. 2 warehouse fire that killed 36 people, according to the first lawsuits and claims filed Friday over the deadly Ghost Ship blaze by two grieving sets of parents.

The parents of 20-year-old San Francisco State student Michela Gregory and 23-year-old UC Berkeley graduate Griffin Madden sued several people associated with the Fruitvale warehouse turned art collective, accusing them of negligence and other failures. They also filed claims against the city of Oakland and Alameda County.

“This was some of the grossest forms of carelessness and negligence,” said attorney Mary Alexander on Friday, standing outside Alameda County Superior Court in Oakland during a news conference. “They all contributed, they all were a cause, and they all were responsible in bringing this tragedy about.”

The lawsuits further illustrated the cluttered, over-stuffed interior of the venue and the grim final moments for the three dozen victims killed at the music party that Friday night.

“Patrons and invitees, including Michela, tried to exit the warehouse, but were unable to exit due to the unsafe conditions and configuration of the warehouse,” according to the Gregory lawsuit, which was similar to Madden’s. “Michela was trapped in the inferno inside.”

Clutching his crying wife Friday, David Gregory spoke lovingly about his daughter Michela.

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“There’s not a day that goes by that we don’t miss her. She was a good kid. Her and Alex (her boyfriend) loved each other, they wanted to have a good time,” Gregory said. “She never came home. We will never see her again. Now we just want justice, we just want justice.”

The suit named Chor Ng, the building owner, and her daughter Eva Ng; Derick Almena and Micah Allison, the husband and wife who operated the Satya Yuga arts collective inside the Ghost Ship warehouse; Joel Shanahan, who goes by the name Golden Donna and who hosted the concert; John Hrabko, the promoter; and two neighbors of the Ghost Ship. The claims filed Friday with the city of Oakland and Alameda County are the first steps in filing a lawsuit against public agencies.

Representatives for Ng and Almena did not immediately respond to requests for comment. Erica Terry Derryck, the spokeswoman for Oakland Mayor Libby Schaaf, and the City Attorney’s Office said the city does not comment on pending litigation. A county counsel official said she had not seen either claim.

Neither Gregory nor Madden died instantaneously, their families say in the lawsuits, instead suffering “many minutes before dying.” The lawsuits did not list a cause of death, but said their injuries included smoke inhalation.

The lawsuits characterized the well-publicized Ghost Ship interior as a “maze of makeshift rooms, alcoves and partitions,” calling it a “death trap.”

The interior also included flammable materials, such as industrial and art supplies and propane tanks. The electrical system, the suits alleged, often sparked and circuit breakers would frequently blow out. On Dec. 1, the day before the deadly blaze, a refrigerator caught fire and tenants extinguished it, the families alleged.

The lawsuits also named the businesses next door to Ghost Ship, leased from Ng by Daniel Lopez and Omar Vega, saying they “manufactured, distributed and/or sold materials to the Ghost Ship ... and provided utilities and services to the Ghost Ship, including supply of electricity” through a hole in the wall.

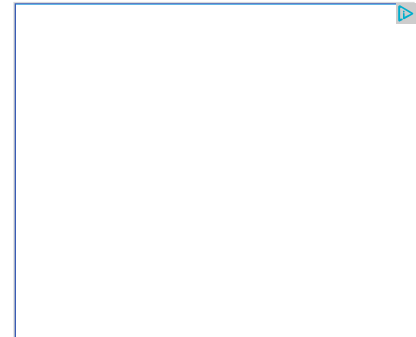
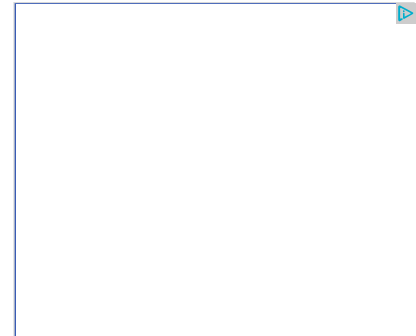
Gregory, an honor-roll student in her junior year, was studying child development while balancing part-time jobs at Duggan’s Serra Mortuary in Daly City and Urban Outfitters on Fillmore Street in San Francisco. She was dating Alex Vega, 22, who also died in the blaze.

Gregory was “very close,” to her parents and lived with them, Alexander said.

“They certainly had to wait for days to find out,” Alexander said of Gregory’s parents. “It’s been very difficult with Michela’s bedroom right there at home, and such a senseless event that to be trying to come to grips with her loss, it’s just been overwhelming.”

The Gregory lawsuit described how Michela was found in the arms of Vega, who was “trying to protect her from the fire.”

Meanwhile, Alexander described Madden as a “brilliant” graduate of UC Berkeley, where he studied philosophy, Slavic languages and literature. He had also recently joined Cal Performances as a full-time audience services associate, after working there as a student usher through his four years as an undergraduate.



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Griffin “had so much promise,” said Alexander, who previously represented victims of the 2010 San Bruno pipeline blast.

“He was trapped and knew that he was likely going to perish because he could not get out,” according to the lawsuit.

Attorney Dan Horowitz, who has been following the Ghost Ship fire aftermath, and Mark Gergen, professor of law at UC Berkeley, said the government agencies may not be liable after all.

“That’s because of a California statute that shields public entities from this sort of claim for failure to inspect,” Gergen said. “Without a doubt the master tenant has liability and that’s because there’s any number of municipal code violations.”

Almena would have civil liability, including negligence, however he may have no assets for victims to be awarded, Horowitz said. The promoter as well.

And Ng, who owns a number of properties including the Ghost Ship warehouse, as well as her insurance company, is liable, even if Ng didn’t know anyone was living in the building, Horowitz said.

“The landlord is liable for damages caused by unlawful conditions on her premises,” he said.

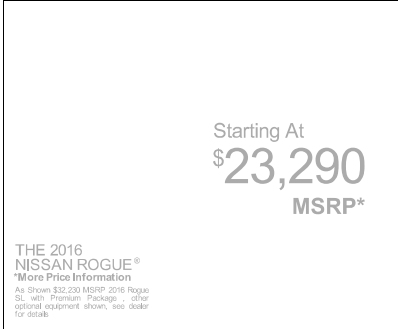
Ultimately, Alexander said the disaster was one that could have been prevented. In addition to monetary compensation for their loss, Alexander said the family is hoping the fire will bring about systemic change with respect to warehouses being converted into housing, and assurances that concerts and other events held at such venues have proper safety precautions.

“It’s sad that it takes this kind of event to get people’s attention,” Alexander said. “But hopefully there will be changes, and we hope very much that will be an outcome of these lawsuits.”

More lawsuits are likely on the way.

Dan Vega, the older brother of Alex Vega, said his family had no comment, except to say they are interviewing attorneys.

Staff writer Tracy Seipel contributed to this report.



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