

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

ANDREA K. BRATIC and KELLY A. BRATIC, )  
Minors, by their parent and natural )  
guardian, KATHLEEN )  
BRATIC and KATHLEEN )  
BRATIC, in her own right; )  
ERIC B. ENGLE and MINDEL K. ENGLE, )  
his wife; )  
NORMAN FROMM, a Minor, by his parents )  
and natural guardians, JACK A. )  
FROMM, SR. and KATHRYN H. FROMM, and )  
JACK A. FROMM and KATHRYN H. FROMM, in )  
their own right; )  
NICHOLE N. GLENNY, LEE A. GLENNY, )  
and LORI A. GLENNY, Minors, by their )  
parents and natural guardians, WILLIAM )  
A. GLENNY, JR. and CONNIE L. GLENNY, )  
and WILLIAM A. GLENNY, JR. and CONNIE )  
L. GLENNY, in their own right; )  
RICKEY LYNN HOFFMAN; )  
BARRIE M. HUGHES and JONI S. HUGHES, )  
his wife; )  
THERESA A. LEDGER, JOHN K. LEDGER and )  
LAWRENCE P. LEDGER, Minors, by their )  
parents and natural guardians, JOHN M. )  
LEDGER and LISA LEDGER, and JOHN M. )  
LEDGER and LISA LEDGER, in their own )  
right; )  
ANGELA D. LOVELL and ADAM J. LOVELL, )  
Minors, by their parents and natural )  
guardians, DUANE LOVELL and CINDY )  
LOVELL, and DUANE LOVELL and CINDY )  
LOVELL, in their own right; )  
DONALD S. McCARTY and ELISE M. McCARTY, )  
his wife; )  
MOLLY McCARTY; )  
PRISCILLA PLETCHER and PAUL PLETCHER, )  
Minors, by their parents and natural )  
guardians, MARLING PLETCHER and LOUISE )  
PLETCHER, and MARLING PLETCHER and )  
LOUISE PLETCHER, in their own right; )  
C. TERRY SELLERS; )  
JOSEPH T. TATE, JR. and LULU BELLE )  
TATE, his wife; )  
SANDEEP A. THAKRAR and MONICA A. )  
THAKRAR, Minors, by their parents and )  
natural guardians, ANIL C. THAKRAR and )  
NEEMA A. THAKRAR, and ANIL C. THAKRAR )  
and NEEMA A. THAKRAR, in their own )  
right; )  
V. EUGENE WOODWARD and CINDY K. )  
WOODWARD, his wife; )  
GREGORY V. WORONA, MARC A. WORONA )  
and STEPHANIE L. WORONA, Minors, by )  
their parents and natural guardians )  
VALENTIN WORONA and A. LESIA WORONA, )  
and VALENTIN WORONA and A. LESIA )  
WORONA, in their own right, )

Plaintiffs,

vs.

Civil Action No.

81-0003

RECEIVED JAN 9 1981

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FILED  
HARRISBURG, PA.  
JAN 9 1981  
DONALD S. McCARTY  
FOR  
GREGORY V. WORONA

METROPOLITAN EDISON COMPANY, )  
JERSEY CENTRAL POWER & LIGHT COMPANY, )  
BABCOCK & WILCOX COMPANY, INC., J. RAY )  
McDERMOTT & COMPANY, INC., )  
GENERAL PUBLIC UTILITIES CORPORATION )  
and DRESSER INDUSTRIAL VALVE and )  
INSTRUMENT DIVISION OF DRESSER )  
INDUSTRIES, INC., and CATALYTIC, INC., )  
*Plaintiffs.* )  
Defendants. )

### COMPLAINT

AND NOW come the plaintiffs, above named, by their attorneys, TARASI & TIGHE, and Louis M. Tarasi, Jr., Esquire, and Dusan Bratic, Esquire, and bring this civil action pursuant to F.R.C.P. 20, to obtain damages and the costs of suit from the defendants named herein, based upon the following allegations:

#### I.

#### JURISDICTION AND VENUE

1. Jurisdiction of this action is specifically conferred upon this Court pursuant to 28 U.S.C. Sections 1331 and 1337, and 42 U.S.C. Section 2210(n)(2). The amount in controversy as to each of the named Plaintiffs exceeds the sum of \$10,000.00, exclusive of interest and costs. In addition, this Court has pendent jurisdiction to consider all applicable state tort law claims.

2. Venue is proper in the Middle District of Pennsylvania, which is where the cause of action arose, the Plaintiffs are residents of, do business in, and/or own property in such district, and the Defendants do business in such district. 42 U.S.C. Section 2210(n)(2).

#### ii.

#### PLAINTIFFS

3. (a) Andrea K. Bratic and Kelly A. Bratic, minors,

are citizens of the Commonwealth of Pennsylvania residing with their parent and natural guardian , Kathleen Bratic, at 2709 Mill Road, Grantham, Pennsylvania 17027.

Kathleen Bratic is an individual and citizen of the Commonwealth of Pennsylvania residing at 2709 Mill Road, Grantham, Pennsylvania 17027.

(b) Eric B. Engle and Mindel K. Engle are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at 38 Walmar Manor, Dillsburg, Pennsylvania 17019.

(c) Norman Fromm, a minor, is a citizen of the Commonwealth of Pennsylvania residing with his parents and natural guardians, Jack A. Fromm, Sr. and Kathryn H. Fromm, at Hollow Creeks Estates, R.D. #3, Lot 76, Dover, Pennsylvania 17315. Jack A. Fromm, Sr. and Kathryn H. Fromm are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at Hollow Creeks Estates, R.D. #3, Lot 76, Dover, Pennsylvania 17315.

(d) Nichole N. Glenny, Lee A. Glenny and Lori A. Glenny, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, William a. Glenny, Jr. and Connie L. Glenny, at R.D. #3, Dillsburg, Pennsylvania 17019. William A. Glenny, Jr. and Connie L. Glenny are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at R.D. #3, Dillsburg, Pennsylvania 17019.

(e) Rickey L. Hoffman is an individual, and citizen of the Commonwealth of Pennsylvania residing at R.D. #1, Dillsburg, Pennsylvania 17019.

(f) Barrie M. Hughes and Joni S. Hughes, are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at Hollow Creek Estates, R.D. #3, Lot

13. Dover, Pennsylvania 17315.

(g) Theresa A. Ledger, John K. Ledger and Lawrence P. Ledger, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, John M. Ledger and Lisa Ledger, at R.D. 5, Box 22, Dillsburg, Pennsylvania 17019. John M. Ledger and Lisa Ledger are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at R.D. #5, Box 22, Dillsburg, Pennsylvania 17019.

(h) Angela D. Lovell and Adam J. Lovell, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, Duane Lovell and Cindy Lovell, at R.D. 1, Box 276, Lewisberry, Pennsylvania 17339. Duane Lovell and Cindy Lovell are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at R.D. 1, Box 276, Lewisberry, Pennsylvania 17339.

(i) Donald J. McCarty and Elise M. McCarty, are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at 331 East Lisburn Road, Mechanicsburg, Pennsylvania 17055.

(j) Molly McCarty is an individual, and citizen of the Commonwealth of Pennsylvania residing at 331 East Lisburn Road, Mechanicsburg, Pennsylvania 17055.

(k) Priscilla Pletcher and Paul Pletcher, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, Marling Pletcher and Louise Pletcher, at Hollow Creek Estates, R.D. 3, Dover, Pennsylvania 17315. Marling Pletcher and Louise Pletcher are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at Hollow Creek Estates, R.D. 3, Dover, Pennsylvania 17315.

(l) C. Terry Sellers is an individual and citizen of

the Commonwealth of Pennsylvania residing at 3 Shadow Drive, Carlisle, Pennsylvania 17013.

(m) Joseph T. Tate, Jr. and Lulu Belle Tate are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at R.D. 2, Pottsville Road, Eppers, Pennsylvania 17319.

(n) Sandeep A. Thakrar and Monica A. Thakrar, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, Anil C. Thakrar and Neema A. Thakrar, at 533 Springhouse Road, Camp Hill, Pennsylvania 17011. Sandeep A. Thakrar and Monica A. Thakrar are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at 533 Springhouse Road, Camp Hill, Pennsylvania 17011.

(o) V. Eugene Woodward and Cindy K. Woodward are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at R.D. 2, Box 249, Mechanicsburg, Pennsylvania 17055.

(p) Gregory V. Worona, Marc A. Worona and Stephanie L. Worona, minors, are citizens of the Commonwealth of Pennsylvania residing with their parents and natural guardians, Valentin Worona and A. Lesia Worona, at 920 South 61st Street, Harrisburg, Pennsylvania 17111. Valentin Worona and A. Lesia Worona are individuals, husband and wife, and citizens of the Commonwealth of Pennsylvania residing at 920 South 61st Street, Harrisburg, Pennsylvania 17111.

### III.

#### DEFENDANTS

4. (a) General Public Utilities Corp. ("GPU"), is a public utility holding company. GPU is the parent company of Metropolitan Edison Co., ("Met Ed") another defendant herein. GPU's principal offices are located at 260 Cherry Hill Road,

Parsippany, New Jersey 07054.

(b) Metropolitan Edison ("Met Ed"), is a corporation engaged in the production and sale of electricity. Met Ed is a subsidiary of GPU, is a 50% owner of the Three Mile Island nuclear powered electric generating facility and is the operator of that facility. Met Ed's principal offices are located at Post Office Box 542, Reading, Pennsylvania 19703.

(c) Jersey Central Power & Light Co. ("Jersey Central"), is a corporation engaged in the business of producing and selling electricity. Jersey Central is a subsidiary of GPU and is a 25% owner of the Three Mile Island nuclear powered electric generating facility. Jersey Central's principal offices are located at Madison and Punchdown, Morristown, New Jersey.

(d) Pennsylvania Electric Co., ("Pennsylvania Electric"), is a corporation engaged in the business of producing and selling electricity. Pennsylvania Electric is a subsidiary of GPU and is a 25% owner of the Three Mile Island nuclear powered electric generating facility. Its principal offices are located at 1001 Broad Street, Johnstown,, Pennsylvania 15907.

(e) Babcock and Wilcox Company, ("Babcock"), is a subsidiary of J. Ray McDermott & Co., Inc. Babcock is in the business, inter alia, of designing and constructing nuclear powered electric generating facilities and did so with respect to the Three Mile Island facility. Babcock is a New Jersey Corporation with its principal office at 161 East 42nd Street, New York, N.Y. 10017.

(f) J. Ray McDermott & Co., Inc., ("McDermott"), is the parent and controlling company of Babcock and is a Delaware corporation. McDermott's principal offices are located at 1010 Common Street, New Orleans, Louisiana 70112.

(g) Dresser Industrial Valve and Instrument Division of Dresser Industries, Inc., ("Dresser"), is in the business, inter alia, of designing, manufacturing and supplying valves and other fittings used in the construction, operation and maintenance of nuclear powered electrical generating facilities and did so with respect to the Three Mile Island facility. Dresser is a Delaware corporation with its principal place of business in Texas.

(h) Catalytic, Inc., ("Catalytic"), is the corporation responsible for maintenance of the Three Mile Island facility. Catalytic's principal offices are at 1500 Market Street, Centre Square West, Philadelphia, Pennsylvania 19102.

#### IV.

##### FACTS GIVING RISE TO PLAINTIFFS' CLAIMS FOR DAMAGES

5. Defendants GPU, Met Ed, Jersey Central and Pennsylvania Electric are the owners of the nuclear electric generating plant at Three Mile Island.

6. Defendant Babcock was the contractor responsible for engineering and construction of the nuclear powered electric generating plant at Three Mile Island.

7. Defendant Dresser supplied defective and/or inoperative valves, and/or fittings, and/or equipment to the Three Mile Island nuclear powered electric generating plant.

8. Defendant Catalytic was the company responsible for maintenance of the Three Mile Island facility.

9. The construction and operation of the nuclear powered electric generating plant at Three Mile Island was duly licensed by the United States Nuclear Regulatory Commission ("NRC").

10. The operation of the Three Mile Island nuclear

generating facility is an ultra hazardous activity in that it necessarily involves a risk of grave and serious harm to surrounding persons, land and chattels for the following reasons:

(a) Radioactive materials are used in the routine operation of this facility. If exposed to human beings, these radioactive materials will cause cancer, death, disfigurement, genetic damage, burns, respiratory ailments, and other injury and disease;

(b) The operation of Three Mile Island nuclear facility involves the use of radioactive material in a manner calculated to cause the release of huge amounts of nuclear energy with the attendant risk of explosions, fires, and/or nuclear fall-out, so huge in magnitude as to be potentially destructive of all human and animal life within at least a sixty (60) mile radius of the Three Mile Island facility.

11. Acting through their duly authorized agents, workmen, servants and employees, defendants designed, constructed, maintained and operated the Three Mile Island nuclear facility in conscious disregard of a known high degree of risk of grievous bodily harm, and injury to the land, chattels, business and property of those persons located within at least a sixty (60) mile radius of the utility - defendants' nuclear facility. Specifically, defendants continued operations of Three Mile Island nuclear power plant, without alteration or modification of its design, construction, or operational routine, after the following occurrences:

(a) In September of 1977 there was a fire in the facility which caused damage to the scaffolding used in cleaning pipes;

(b) In March of 1978, an unplanned generation stoppage occurred; and



(c) On January 15, 1979, the facility was shut down for two (2) weeks because of "mechanical malfunction."

12. At all times material hereto, defendants knew that inasmuch as the Three Mile Island nuclear facility routinely applied the process of nuclear fission to radioactive materials, there was a substantial and unreasonable risk that a malfunction in the facility would cause explosion, fires, nuclear fall-out, radioactive emissions, and bodily harm, death and damage to persons, land and chattels within the vicinity of the Three Mile Island facility and a sixty (60) mile radius therefrom.

13. Defendants failed to exercise reasonable care for the protection of Plaintiffs from the risks of harm enumerated in the immediately preceding paragraph in that, among other things:

(a) The design of the Three Mile Island facility is not such as to preclude the unreasonable risk of a major nuclear accident due to human error;

(b) The design of the Three Mile Island facility is inadequate in that it fails to provide adequate safeguards against the unreasonable risk of nuclear catastrophe caused by sabotage or terroristic acts;

(c) The defendants failed to provide a cooling system for the nuclear reactor at the Three Mile Island facility which was adequate to prevent the unreasonable risk that the radioactive materials in the core of the reactor would melt, destroying the reactor and escaping into the atmosphere;

(d) The defendants failed to provide adequate safety or back-up systems to avoid the unreasonable risk that the reactor would malfunction in a manner which would lead to a melt-down of the radioactive core of the nuclear reactor, radioactive emissions, fire, and/or explosion;

(e) The defendants failed to provide an adequate safety system to avoid the unreasonable risk that the nuclear reactor at the Three Mile Island facility would overheat with the attendant risk that the radioactive material contained therein would melt, causing fire, explosion, and extremely dangerous radioactive emissions;

(f) On March 28, 1979, defendants' agents, workmen, servants and employees, acting within the scope of their authority, failed to take proper measures to avoid overheating of the nuclear reactor when a red warning light flashed in the Computer Control Room of the Three Mile Island facility. In particular, they turned off the cooling system for the nuclear reactor which caused temperatures inside the reactor to rise to unreasonably high levels, failed to take proper measures to detect and prevent escaping radiation and failed to institute appropriate safety measures to prevent the reactor from becoming overheated, catching on fire, or exploding;

(g) Defendants failed to provide proper and adequate training and testing of personnel responsible for operating the nuclear facility at Three Mile Island.

(14) There were defects in the manufacture, design, and/or installation of the nuclear reactor at the Three Mile Island nuclear facility, in violation of Restatement (Second) of Torts, Sections 402A and 402B.

(15) There was a miscarriage of an ultrahazardous activity, namely, the activity of operating a nuclear facility.

(16) On or about, and continuing after, March 28, 1979, an accident occurred at the nuclear powered electric generating plant at Three Mile Island which resulted in:

(a) The release of radioactive steam into the atmosphere above Three Mile Island;

(b) The release of radioactive water into the

Susquehanna River;

(c) The development of conditions within the reactor creating a real and immediate threat of at least:

(i) a nuclear explosion resulting from the formation of a large hydrogen bubble in the reactor;

(ii) the overheating of the nuclear materials to such a point that they would have burned or melted through the floor of the reactor building and down into the ground ("meltdown") resulting in a further massive discharge of radioactivity into the atmosphere, the water and the ground at and surrounding Three Mile Island, and;

(iii) other miscarriages resulting in the further discharge of radioactive material into the atmosphere, water and soil around Three Mile Island.

17. As a direct and proximate result of the situation engendered at Three Mile Island, as set forth hereinabove, the Governor of Pennsylvania advised all pregnant women and all children under five (5) years of age to evacuate the area within five (5) miles of Three Mile Island and advised persons within ten (10) miles of Three Mile Island to remain indoors. In addition, schools were closed in the area surrounding Three Mile Island and numerous persons did not report for work throughout the area. Moreover, the State government began developing plans for the evacuation of more than 600,000 persons from the area within a radius of twenty (20) miles surrounding Three Mile Island. Although no such massive evacuation was carried out, Plaintiffs believe and therefore aver that as a result of the above described nuclear accident, and its potential for causing a massive release of radioactivity throughout the area, more than 75,000 people in the exercise of reasonable care and prudence actually left the area within a radius of twenty (20) miles around Three Mile

Island between March 29, 1979 and April 4, 1979.

18. The facts set forth in Paragraphs 16 and 17 hereof were widely reported by the various news media throughout the area surrounding Three Mile Island.

19. Plaintiffs believe and therefore aver that the aforesaid accident at Three Mile Island will continue to cause people to leave the vicinity, will deter others from moving into the area and from purchasing property within the area, and will deter people from purchasing food and other consumer goods processed or manufactured within the area.

WHEREFORE, pursuant to the Restatement of Torts 2nd, Sections 402A and B and the general principles of negligence and express and implied warranties, the Plaintiffs bring this action against the said Defendants. Provisions of the applicable law of the Commonwealth of Pennsylvania apply to this action and render said Defendants liable jointly and/or severally for the damages and injuries to the Plaintiffs. Plaintiffs also claim punitive damages.

A JURY TRIAL IS DEMANDED.

V.

NATURE OF THE INJURIES DIRECTLY AND PROXIMATELY SUSTAINED  
BY PLAINTIFFS FROM THE NUCLEAR ACCIDENT

20. Certain plaintiffs were forced to evacuate the area for a period of time, causing expense and loss of income.

21. Certain plaintiffs were exposed to radiation released from Three Mile Island and will require constant medical monitoring in the future and may require medical treatment therefrom.

22. Certain plaintiffs sustained serious emotional injury as a result of their exposure to such additional radiation, and have or may develop an unusually high level of

fear of developing cancer in the future, thereby shortening their life expectancy and causing the present diminution of the enjoyment of life.

23. Certain plaintiffs have experienced material decline in the value of real property owned within sixty (60) miles of Three Mile Island.

24. Certain plaintiffs experienced a substantial loss of profits in their businesses due to mass evacuation from the Three Mile Island area.

25. The full extent of the injuries sustained by plaintiffs as a result of exposure to the radioactive materials being emitted from defendants' Three Mile Island facility is presently unknown to plaintiffs, but such knowledge is in the process of being obtained. However, proper medical procedure dictates that plaintiffs and those other persons who have been exposed to the radioactive emissions from defendants' Three Mile Island nuclear facility should be examined at least four (4) times a year for the next twenty (20) years in order to detect and effectively treat the cancerous conditions or other effects of radiation exposure which will likely result in plaintiffs as a result of their exposure to radioactive materials.

COUNT I

(NEGLIGENCE)

26. The averments contained in paragraphs (1) through (25) supra, are incorporated by reference herein as if fully set forth.

27. The nuclear "accident" which occurred at Three Mile Island on or about March 28, 1979, was proximately caused by the negligence of some or all of the named defendants, acting either alone or in combination with each other and/or with others in designing, and/or manufacturing, and/or constructing,

and/or maintaining, and/or supplying, and/or leasing the nuclear power plant at Three Mile Island or component parts thereof.

28. As a direct and proximate result of the said negligence, plaintiffs have suffered, are suffering and will continue to suffer the following losses and damages:

(a) Individual plaintiffs have been exposed to radioactive emissions from Three Mile Island and thereby to a substantially increased probability of incurring cancer and/or genetic defects and other adverse effects of radiation exposure;

(b) Individual plaintiffs have been subjected to the necessity of evacuating their homes either pursuant to the recommendations of the Governor of Pennsylvania or in the exercise of reasonable prudence and due care;

(c) Plaintiffs have been deprived of the peaceful use and enjoyment of their property;

(d) Plaintiffs businesses have been damaged in that products may have become contaminated or spoiled, customers and prospective customers fear the contamination of local food products and patronage has fallen off because of people leaving and/or staying away from the area;

(e) Plaintiffs have been injured by the diminution of the financial value of their property and business; thus giving rise to a cause of action under principles of federal common law, the Price-Anderson Act [42 U.S.C. Sections 2210 et seq.], and under the law of the Commonwealth of Pennsylvania.

29. Plaintiffs have suffered physical, mental and emotional damages, and property damages.

30. The damages to Plaintiffs in the aggregate may at least equal \$560,000,000.00, the statutory figure as to some of these causes of action.

WHEREFORE, the Plaintiffs claim damages of the

Defendants, jointly and/or severally, in an amount in excess of Ten Thousand (\$10,000.00) Dollars, exclusive of interest and costs of this suit, including witness fees, and a reasonable attorney's fee. Plaintiffs also claim punitive damages.

A JURY TRIAL IS DEMANDED.

COUNT II

(STRICT LIABILITY)

ULTRAHAZARDOUS ACTIVITY

31. The averments contained in paragraphs (1) through (30), supra, are incorporated by reference herein as if fully set forth.

32. The nuclear "accident" which occurred at Three Mile Island on or about March 28, 1979, was proximately caused by the strict liability for an ultrahazardous activity of some or all of the named defendants, acting either alone or in combination with each other and/or with others in designing, and/or manufacturing, and/or constructing, and/or maintaining, and/or supplying, and/or leasing the nuclear power plant at Three Mile Island or component parts thereof.

33. As a direct and proximate result of the said strict liability, plaintiffs have suffered, are suffering, and will continue to suffer, the injuries set forth in Section V, supra, and the damages set forth in paragraph (28), supra.

34. Plaintiffs have suffered physical, mental and emotional damages, and property damages.

35. The damages to plaintiffs in the aggregate may at least equal \$560,000,000.00, the statutory figure as to some of these causes of action.

WHEREFORE, the Plaintiffs claim damages of the defendants, jointly and/or severally, in an amount in excess of Ten Thousand (\$10,000.00) Dollars, exclusive of interest and

costs of this suit, including witness fees and a reasonable attorney's fee. Plaintiffs also claim punitive damages.

A JURY TRIAL IS DEMANDED.

COUNT III

(STRICT LIABILITY SECTIONS 402A and 402 B)

36. The averments contained in paragraphs (1) through (35), supra, are incorporated by reference herein as if fully set forth.

37. The nuclear "accident" which occurred at Three Mile Island on or about March 28, 1979, was proximately caused by the strict liability under Sections 402A and 402B of the Restatement of Torts 2nd, of some or all of the named defendants, acting either alone or in combination with each other and/or with others in designing, and/or manufacturing, and/or constructing, and/or maintaining, and/or supplying, and/or leasing the nuclear power plant at Three Mile Island or component parts thereof.

38. As a direct and proximate result of the strict liability under Sections 402A and 402B of the Restatement of Torts 2nd, plaintiffs have suffered, are suffering, and will continue to suffer the injuries set forth in Section V, supra, and the damages set forth in paragraph (28), supra.

39. Plaintiffs have suffered physical, mental, and emotional damages, and property damages.

40. The damages to plaintiffs in the aggregate may at least equal \$560,000,000.00, the statutory figure as to some of these causes of action.

WHEREFORE, the Plaintiffs claim damages of the Defendants, jointly and/or severally, in an amount in excess of Ten Thousand (\$10,000.00) Dollars, exclusive of interest and costs of this suit, including witness fees and a reasonable



attorney's fee. Plaintiffs also claim punitive damages.

A JURY TRIAL IS DEMANDED.

Respectfully submitted,

TARASI & TIGHE

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