

# Singleton & Adler

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### Via U.S. Mail & Email

To: Butte Fire Clients

### **Re: Butte Fire Litigation Status and Client Update Letter**

Dear Clients,

We hope that you had a pleasant summer. We are pleased to report that the mediation process is going well and that we are continuing to resolve more cases every month.

The purpose of this letter is to provide a general update and inform you of some recent developments in the litigation. However, if you would like to discuss your individual case, or if you have any questions, please do not hesitate to call us at any time.

The two most significant developments are (1) PG&E's agreement to open up the mediation process to all plaintiffs (not just "preference" plaintiffs), and (2) new aerial technology that will significantly reduce the costs required to obtain expert opinions regarding tree losses.

### **Mediations Non-Preference Plaintiffs**

As we discussed in a prior update later, the cases of plaintiffs who were entitled to a preference in trial setting based on their age and physical condition had their cases submitted to mediation first. However, it appears we have now reached an agreement with PG&E to open up the mediation process to non-preference cases as well.

Between September 23 and the date of the next status conference (December 1), there will be a trial period during which we will submit non-preference cases to mediation to see if we can resolve them. If this process works, then we will continue to mediate and settle all cases, not just those entitled to a preference. However, if PG&E refuses to make fair offers on the non-preference cases, then we will return to court on December 1 and request an immediate trial date for the non-preference cases.

While there are no guarantees that non-preference cases will begin settling, we are very optimistic that we will be able to start resolving these cases in 30-60 days. During this period, we will continue to prepare our liability case against PG&E so that, in the event that one or more cases do not settle, we will be prepared to proceed to trial.

## **Completing Your Discovery**

In order to settle your case, we must complete your discovery. Our attorneys are experienced and trained to efficiently handle the work up of your case. However, your cooperation is an essential component in getting your case ready and submitted for settlement review. Accordingly, while we know you are very busy, please try and respond as quickly as possible.

## **Aerial Photography Technology – Pictometry Imagery**

Lastly, we are pleased to announce that we have incorporated a new photographic aerial technology, known as “Pictometry Imagery”, into our tree-damage evaluation process. This cutting edge technology allows our experts to view all areas of a property – including those that would not be visible from the ground – without having to visually inspect the property.

This form of aerial photography is more clear than anything ever used in the past, with each pixel representing approximately 4 centimeters. The photography is not only capable of taking very clear overhead photos, but it can also capture a property at a unique angle. This makes fire damages much easier to recognize and interpret.

Below is a pre- and post-fire sample photo capturing a “bird’s eye” view of the damages. In addition to showing the severity of the damages caused by the fire, this technology allows our experts to zoom in on individual areas of the property and identify things like the number, species, size, and condition of the trees damaged by the fire.

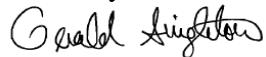


The use of this technology is not only efficient, but it will also save our clients money. Arborists and other experts may conduct most or all of their analysis of the property through this aerial imagining. In most cases, an arborist will not need to do an onsite visit, which saves our clients approximately 75% on expert costs. In some circumstances, it may be necessary to conduct an onsite visit. However, we will contact you beforehand if an arborist will need to come out to your property.

### **Conclusion**

We are very encouraged by how the case is going, and we will continue to work to get your cases resolved as promptly as possible. We appreciate your trust and confidence in us. As always, if you have any questions, or would like to discuss your case in general, please do not hesitate to contact us at any time.

Sincerely,



Gerald Singleton, Esq.



Elliot Adler, Esq.