



BURT C. PROOM, CPCU
President

OFFICE OF THE GENERAL COUNSEL
Joseph Marrone
Vice President and General Counsel

July 26, 1979

Mr. Jerome Saltzman
Deputy Chief
Office of Antitrust & Inadequacy
Directorate of Licensing
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

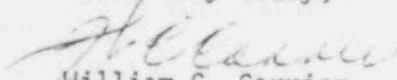
Re: Three Mile Island

Dear Jerry:

I enclose copies of complaints filed in the additional suits now filed in the United States District Court for the Middle District of Pennsylvania:

1. Jack Freedman t/a Babies Specialty Shoppe versus Metropolitan Edison, et al -- Civil Action #79-892
2. John Park and Lenetta Park, husband and wife and Jennifer Park, a minor by her parents and guardians versus Metropolitan Edison, et al -- Civil Action #79-785
3. Frank Allen Park versus Metropolitan Edison, et al -- Civil Action #79-906
4. Donald Mars and Leah Mars, husband and wife versus Metropolitan Edison, et al -- Civil Action #79-912
5. Ms. Jo Ward versus Metropolitan Edison, et al -- Civil Action #79-769

Yours very truly,


William C. Carrier
Claims Counsel

WCC/pbs
Enclosures

485 283

MO12
5/11

PEPPER, HAMILTON & SCHEETZ

ATTORNEYS AT LAW

123 SOUTH BROAD STREET
PHILADELPHIA, PENNSYLVANIA 19109

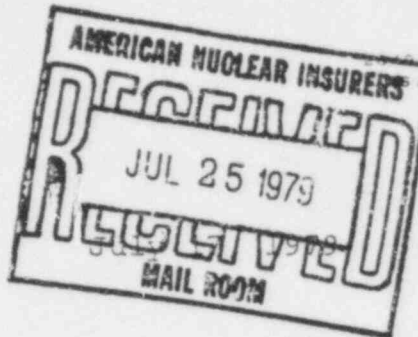
215-293-3000

10 SOUTH MARKET SQUARE
HARRISBURG, PA. 17108
717-233-8493

1776 F STREET, N.W.
WASHINGTON, D.C. 20006
202-862-7500

CENTURY PARK EAST
LOS ANGELES, CA. 90067
213-879-0904

JOHN A. GUERNSEY
215-893-4349



John F. Wilson, Esquire
Assistant Staff Counsel
Metropolitan Edison Co.
P.O. Box 542
Reading, PA 19063

Elizabeth Olmsted, Esquire
Sullivan & Cromwell
125 Broad Street
New York, NY 10004

James H. Agger, Esquire
General Counsel
Catalytic, Inc.
Centre Square West
1500 Market Street
Philadelphia, PA 19102

Lawrence W. Fox, Esquire
Drinker, Biddle & Reath
1100 PNB Building
Philadelphia, PA 19107

Michael M. Maney, Esquire
Sullivan & Cromwell
1775 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Richard Sandler, Esquire
David, Polk & Wardwell
One Chase Manhattan Plaza
New York, NY 10005

*File please
w/enc
7/25*

Re: Jack Freedman t/a Babies Specialty
Shoppe v. Metropolitan Edison Co., et al.;
M.D. of Pa., Civil Action No. 79-892

Dear Gentlemen and Ms. Olmsted:

Enclosed is a copy of Complaint in the above-captioned action.

Sincerely yours,

[Signature]
John A. Guernsey

JAG/nbl

Enclosure

cc: William C. Carrier, Esquire (w/enc.)

485 284

POOR ORIGINAL

RECEIVED

JUL 25 1979

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

W. C. CARRIER

JACK FREEDMAN
t/a BABIES SPECIALTY SHOPPE
3370 Paxton Street
Harrisburg, PA 17111

v.

CIV 79-892

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, PA 19605

: CIVIL ACTION

and
BABCOCK & WILCOX COMPANY
161 E. 42nd Street
New York, New York 10017

and
J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

: JURY TRIAL DEMANDED

and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Punchbowl
Morristown, New Jersey

and
CATALYTIC, INC.
1500 Market St.
Centre Square West
Phila., PA 19102

FILED
HARRISBURG, PA
JUL 19 1979
W. C. CARRIER, CLERK

: No.

COMPLAINT

1. The plaintiff, Jack Freedman, is the owner and operator of Babies Specialty Shoppe, which is an establishment in the business of selling baby furniture located at 3370 Paxton Street, Harrisburg, PA 17111.

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POOR ORIGINAL

INCORPORATED IN THIS STATE	OR	JUDGE	
FOREIGN CORPORATION PRINCIPAL PLACE OF BUSINESS IN (STATE)	<input type="checkbox"/>		CIVIL CASE ARE DEEMED RELATED IF EITHER CASE INVOLVES:
OTHER NON-CITIZEN OF THIS STATE	<input type="checkbox"/>		<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED SUIT
			<input type="checkbox"/> 2. SAME ISSUE OR FACT OR GROWS OUT OF THE SAME TRANSACTION
			<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			

2. (a) The defendant, Metropolitan Edison Co. is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, PA 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware Corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, PA 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4 (e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

485 286

POOR ORIGINAL

INCORPORATED IN STATE OF	DATE	JUDGE
PORTION OF BUSINESS IN	<input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04	CIVIL CASES ARE DEEMED RELATED IF <input type="checkbox"/> ANY CASE INVOLVES:
STATE	<input type="checkbox"/> 04 <input type="checkbox"/> 01	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED RELATED SUIT
ALRY DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
	SIGNATURE OF ATTORNEY AT RECORD	
	<i>John J. O'Brien</i>	
	John J. O'Brien	

7/11/70

5. On or about March 28, 1979 the defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

-3-

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POOR ORIGINAL

INCORPORATED THIS STATE	US	MA	JUDGE
FOR WHICH CORPORATION PRINCIPAL PLACE OF BUSINESS IN	<input type="checkbox"/>	<input type="checkbox"/>	CIVIL CASES ARE DEEMED RELATED IF THE CASE INVOLVED:
STATE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED UNITS SUIT
OR IS A NON-CITIZEN OF THIS STATE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
DATE	SIGNATURE OF ATTORNEY		RECORD

A. G. ...

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

POOR ORIGINAL

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INCORPORATED UNDER	<input type="checkbox"/> OR <input type="checkbox"/>	JUDGE
LOCATION OF BUSINESS OR PLACE OF BUSINESS IN	<input type="checkbox"/> OR <input checked="" type="checkbox"/>	CIVIL CASES ARE DEEMED RELATED IF EITHER CASE INVOLVES:
OTHER NON-RESIDENT OF THIS STATE	<input type="checkbox"/> OR <input type="checkbox"/>	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED JUDICIAL SUIT
JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> OR <input type="checkbox"/>	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR CROSS OUT OF THE SAME TRANSACTION
		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

13. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time and loss of sales and property devaluation.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.

17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further, the plaintiff can show with its receipts the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.

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POOR ORIGINAL

INCORPORATED THIS STATE	<input type="checkbox"/> 01 <input type="checkbox"/> 02	JUDGE _____	DOCKET NUMBER _____
FOREIGN CORPORATION PRINCIPAL PLACE OF BUSINESS IN _____ STATE	<input type="checkbox"/> 01 <input type="checkbox"/> 02	CIVIL CASES ARE DEEMED RELATED IF THE CASE INVOLVES	
OTHER NON-CITIZEN OF THIS STATE	<input type="checkbox"/> 04 <input type="checkbox"/> 04	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED BRICKER SUIT	
JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 03	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION	
DATE: 7/11/79	SIGNATURE OF ATTORNEY AT LARGE: <i>John J. O'Brien</i>		John J. O'Brien
			JD-100 (Rev. 2-77)

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

John J. O'Brien, Jr.

JOHN J. O'BRIEN, JR.
RICHARD F. ROSEN
JOHN J. O'BRIEN, III

POOR ORIGINAL

-6-

485 290

INDICATE BY CHECKING THE STATE	<input type="checkbox"/> 01 <input type="checkbox"/> 02	JUDGE	DOCKET NUMBER
INDICATE BY CHECKING THE FEDERAL	<input type="checkbox"/> 03 <input type="checkbox"/> 04	CIVIL CASES ARE DEEMED RELATED IF THE SAME CASE INVOLVES:	
PLACES OF BUSINESS IN	<input type="checkbox"/> 05 <input type="checkbox"/> 06	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED CASE IN SUIT	
OTHER JURISDICTION	<input type="checkbox"/> 07 <input type="checkbox"/> 08	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR POINTS OUT OF THE SAME TRANSACTION	
BY THIS STATE	<input type="checkbox"/> 09 <input type="checkbox"/> 10	<input type="checkbox"/> 3. VALIDITY OF INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK	
JURY DEMAND	<input type="checkbox"/> 11 <input type="checkbox"/> 12		

United States District Court **RECEIVED**

FOR THE

JUL 23 1979

MIDDLE DISTRICT OF PENNSYLVANIA **W. C. CARRIER**

CIVIL ACTION FILE NO. 79-785

JOHN PARK and LENETTA PARK, Husband and
Wife and JENNIFER PARK, a minor by her
parents and guardians JOHN PARK and
LENETTA PARK
Scruch York St.
Goldsboro, Pa.

Plaintiff

SUMMONS

METROPOLITAN EDISON COMPANY
and
BARCOCK & WILCOX COMPANY
and
J. RAY McDERMOTT & COMPANY, INC.
and
GENERAL PUBLIC UTILITIES
and
JERSEY CENTRAL POWER & LIGHT COMPANY
and
CATALYTIC, INC.
Defendant

To the above named Defendant :

You are hereby summoned and required to serve upon John J. O'Brien, Esq.

plaintiff's attorney, whose address is 1260 Suburban Station Bldg.
Philadelphia, Penna. 19103

an answer to the complaint which is herewith served upon you, within 20 days after service of this
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be
taken against you for the relief demanded in the complaint.

DONALD R. BERRY
Nancy L. Scullian
Nancy L. Scullian
Deputy Clerk
[Seal of Court]

Date: June 21, 1979

NOTE:—This summons is issued pursuant to Rule 1 of the Federal Rules of Civil Procedure.

POOR ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN PARK and
LENETTA PARK, Husband and Wife
and JENNIFER PARK, a minor by her
parents and guardians
JOHN PARK and LENETTA PARK
South York St.
Goldsboro, Pa.

: CIVIL ACTION

79-785

V.

: JURY TRIAL DEMANDED

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605
and
BABCOCK & WILCOX COMPANY
161 E. 42nd Street
York, New York 10017
and
J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112
and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054
and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Punchbowl
Morristown, New Jersey
and
CATALYTIC, INC.
1500 Market Street
Centre Square West
Philadelphia, Pa. 19102

FILED
SCRANTON, PA.
JUN 11 1979
DONALD R. BERRY, Clerk
EER *DR*
DEPUTY CLERK

: NO.

COMPLAINT IN TRESPASS

1. The plaintiffs, John Park, Lenetta Park and their
minor daughter, Jennifer Park, are citizens of the Commonwealth
of Pennsylvania and reside at South York Street, Goldsboro,
Pennsylvania.

POOR ORIGINAL

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc. is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co. has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. as the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

5. On or about March 28, 1979, the defendants, through their agents, servants and employees caused radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred, at the Three Mile Island Nuclear Power Plant.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania on March 30, 1979 ordered that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Plant. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state, local and national government spokespersons regarding the dangers of the radiation exposure, the plaintiffs felt compelled to evacuate the area for their own safety.

7. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

8. The damages sustained by the plaintiffs were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component material in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiffs of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

9. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

10. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

11. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiffs and their property, and harm was thereby caused to the plaintiffs.

12. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant

and those component parts were expected to and did reach the nuclear power plant without substantial change, in the condition in which they were designed, manufactured, constructed and sold.

13. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

14. As a result of the foregoing, the plaintiffs' home and their property have decreased in value and the plaintiffs have also suffered economic harm including but not limited to loss of income and travel and living expenses while evacuees.

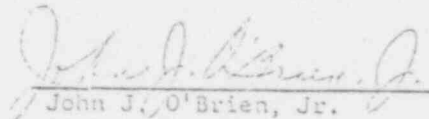
15. Further, the plaintiffs, due to the exposure to radioactive materials emitted from the defendants' nuclear power plant had suffered physical and emotional injuries and ... continue to do so for an indefinite period.

16. In the future the plaintiffs will need to undergo medical examinations on a periodic basis to determine the full extent of their injuries as a result of the defendants' negligent and wrongful conduct. The need and expense for these examinations will exist for a minimum of twenty (20) years.

17. Due to the extraordinary negligence on the part of the defendants in view of the potential risk that a nuclear power plant possesses, plaintiffs also demand that punitive damages be awarded in their favor.

18. Further, the plaintiffs demand a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiffs for economic losses and physical and emotional injuries in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars


John J. O'Brien, Jr.
Richard F. Rosen
John J. O'Brien, III
Attorneys for Plaintiffs

U.S. DISTRICT COURT
MIDDLE DISTRICT OF PENN.
JURY TRIAL DEMAND
CIVIL ACTION NO.

JUDY PAFF & LORITA PARK, Individually
and as Parents of
JENNIFER PARK, a minor by her parents
& Guardians JUDY & LORITA PARK
South York St., Goldsboro, Pa.

V.
METROPOLITAN EDISON CO.

2800 Pottsville, Pa., Muhlenberg, Pa. 19303

BABCOCK & WILCOX COMPANY

161 E. 42nd St., New York, N.Y. 10017

J. RAY McLEGGITT & CO. INC.

1010 Common St., New Orleans, Louisiana 70112

GENERAL PUBLIC UTILITIES

200 Shelbyville Road, Cincinnati, Ohio 45202

JERSEY CENTRAL POWER AND LIGHT

Edison and Pynchbou, Morristown, New Jersey

CATALYTIC, INC.

1500 Market St., Centre Square, Philadelphia, Pa. 19102

COMPLAINT IN TREMANS

10/10/70 - 10/10/70
You are notified that
a copy of this complaint
has been filed with the
court.

YOUR RIGHTS OF
PROPERTY MAY BE
AFFECTED BY THIS
ACTION.

BY: *John J. O'Brien*
JOHN J. O'BRIEN
ASSOC. 3

ATTORNEYS AND COUNSELLORS AT LAW

1280 SUNBURGH STATION BLDG.
1617 J. F. KENNEDY BLVD.
PHILADELPHIA, PA. 19103
(215) 525-7-7281

with a
copy of this
complaint in this
John J. O'Brien

POOR ORIGINAL

485 298

RECEIVED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUL 23 1979

W. C. CARRIER

FRANK ALLEN PARK
109 South York Street
Goldsboro, PA

VS.

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, PA 19605

BABCOCK & WILCOX COMPANY
161 E. 42nd Street
New York, New York 10017

and
J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Punchbowl
Morristown, New Jersey

and
CATALYTIC, INC.
1500 Market Street
Centre Square West
Phila., PA 19102

CIV 79-906

: CIVIL ACTION

: JURY TRIAL DEMANDED

FILED
SCRANTON PA
JUL 19 1979
DONALD R. BERRY, Clerk
BY: [Signature]

: No.

COMPLAINT IN TRESPASS

1. The plaintiff, Frank Allen Park, is a citizen of the Commonwealth of Pennsylvania and resides at 109 South York Street, Goldsboro, PA.

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth

485 299

POOR ORIGINAL

PLAINTIFF	STATE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
DEFENDANT	STATE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
JURY DEMAND:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> 1. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK			

7/19/79

[Signature]

John W. [Signature]

of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, PA 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities is a Pennsylvania corporation with offices located at 260 Cherr, Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co. has offices located at Madison and Punchbowl, Morristown, New Jersey.


(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Phila., PA 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

POOR ORIGINAL

485 300

JURISDICTION OF THIS STATE	STATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED OR SUIT
JURY DEMAND?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION	<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
DATE 7/12/79	SIGNATURE 	ATTORNEY OF RECORD John J. O'Brien, Jr.	

5. On or about March 28, 1979, the defendants, through their agents, servants and employees caused radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred, at the Three Mile Island Nuclear Power Plant.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania on March 30, 1979 ordered that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Plant. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state, local and national government spokespersons regarding the dangers of the radiation exposure, the plaintiff felt compelled to evacuate the area for his own safety.

7. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

8. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

-3-

485 301

POOR ORIGINAL

PLAINTIFF THIS STATE	STATE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED RECEIVED SUIT
JURY DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
DATE	7/12/79	SIGNATURE OF ATTORNEY OF RECORD		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
		<i>John J. O'Brien, Jr.</i>		John J. O'Brien, Jr.

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiffs of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

9. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

10. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

11. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff and his property, and harm was thereby caused to the plaintiff.

12. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant

-4-

485 302

POOR ORIGINAL

IF PLAINTIFF IS A NON-CITIZEN OF THIS STATE	STATE	<input type="checkbox"/> IN <input type="checkbox"/> OUT	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED DEMAND BY SUIT
IF DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
			<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
	7/12/79	SIGNATURE OF ATTORNEY AT LAW <i>John J. O'Brien, Jr.</i> John J. O'Brien, Jr.	

and those component parts were expected to and did reach the nuclear power plant without substantial change, in the condition in which they were designed, manufactured, constructed and sold.

13. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

14. As a result of the foregoing, the plaintiff's home and his property have decreased in value and the plaintiff has also suffered economic harm including but not limited to loss of income and travel and living expenses while an evacuee.

15. Further, the plaintiff, due to the exposure to radioactive material emitted from the defendants' nuclear power plant has suffered physical and emotional injuries and will continue to do so for an indefinite period.

16. In the future the plaintiff will need to undergo medical examinations on a periodic basis to determine the full extent of his injuries as a result of the defendants' negligent and wrongful conduct. The need and expense for these examinations will exist for a minimum of twenty (20) years.

17. Due to the extraordinary negligence on the part of the defendants in view of the potential risk that a nuclear power plant possesses, plaintiff also demands that punitive damages be awarded in his favor.

18. Further, the plaintiff demands a trial by jury on all issues of this action.

POOR ORIGINAL

-5-

485 303

PLAINTIFF'S RESIDENCE STATE	STATE	<input checked="" type="checkbox"/> IN	<input type="checkbox"/> OUT	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED DECEASED SUIT
JURY DEMAND:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
				<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

DATE

7/13/73

SIGNATURE OF ATTORNEY AT LAW

John J. O'Brien, Jr.

John J. O'Brien, Jr.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses and physical and emotional injuries in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

John J. O'Brien, Jr.

John J. O'Brien, Jr.
Richard F. Rosen
John J. O'Brien, III
Attorneys for Plaintiff

-6-

485 304

POOR ORIGINAL

FILED UP BY	STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED IN SUIT
THIS NON RESIDENT	STATE		<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
JURY DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
DATE	7/12/79	SIGNATURE OF ATTORNEY OF RECORD	<i>John J. O'Brien, Jr.</i> John J. O'Brien, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD MARS and
LEAH MARS, Husband and Wife
Fiddlers Elbow Road
Middletown, Pennsylvania 17057

: CIVIL ACTION

CIV 79 912

v.

: JURY TRIAL DEMANDED

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605

and

BABCOCK & WILCOX COMPANY
161 E. 42nd St.
New York, New York 10017

and

J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and

GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

and

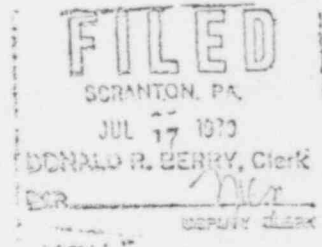
J. I. CENTRAL POWER AND LIGHT CO.
Parsippany and Punchbowl
Lakewood, New Jersey

and

CATALYTIC, INC.
1500 Market Street
Centre Square West
Philadelphia, Pa. 19102

:

: NO.



COMPLAINT IN TRESPASS

1. The plaintiffs, Donald Mars and Leah Mars, are citizens of the Commonwealth of Pennsylvania and reside at Fiddlers Elbow Road, Middletown, Pennsylvania 17057.

POOR ORIGINAL

485 305

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co., is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc., is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

5. On or about March 28, 1979, the defendants, through their agents, servants and employees caused radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred, at the Three Mile Island Nuclear Power Plant.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania on March 30, 1979 ordered that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Plant. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state, local and national government spokespersons regarding the dangers of the radiation exposure, the plaintiffs felt compelled to evacuate the area for their own safety.

7. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

8. The damages sustained by the plaintiffs were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiffs of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

9. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

10. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

11. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiffs and their property, and harm was thereby caused to the plaintiffs.

12. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant

and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

13. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

14. As a result of the foregoing, the plaintiffs' home and their property have decreased in value and the plaintiffs have also suffered economic harm including but not limited to loss of income and travel and living expenses while evacuees.

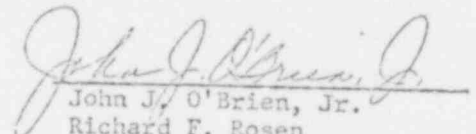
15. Further, the plaintiffs, due to the exposure to radioactive materials emitted from the defendants' nuclear power plant have suffered physical and emotional injuries and will continue to do so for an indefinite period.

16. In the future, the plaintiffs will need to undergo medical examinations on a periodic basis to determine the full extent of their injuries as a result of the defendants' negligent and wrongful conduct. The need and expense for these examinations will exist for a minimum of twenty (20) years.

17. Due to the extraordinary negligence on the part of the defendants in view of the potential risk that a nuclear power plant possesses, plaintiffs also demand that punitive damages be awarded in their favor.

18. Further, the plaintiffs demand a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiffs for economic losses and physical and emotional injuries in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.


John J. O'Brien, Jr.
Richard F. Rosen
John J. O'Brien, III
Attorneys for Plaintiffs

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

-2-

485 312

POOR ORIGINAL

PLAINT BY	STATE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
OTHER NON-CITIZEN OF THIS STATE				<input type="checkbox"/>
JURY DEMAND	YES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>

5. (or about March 28, 1979, the defendants, through their agents, servants and employees caused radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred, at the Three Mile Island Nuclear Power Plant.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania on March 30, 1979 ordered that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Plant. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state, local and national government spokespersons regarding the dangers of the radiation exposure, the plaintiff felt compelled to evacuate the area for her own safety.

7. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

8. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

-3-

POOR ORIGINAL

485 313

COURT OF COMMON PLEAS	FILE NO.	DATE	TYPE OF CASE
PLACE OF BUSINESS IN <u>NY</u>	<u>13</u>	<u>04</u>	<u>1</u>
OTHER NON-CITIZEN OF THIS STATE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WRIT DEMAND?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/>
SIGNATURE OF PLAINTIFF			<input type="checkbox"/>
SIGNATURE OF DEFENDANT			<input type="checkbox"/>
SIGNATURE OF COUNSEL			<input type="checkbox"/>
SIGNATURE OF CLERK			<input type="checkbox"/>

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

9. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

10. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

11. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff and her property, and harm was thereby caused to the plaintiff.

12. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant

-4-

485 314

POOR ORIGINAL

PLAINT BY BUSINESS	P. E. 1	04 1/4	
OTHER NON-CITIZEN OF THIS STATE	STATE	04 04	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED DEMAND SUIT
			<input type="checkbox"/> 2. SAME ISSUE OF FACT OR SHOWS OUT OF THE SAME TRANSACTION
JURY DEMAND	1/4 1/4	04 04	<input type="checkbox"/> 3. VALIDITY OR ENFORCEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

13. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

14. As a result of the foregoing, the plaintiff's property has decreased in value and the plaintiff has also suffered economic harm including but not limited to loss of income continuing to the present and will continue to do so in the future as well as travel and living expenses while an evacuee.

15. Further, the plaintiff, due to the exposure to radioactive materials emitted from the defendants' nuclear power plant had suffered emotional injuries and will continue to do so for an indefinite period.

16. In the future the plaintiff will need to undergo medical examinations on a periodic basis to determine the full extent of her injuries as a result of the defendants' negligent and wrongful conduct. The need and expense for these examinations will exist for a minimum of twenty (20) years.

17. Due to the extraordinary negligence on the part of the defendants in view of the potential risk that a nuclear power plant possesses, the plaintiff also demands that punitive damages be awarded in her favor.

18. Further, the plaintiff demands a trial by jury on all issues of this action.

POOR ORIGINAL

PLAINTIFF'S PLACE OF BUSINESS OR RESIDENCE	STATE	<input type="checkbox"/> 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03	CIVIL DAMAGES AND DECEIT
DEFENDANT'S PLACE OF BUSINESS OR RESIDENCE	STATE	<input type="checkbox"/> 01 <input type="checkbox"/> 02	<input type="checkbox"/> 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED JUDICIAL SUIT
JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			<input type="checkbox"/> 2. SAME ISSUE OF FACT OR ERROR OUT OF THE SAME TRANSACTION
			<input type="checkbox"/> 3. VIOLATION OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses and emotional injuries in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

John J. O'Brien, Jr.
John J. O'Brien, Jr.
Richard F. Rosen
John J. O'Brien, III
Attorneys for Plaintiffs

POOR ORIGINAL

FOREIGN CORPORATION OR PRINCIPAL PLACE OF BUSINESS IN (STATE) <input type="checkbox"/>	<input checked="" type="checkbox"/>	CIVIL CASES ARE DEEMED RELATED TO
LOCAL NON-CITIZEN OF THIS STATE <input type="checkbox"/>	<input type="checkbox"/>	1. PROPERTY INCLUDED IN AN EARLIER CIVIL CASE OF THIS COURT
		2. SAME ISSUE OF FACT OR LAW IS INVOLVED IN THE SAME TRANSACTION
		3. SAME PARTIES OR PERSONS ARE INVOLVED IN THE SAME TRANSACTION

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JUL 23 1979

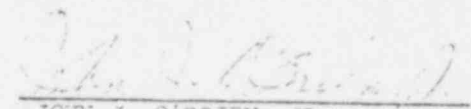
W. C. CARRIER

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THE CHILDREN'S CHIFFERCBE : CIVIL ACTION
V. : JURY TRIAL DEMANDED
METROPOLITAN EDISON CO. : NO. 79-769

NOTICE OF FILING OF AMENDED COMPLAINT

Please take notice that pursuant to Rule 15(a) F.R.C.P.
the Defendants amend their Complaint in the above captioned case
as a matter of course.



JOHN J. O'BRIEN, JR.
RICHARD F. ROSEN
JOHN J. O'BRIEN, III

POOR ORIGINAL

485 317

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SALLY MATTOS and
JUNE RADNOR
t/a THE CHILDREN'S CHIFFEROBE
3904 Old Gettysburg Road
Camp Hill, Pennsylvania 17011

: CIVIL ACTION

v.

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605

: NO. 79-769

and
BARCOCK & WILCOX COMPANY
161 E. 42nd Street
New York, New York 10017

and
J. McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Funchbowl
Morristown, New Jersey

and
CATALYTIC, INC.
1500 Market Street
Centre Square West
Philadelphia, Pa. 19102

: JURY TRIAL DEMANDED

A UNDED COMPLAINT

1. The plaintiffs, Sally Mattos and June Radnor, are the owners and operators of the Children's Chifferobe which is an establishment in the business of selling children's clothing, located at 3904 Old Gettysburg Road, Camp Hill, Pa. 17011.

POOR ORIGINAL

485 318

2. The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd St. bet, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(:) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

POOR ORIGINAL

5. On or about March 26, 1979 the defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburg for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals visited the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant.

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

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10. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

John J. O'Brien, Jr.

JOHN J. O'BRIEN, JR.
RICHARD F. ROSEN
JOHN J. O'BRIEN, III

POOR ORIGINAL

485 322