



BURT C. PROOM, CPCU  
President

*Direct memo to  
clm / ELD + OGC*

JOHN E. HARWARD  
Vice President - Claims

September 13, 1982

Mr. Jerome Saltzman  
Assistant Director  
State and Licensee Relations  
Office of State Programs  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Abstract #95  
General Atomic Company  
Re: Marjorie Elaine Williams, et al.  
D/O: 1958 to 10/13/80

Dear Mr. Saltzman:

We have just been informed of a suit in the San Diego, California Superior Court by the wife and surviving children of decedent, Billy F. Williams.

A copy of the complaint, and amended complaint, filed in this case is enclosed for your records. The complaint provides very little information other than allegations that the decedent, Billy F. Williams, was a former employee of General Atomic Corporation, whose death allegedly resulted from radiation exposures during his employment at the General Atomic, Torry Pines, nuclear facility between the period from 1958 to October 13, 1980.

We are also informed that General Atomic Corporation is presently dealing with a Workers Compensation fatal claim involving the death of this same employee. General Atomic has elected to have their own attorneys handle the liability suit, which would not be covered under our nuclear liability policy because of the employer-employee relationship between General Atomic Corporation and decedent Billy F. Williams.

*M012*

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PDR TOPRP EMVGAT  
C PDR

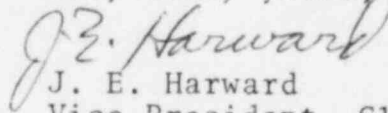
Mr. Jerome Saltzman

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September 13, 1982

This is all the information currently available in this case as we have just commenced our investigation. If you require additional information later on, please let me know and I will see that it is provided.

Very truly yours,



J. E. Harward  
Vice President, Claims

JEH/pbj  
Enclosure

NAME AND ADDRESS OF ATTORNEY: JOHN M. UQUHART, A.P.C. 1010 Second Avenue, Suite 1800 San Diego, CA 92101 Plaintiffs ATTORNEY FOR (Name)	TELEPHONE NO (714) 236-9933	FOR COURT USE ONLY
Insert name of court, judicial district or branch court, if any, and Post Office and Street Address SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		

PLAINTIFF  
 MARJORIE ELAINE WILLIAMS, LESLIE D. WILLIAMS MITCHELL,  
 PRISCELLA D. WILLIAMS MALCOLM, and CHARLES C. WILLIAMS

DEFENDANT  
 GENERAL DYNAMICS, ACF INDUSTRIES, INCORPORATED, GENERAL  
 ATOMIC COMPANY, PUBLIC SERVICE COMPANY OF COLORADO, and  
 DOES I through C, Inclusive

\*SUMMONS RE: COMPLAINT FOR DAMAGES & FIRST AMENDMENT TO COMPLAINT

<b>SUMMONS*</b>	CASE NUMBER 476824
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NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

¡AVISO! Usted ha sido demandado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. responda dentro de 30 días. Lea la información que sigue.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be filed on time.

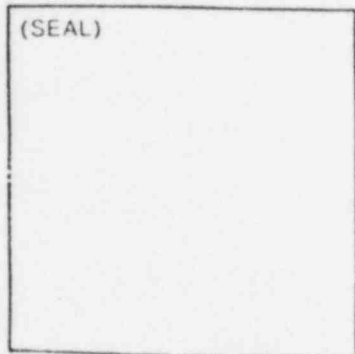
Si Usted desea solicitar el consejo de un abogado en este asunto, debería hacerlo inmediatamente, de esta manera, su respuesta escrita, si hay alguna, puede ser registrada a tiempo.

1. TO THE DEFENDANT: A civil complaint has been filed by the plaintiff against you. If you wish to defend this lawsuit, you must, within 30 days after this summons is served on you, file with this court a written response to the complaint. Unless you do so, your default will be entered on application of the plaintiff, and this court may enter a judgment against you for the relief demanded in the complaint, which could result in garnishment of wages, taking of money or property or other relief requested in the complaint.

ROBERT D. ZUMWALT, Clerk

DATED: JUL 6 1982

By D. Cousins, Deputy  
**D. COUSINS**



2. NOTICE TO THE PERSON SERVED: You are served
- a.  As an individual defendant.
  - b.  As the person sued under the fictitious name of \_\_\_\_\_
  - c.  On behalf of Public Service Company of Colorado
- Under:  CCP 416.10 (Corporation)       CCP 416.60 (Minor)  
 CCP 416.20 (Defunct Corporation)       CCP 416.70 (Incompetent)  
 CCP 416.40 (Association or Partnership)       CCP 416.90 (Individual)  
 Other: \_\_\_\_\_
- d.  By personal delivery on (Date): \_\_\_\_\_

A written response must be in the form prescribed by the California Rules of Court. It must be filed in this court with the proper filing fee and proof of service of a copy on each plaintiff's attorney and on each plaintiff not represented by an attorney. The time when a summons is deemed served on a party may vary depending on the method of service. For example, see CCP 413.10 through 415.50. The word "complaint" includes cross-complaint. "plaintiff" includes cross-complainant; "defendant" includes cross-defendant; the singular includes the plural.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

NAME OF BRANCH COURT, IF ANY	FOR COURT USE ONLY
TITLE OF CASE (ABBREVIATED)  MARJORIE ELAINE WILLIAMS, et al. VS. GENERAL DYNAMICS, et al.	
NAME, ADDRESS, AND TELEPHONE NUMBER OF SENDER  JOHN M. URQUHART, A.P.C. 1010 Second Avenue, Suite 1800 San Diego, California 92101  Telephone: (714) 236-9933	
	CASE NUMBER  467824

**NOTICE**

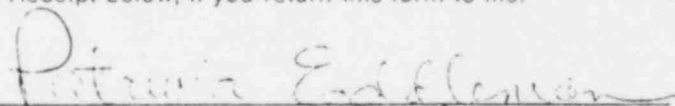
TO: PRESIDENT OF PUBLIC SERVICE COMPANY OF COLORADO

(Insert name of individual being served)

This summons and other document(s) indicated below are being served pursuant to Section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it to me within 20 days may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. Section 415.30 provides that this summons and other document(s) are deemed served on the date you sign the Acknowledgment of Receipt below, if you return this form to me.

Dated July 12, 1982

  
(Signature of sender)

PATRICIA EDDLEMAN, Secretary

**ACKNOWLEDGMENT OF RECEIPT**

This acknowledges receipt of: (To be completed by sender before mailing)

1.  A copy of the summons ~~and of the complaint~~, *and First Amendment to Complaint*
2.  A copy of the summons and of the Petition (Marriage) and:
  - Blank Confidential Counseling Statement (Marriage)
  - Order to Show Cause (Marriage)
  - Blank Responsive Declaration
  - Blank Financial Declaration
  - Other: (Specify)

(To be completed by recipient)

Date of receipt: .....

(Signature of person acknowledging receipt, with title if acknowledgment is made on behalf of another person)

Date this form is signed: .....

(Type or print your name and name of entity, if any on whose behalf this form is signed)



1 D, Inclusive, are unknown to plaintiffs, who therefore sue said  
2 defendants by such fictitious names. Plaintiffs are informed and  
3 believe, and thereon allege that each of the defendants herein  
4 designated as a DOE is responsible in some actionable manner  
5 for the events and happenings herein referred to, and caused  
6 injuries and damages proximately thereby as herein alleged.

7 2. Plaintiff MARJORIE ELAINE WILLIAMS, is the widow of  
8 decedent, BILLY F. WILLIAMS. LESLIE D. WILLIAMS MITCHELL,  
9 PRISCELLA D. WILLIAMS MALCOLM, and CHARLES C. WILLIAMS, are  
10 children of the decedent, BILLY F. WILLIAMS. Said plaintiffs  
11 are the sole surviving heirs at law of the decedent.

12 3. Plaintiffs are informed and believe, and thereon allege  
13 that at all times herein mentioned, defendants, CONVAIR CORPORA-  
14 TION, AMERICAN CAR AND FREIGHT CORPORATION, PUBLIC SERVICE  
15 COMPANY OF COLORADO CORPORATION, and DOES I through L, Inclusive,  
16 were corporations authorized to do, and were doing business in  
17 the County of San Diego, State of California, and had their  
18 principal place of business in the County of San Diego, State of  
19 California.

20 4. At all times relevant hereto, plaintiffs, MARJORIE  
21 ELAINE WILLIAMS, LESLIE D. WILLIAMS MITCHELL, PRISCELLA D.  
22 WILLIAMS MALCOLM and CHARLES C. WILLIAMS, are residents of the  
23 County of San Diego, State of California.

24 5. Plaintiffs are informed and believe, and thereon allege,  
25 that at all times herein mentioned, each of the defendants was  
26 the agent, servant, employee, subsidiary, consultant, joint  
27 venture, and independent contractor of each remaining defendant.  
28 At all times herein mentioned each defendant was acting within

1 the course and scope of said agency, employment, joint venture,  
2 contract, or other relationship.

3 6. Plaintiffs are informed and believe, and thereon allege  
4 that at all times herein mentioned, defendants, CONVAIR CORPORA-  
5 TION, AMERICAN CAR AND FREIGHT CORPORATION, PUBLIC SERVICE  
6 COMPANY OF COLORADO CORPORATION, and DOES I through D, Inclusive,  
7 were engaged in manufacture, sale, distribution, lease, supply,  
8 use, measurement, and monitoring of radioactive material.

9 7. At all times relevant hereto, including, but not  
10 limited to 1958 through October 13, 1980, decedent BILLY F.  
11 WILLIAMS, worked for, consulted with and was employed by  
12 defendants, and each of them.

13 8. Plaintiffs are informed and believe, and on that ground  
14 allege that between 1958 and October 13, 1980, defendants, and  
15 each of them, negligently, carelessly, and recklessly, manufac-  
16 tured, sold, distributed, leased, supplied, used, measured,  
17 monitored, and exposed BILLY F. WILLIAMS to an excessive  
18 dangerous and toxic amount of radiation. As a proximate result  
19 of said negligence, carelessness, and recklessness, BILLY F.  
20 WILLIAMS, died, causing all of the plaintiffs' damages as  
21 hereinafter alleged.

22 9. As a direct and proximate result of said negligence,  
23 carelessness and recklessness of defendants, and each of them,  
24 and the death of said decedent, plaintiffs have been deprived of  
25 the comfort, protection, and support of said decedent and have  
26 thereby sustained pecuniary loss and damages in an amount which  
27 exceeds the minimum jurisdiction of this court, and certain  
28 funeral expenses in an amount to be determined.





1 THIRD CAUSE OF ACTION

2 ✓ (Strict Liability)

3 14. Plaintiffs replead and incorporate by reference, each  
4 and every allegation contained in the First and Second Causes  
5 of Action.

6 15. Plaintiffs are informed and believe, and thereon allege  
7 that at all times herein mentioned, defendants, and each of them,  
8 were engaged in the design, manufacture, engineering, testing,  
9 assembly, distribution, repair, modification, sale, and lease of  
10 certain products, containing radioactive material for use by  
11 members of the general public, including decedent herein.

12 16. At all times herein mentioned defendants, and each  
13 of them, knew, or reasonably should have known, that said products  
14 would be used without inspection for certain defects, including  
15 those which proximately caused the plaintiffs' damages as herein-  
16 after alleged; plaintiffs are informed and believe and on that  
17 ground allege, that said products, containing radioactive materi-  
18 als and their component parts, were defective and that said  
19 defects were present in said products at all times herein  
20 mentioned, including the time during which said products were in  
21 the course and scope of being designed, manufactured, distrib-  
22 uted, inspected, constructed, sold, repaired, delivered, assem-  
23 bled and used, and at all times subsequent thereto.

24 17. At all times relevant hereto, including the period  
25 between 1958 and October 13, 1980, and prior thereto and there-  
26 after, decedent, was operating and using said products, during  
27 the regular course of his work, in San Diego, California. At  
28 said time and place, decedent BILLY F. WILLIAMS was operating and



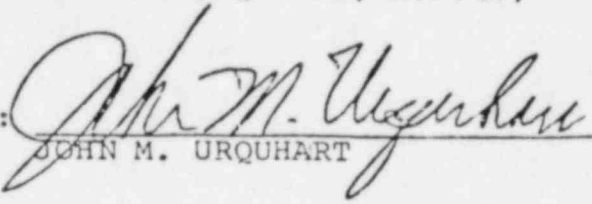
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✓ 2. For the incident medical, funeral, and related  
expense incurred by and on behalf of plaintiffs' decedent'

✓ 3. For costs of suit incurred herein; and,

✓ 4. For such other and further relief as this Court deems  
just and proper.

DATED: October 13, 1981      JOHN M. URQUHART, A.P.C.,

By:   
JOHN M. URQUHART

LAW OFFICES OF  
JOHN M. URQUHART  
A PROFESSIONAL CORPORATION  
1010 SECOND AVENUE, SUITE 1800  
SAN DIEGO, CALIFORNIA 92101  
TELEPHONE 236-9933  
AREA CODE 714

ORIGINAL FILED BY  
D. COUSINS, DEPUTY  
JUL 7 1982  
ROBERT D. ZUMWALT  
CLERK, SAN DIEGO COUNTY

Attorney for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO

MARJORIE ELAINE WILLIAMS, ) CASE NO.: 476824  
LESLIE D. WILLIAMS MITCHELL, )  
PRISCELLA D. WILLIAMS MALCOLM, ) FIRST AMENDMENT TO COM-  
and CHARLES C. WILLIAMS, ) PLAINT FOR DAMAGES  
Plaintiffs, ) (Negligence, Strict  
vs. ) Liability, Breach of  
CONVAIR CORPORATION, AMERICAN ) Warrantly, and Wrongful  
CAR AND FREIGHT CORPORATION, ) Death)  
GENERAL ATOMIC CORPORATION, PUBLIC )  
SERVICE COMPANY OF COLORADO CORPORA- )  
TION, and DOES I through D, Inclu- )  
sive, )  
Defendants. )

Plaintiffs, MARJORIE ELAINE WILLIAMS, LESLIE D. WILLIAMS  
MITCHELL, PRICELLA D. WILLIAMS MALCOLM, and CHARLES C. WILLIAMS,  
for amendment to complaint on file herein allege:

I

That the caption of the complaint, p.1, lines 15-18, be amend  
ed to read as follows: "...General Dynamics, AFC Industries, In-  
corporated, General Atomic Company, Public Service Company of Col-  
orado, and DOES I through C, Inclusive ..." rather than "Convair  
Corporation, American Car and Freight Corporation, General Atomic

1 Corporation, Public Service Company of Colorado Corporation, and  
2 DOES I through D, Inclusive ..."

3 Said amendment is necessitated due to mistake in indentifying  
4 the proper names of defendants, and, with regard to Doe defendants,  
5 a typographical error.

6 II

7 That paragraph I of the First Cause of Action be amended to  
8 read at line 1, page 2, as follows: "C Inclusive" ... rather  
9 than "D, Inclusive."

10 Said amendment is necessitated by a typographical error.

11 III

12 That paragraph III of the First Cause of Action be amended  
13 to read at lines 13-15, page 2 as follows: "...defendants, Gener-  
14 al Dynamics, ACF Industries, Incorporated, General Atomic Company,  
15 Public Service Company of Colorado, and DOES I thorough C Inclusive  
16 ..." rather than "... defendants, Convair Corporation, American  
17 Car and Freight Corporation, Public Service Company of Colorado  
18 Corporation, and DOES I through L, Inclusive..."

19 Said amendment is necessitated by mistake in identifying the  
20 proper names of defendants, omission of the name of one of defen-  
21 dants, to wit, General Atomic Company, and typographical error  
22 with regard to Doe defendants.

23 IV

24 That paragraph VI of the First Cause of Action be amended to  
25 read at lines 4-6, page 3, as follows:

26 "... defendants, General Dynamics, ACF Industries, Incorpor-  
27 ated, General Atomic Company, Public Service Company of Colorado,  
28 and DOES I through C, Inclusive..." rather than "... defendants,

1 Convair Corporation, American Car and Freight Corporation, Public  
2 Service Company of Colorado Corporation, and DOES I through D,  
3 Inclusive ..."

4 Said amendment is necessitated by mistake in identifying the  
5 proper names of defendants, omission of the name of one of defen-  
6 dants, to wit, General Atomic Company, and typographical error  
7 with regard to Doe defendants.

8 Except as herein specifically amended, said complaint is  
9 hereby referred to and incorporated herein for the purpose as  
10 though fully set forth.

11 DATED: 4/30/82

JOHN M. URQUHART, A.P.C.

13 By Michael D. Waterman  
14 MICHAEL D. WATERMAN  
15 Attorneys for Plaintiffs