

Daily Journal

www.dailyjournal.com

TUESDAY, JULY 22, 2025

Ventura, contractor settle tree branch death suit for \$19M

Ventura and its tree contractor settled for \$19 million with the family of a man killed by a falling tree branch, in one of Ventura County's largest wrongful death payouts.

By Skyler Romero
Daily Journal Staff Writer

The City of San Buenaventura and its main tree maintenance contractor have reached a \$19 million settlement with the family of a man who was killed by a falling tree branch in what the plaintiffs' attorneys say is one of the largest wrongful death settlements in Ventura County history.

The case alleged serious negligence by the city and West Coast Arborists Inc. in failing to address clear warning signs of the tree's hazardous condition.

Ivan Puchalt of Greene Broillet & Wheeler LLP in El Segundo, who represented the plaintiffs, confirmed in a phone call on Monday that West Coast Arborists had agreed to pay \$3 million in addition to a \$16 million settlement previously reached with the city.

"The city might have been operating under the impression that its contractors were checking the trees for hazards while they weren't," Puchalt said. "I think now everyone will hopefully be a lot more deliberate and have a better understanding of whose obligation it is to check all these trees in the city for hazards, and that the city will now either do it or they'll make sure that their independent contractors know that that's part of their contract."

The plaintiffs were also represented by Greene Broillet attorney Jenna D. Edzant in El Segundo and Max R. Engelhardt of Ferguson Case Orr Paterson in Ventura.

Outside counsel for the city included Dean Gazzo Roistacher LLP attorneys Mitchell D. Dean, Stephanie M. Skees and Deborah L. Nash in Solana Beach. In a phone call on Monday, Dean directed inquiries to the office of Ventura City Attorney Javan N. Rad.

In an email on Monday, a representative for the city said, "The city has resolved this tragic matter with Mr. White's family. We cannot comment further at this time."

West Coast Arborists were represented by Yoka Smith LLP attorneys Christopher E. Faenza, Martin S. McMahan and Vivian I. Rivera in Los Angeles. They did not respond to phoned or emailed requests for comment by press time on Monday.



A fallen eucalyptus tree branch crushed a car in Ventura, resulting in the death of the occupant.
Greene Broillet & Wheeler, LLP

The case involved a man who died after a rotted branch from a 60-foot eucalyptus tree fell onto his car as he drove, crushing his vehicle and breaking his neck. The man, Peter White, died in the hospital two weeks later, according to the lawsuit.

White's family alleged that the city and West Coast Arborists were aware of branch failures along the stretch of road where he was struck, including an incident two years earlier when a branch from the same tree fell and destroyed utility power lines. *White et al. vs. City of San Buenaventura et al.*, 56-2022-00571660-CU-PO-VTA (Ventura Super. Ct., filed Oct. 21, 2022).

"The city knew or should have known a dangerous condition was created, and such that it had sufficient time to remedy or warn against the dangerous condition," an amended complaint read, adding that, "This city undertook to control the subject area, invited reliance on its control of the subject area, and is liable as it created a dangerous condition in doing so."

The city and West Coast Arborists generally denied liability in separately filed answers, listing 22 and 24 affirmative defenses respectively, including statute of limitations, comparative negligence and act of God.

The defendants moved for summary judgment in November, with the tree contractor stating that it "does not own the trees it services or the land upon which they grow."

"Rather, WCA is hired by the municipal entities to maintain the trees in each customer's urban forest," the motion continued. "Regardless of the hazards that they might present, WCA cannot alter, trim, remove, or otherwise service the trees belonging to its customers unless it has been authorized to do so by the property owner."

Meanwhile, the city argued in its motion, "There is no evidence supporting that the city created any dangerous condition, nor did the city have actual or constructive notice of any alleged dangerous condition related to the subject tree."

Judge Ronda McKaig denied the motions earlier this year, ruling that the tree contractors did not establish the absence of a legal duty to the plaintiffs as a matter of law and that the tree was city property that constituted a dangerous condition.

The city reached a \$16 million settlement with the plaintiffs in April.

Puchalt said this week's settlement with West Coast Arborists was the result of depositions by experts, including an arborist who criticized the company for failing to recommend a risk assessment of the tree despite prior incidents.

"I think the amount of money reflects an acknowledgement that they did something wrong, and I think my clients feel vindicated," Puchalt said.

skyler_romero@dailyjournal.com