

# **\$230 million settlement reached in 2015 SB oil spill lawsuit**



**KENNETH SONG/NEWS-PRESS FILES**

**A man shovels up oil on a section of beach one mile east of Refugio Beach in 2015.**

A settlement has finally been reached in the seven year-lawsuit regarding the 2015 Santa Barbara oil spill. Plains All American Pipeline has agreed to pay \$230 million to fishers, fish processors and shoreline property residents who are members of two classes in a class-action lawsuit filed against the company.

The lawsuit was filed after a corroded pipeline spilled an estimated 15,000 barrels of crude oil into the Pacific Ocean in 2015.

The class members are represented by Cappello & Noël LLP, Lief Cabraser LLP, Keller Rohrback LLP and Audet & Partners.

15,000 barrels of oil is equivalent to approximately 630,000 gallons. An expert in liquid mechanics for Cappello & Noël LLP calculated that 10,750 of the 15,000 barrels hit the water, or about 451,000 of 630,000 gallons.

“The spill started on land above the beach and above the freeway, it pooled there, part remained and most of it then ran into a culvert downhill to the Refugio Beach and ocean. Our expert used Uniform Command oil sampling up and down the coast, all the way to OC, to validate his calculation,” Mr. Cappello told the News-Press.



**Runoff from the oil spill washes up on Refugio Beach in 2015.**

Plains operated 130 miles of pipeline which transported crude oil from the Santa Barbara Coast to inland refinery markets in California. Plains was found criminally liable for the spill in 2018 due to failed maintenance and extensive pipeline corruption. The spill devastated the fishing industry and polluted coastal properties from Santa Barbara County to Los Angeles County. These class members will now be compensated for their damages.

“It took seven years of extensive litigation, but with the hard work of Federal District Court Judge Philip S. Gutierrez who kept tight reins on the litigation, the dedication of the plaintiffs’ team of law firms and determined mediators, a meaningful settlement was reached just short of a jury trial that was fully primed to be tried by the plaintiffs on June 2,” said Barry Cappello, lead trial counsel for the victims and managing partner at managing partner at Cappello & Noël, in a press release.

Mr. Cappello also litigated the 1969 Union Oil spill in Santa Barbara, the environmental disaster that ignited the environmental movement in the U.S.

The Lieff Cabraser team primarily led the class certification effort, the Keller team focused on the fish industry damages case. The Cappello & Noel team focused on the expert work demonstrating the size of the spill, the extent of its impact on the fishing areas and the coastal

properties; they also led the trial preparation effort. These firms worked together on all aspects of the case assisting and supporting each other.

“It really is a team effort. We had a telephone conference every week with 7-10 lawyers. It was a huge effort,” Mr. Cappello told the News-Press.

Retired Judge Daniel Weinstein and Robert Myer Judicial Arbitration and Mediation Services (JAMS) have been instrumental mediators in helping resolve the case, as they met with a team of lawyers over the years to bring the parties to a resolution.

“Very capable lawyers have fought literally every battle. It was almost like a war in the pacific where you had to fight every inch of ground and then go to the next island. We were originally shut down in 2020 due to Covid. We fought hard for five years,” said Mr. Capello.

The settlement is before Judge Gutierrez pending approval. If the settlement is approved, class members and a plan of distribution approved by the court will be created with \$184 million distributed among the fisher class and \$46 million distributed among the property class. This totals \$230 million.

“At the Status Hearing on May 6, after both sides informed Judge Gutierrez that it appeared the case was about to settle, he indicated that once he received the settlement filings, if it looked in order he would rule on the proposed motion and order for preliminary settlement without another hearing. If he had questions he would ask them by email, and if he felt it necessary, he would call for a hearing on the preliminary motion for approval of the settlement. We are hoping and expect that he will rule on the papers that we have submitted. There was no indication at all from the Judge that he would not rule on the proposed motion,” Mr. Cappello told the News-Press.

This settlement resolves one of two federal class action suits the plaintiffs’ lawyers brought relating to the spill. The final approval hearing is set for September 30.

*email: [kzehnder@newspress.com](mailto:kzehnder@newspress.com)*