

## **PRESS RELEASE – FOR IMMEDIATE RELEASE**

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### **SAN FRANCISCO CRABBING FLEET’S SETTLEMENT WITH CITY OF SAN FRANCISCO AND SECURITY PROVIDERS OF CLAIMS ARISING FROM DEVASTATING PIER 45 FIRE IN 2020 APPROVED BY CITY**

SAN FRANCISCO, MAY 19, 2023—The last hurdle was cleared today in the effort by approximately thirty commercial fishers—who together make up the bulk of San Francisco’s crabbing fleet—to be made whole from the losses they suffered when a four-alarm fire ravaged the 85,000 square-foot Shed C of Pier 45, on Memorial Day weekend of 2020. A \$6.2 million settlement, reached last fall between the fishers the City and County of San Francisco, Allied Universal Security, and Treeline Security, was finally given official approval today by the City and County of San Francisco.

As alleged in the Complaint filed by the fishers in the action, the Port of San Francisco created, or knowingly failed to prevent, a number of dangerous conditions that culminated with the fire at Pier 45. For example, the Port knew that unhoused individuals frequently trespassed in Shed C – which was never locked – and knew that they regularly started camping and cooking fires inside the shed. The Port and its security providers, nevertheless, failed to prevent the unhoused individuals from accessing the shed. The Port further failed: to maintain the poorly aged electrical systems in Shed C; to install required and appropriate fire safety, prevention, and mitigation measures, including sprinklers or a standpipe that the fire marshal had specifically directed the Port to install. The Port, in fact, allowed vehicles to be parked in Shed C, after being specifically ordered by the fire marshal to prohibit such parking unless and until it installed sprinklers in the shed and took other measures. The Port likewise allowed dangerous flammable and explosive materials to be stored haphazardly within the Shed, including volatile fuels and piles of wooden pallets and garbage that the Port failed to clear.

As a tragic result of these failures, the fishers lost millions of dollars’ worth of equipment, losses that hobbled their ability to engage in their usual fishing and crabbing activities, thereby incurring further losses. The settlement, negotiated by Stuart Gross of Gross Klein PC on the fishers’ behalf, goes a long way in making them whole.

John Barnett, one of the plaintiffs and president of the San Francisco Crab Boat Owners Association, observed, “It’s great to finally get this approved and get money in guys’ pockets. Fishermen have had a very rough year. The crab season was shortened on both ends, and we were paid some of the lowest prices in recent memory. And then the salmon season was canceled.” Mr. Barnett continued, “Many guys still haven’t recovered from the losses they suffered in the fire. This settlement is really needed.”

Another plaintiff and long-time crabber and fisher John Mellor put it this way, “Many of us lost thousands of dollars’ worth of gear in the fire, and we don’t have a pot of savings that can be dipped into when something like this happens. This settlement, for a lot of us, is the difference between making it and not making it.”

“It is always gratifying to achieve a get a good result for your clients,” said the plaintiffs’ attorney Stuart Gross of Gross Klein PC. “However, it is especially gratifying in this case. These men and women are what makes San Francisco great, and they should never have been placed in this position. I’m glad we were able to help out.”

The lawsuit is titled *Burchell, et al. v. City and County of San Francisco*, CGC-20-588665 (S.F. Sup.).