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Plaintiffs,

v.

BOEING NORTH AMERICAN, INC., a
Delaware corporation; ROCKWELL
INTERNATIONAL CORPORATION, a
Delaware corporation; NORTH AMERICAN
ROCKWELL CORPORATION, a Delaware
corporation; ROCKWELL
MANUFACTURING COMPANY, a Delaware
corporation; ROCKWELL STANDARD
CORPORATION, a Delaware corporation;
ROCKETDYNE, INC., a Delaware
corporation; NORTH AMERICAN
AVIATION, INC., a Delaware corporation; and
ATOMICS INTERNATIONAL, INC., a
Delaware corporation,

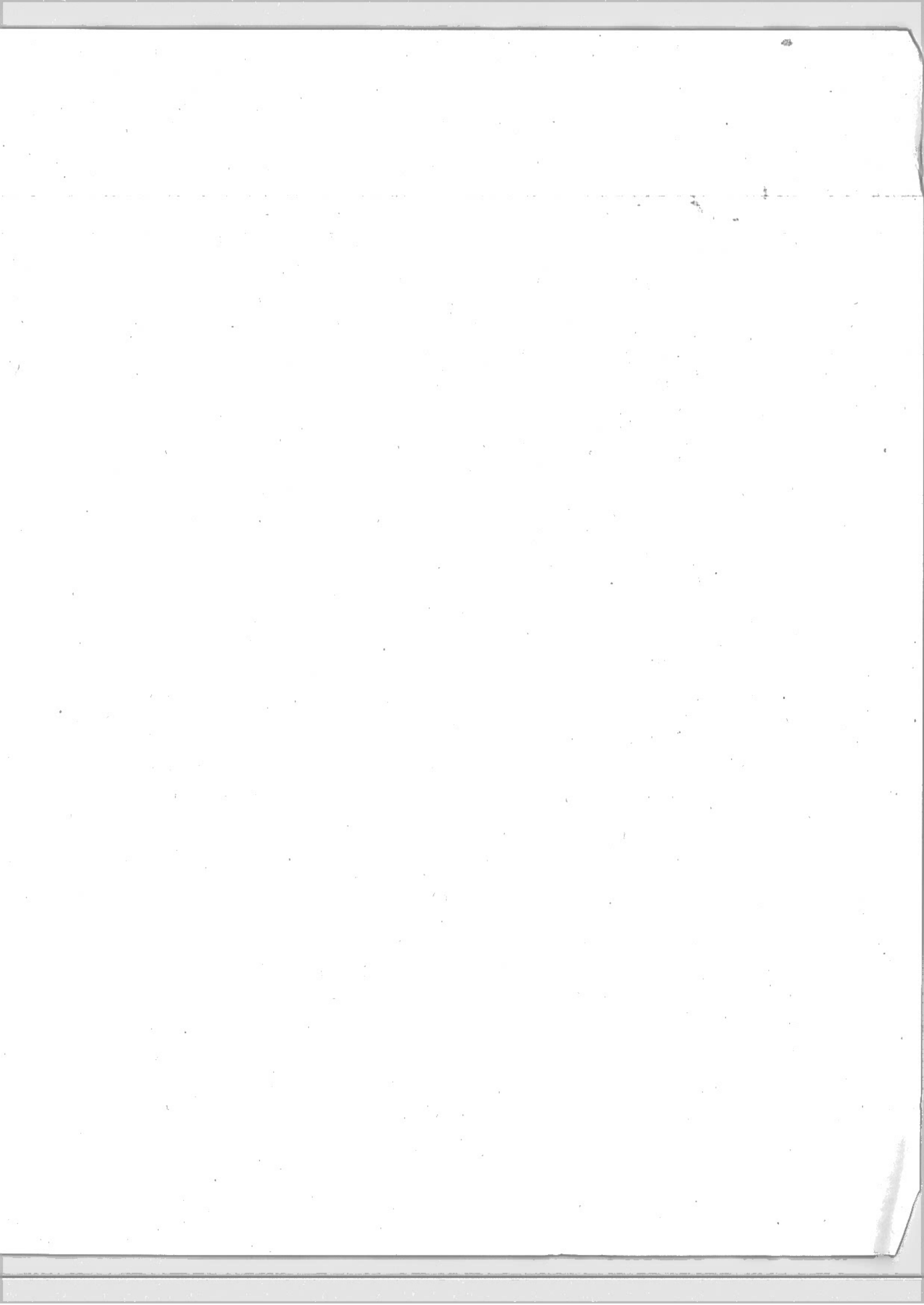
Defendants.

All allegations made in this Second Amended Complaint are based upon information and belief except those allegations which pertain to the representative and/or the individual plaintiffs ("Plaintiffs") and their counsel, which are based upon personal knowledge. Plaintiffs' information and belief are based upon, *inter alia*, Plaintiffs' own investigation and the investigation conducted by Plaintiffs' counsel. Each allegation in this Second Amended Complaint either has evidentiary support or, alternatively, pursuant to Rules 8(e)(2) and 11(b)(3) of the Federal Rules of Civil Procedure ("Fed.R.Civ.P."), is likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I. SUMMARY OF THE ACTION

1. This is a class action arising under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. §9601 *et seq.*, the Price Anderson Act, 42 U.S.C. §2210 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. §2201 *et seq.* and applicable California law.

2. Plaintiffs, suing on their own behalf and/or as representatives of the class or subclass defined herein, seek: (a) damages for the economic harm suffered by them as a direct and



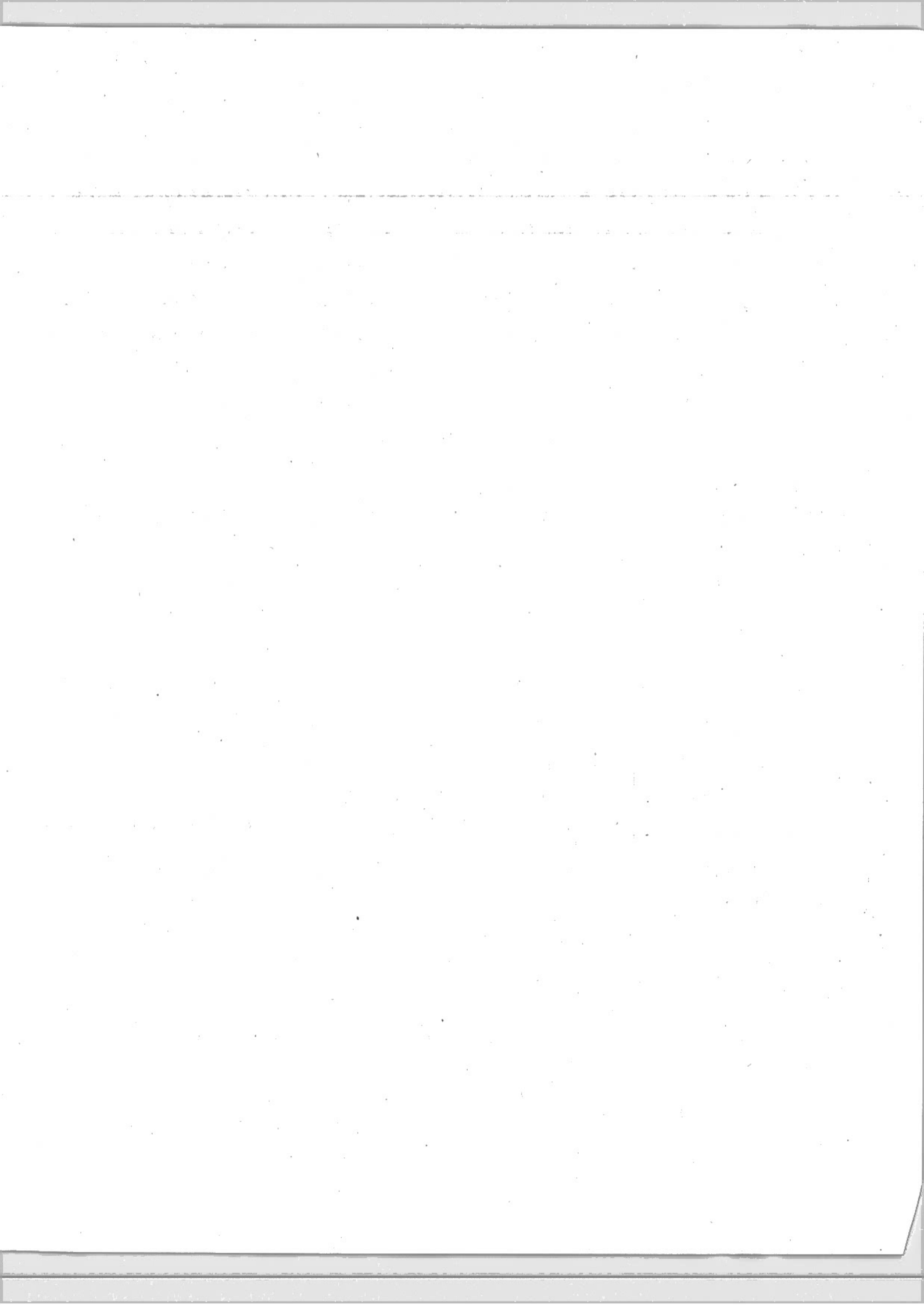
1 4. As a direct and proximate result of the contamination caused by defendants as alleged
2 herein, Plaintiffs have been and continue to be significantly exposed to hazardous, radioactive,
3 toxic and carcinogenic substances. By virtue of this exposure, Plaintiffs have suffered an
4 increased risk of contracting serious latent diseases including, but not limited to, cancer. As a
5 result, medical monitoring and surveillance are reasonably and medically necessary to protect the
6 present and future health of Plaintiffs and the Class. Plaintiffs also are entitled to be compensated
7 for any injury to their persons and/or property caused by the subject contamination.

8 5. Plaintiffs have incurred response costs consistent with the National Contingency
9 Plan, 40 C.F.R. §300 et seq., including the provision of alternative water supplies and/or testing on
10 their property to determine its condition and status due to releases from the Rocketdyne Facilities
11 of hazardous substances within the meaning of 42 U.S.C. §9801 (14), 40 C.F.R. §302.4, table
12 302.4. Those releases were and continue to be caused by and/or are attributable to defendants,
13 who, at all relevant times, were the operators of the Rocketdyne Facilities.

14
15 **II. JURISDICTION AND VENUE**

16 6. This court has jurisdiction over this action under 28 U.S.C. §1331, which provides for
17 original jurisdiction in the United States district courts for civil actions arising under the laws of
18 the United States, and under principles of supplemental and ancillary jurisdiction. This court also
19 has jurisdiction over this action under 28 U.S.C. §1332 based upon the complete diversity of
20 jurisdiction which exists between each of the Plaintiffs individually and each of the defendants and
21 the fact that the claim of each of the Plaintiffs exceeds the sum of \$75,000 exclusive of interest
22 and costs.

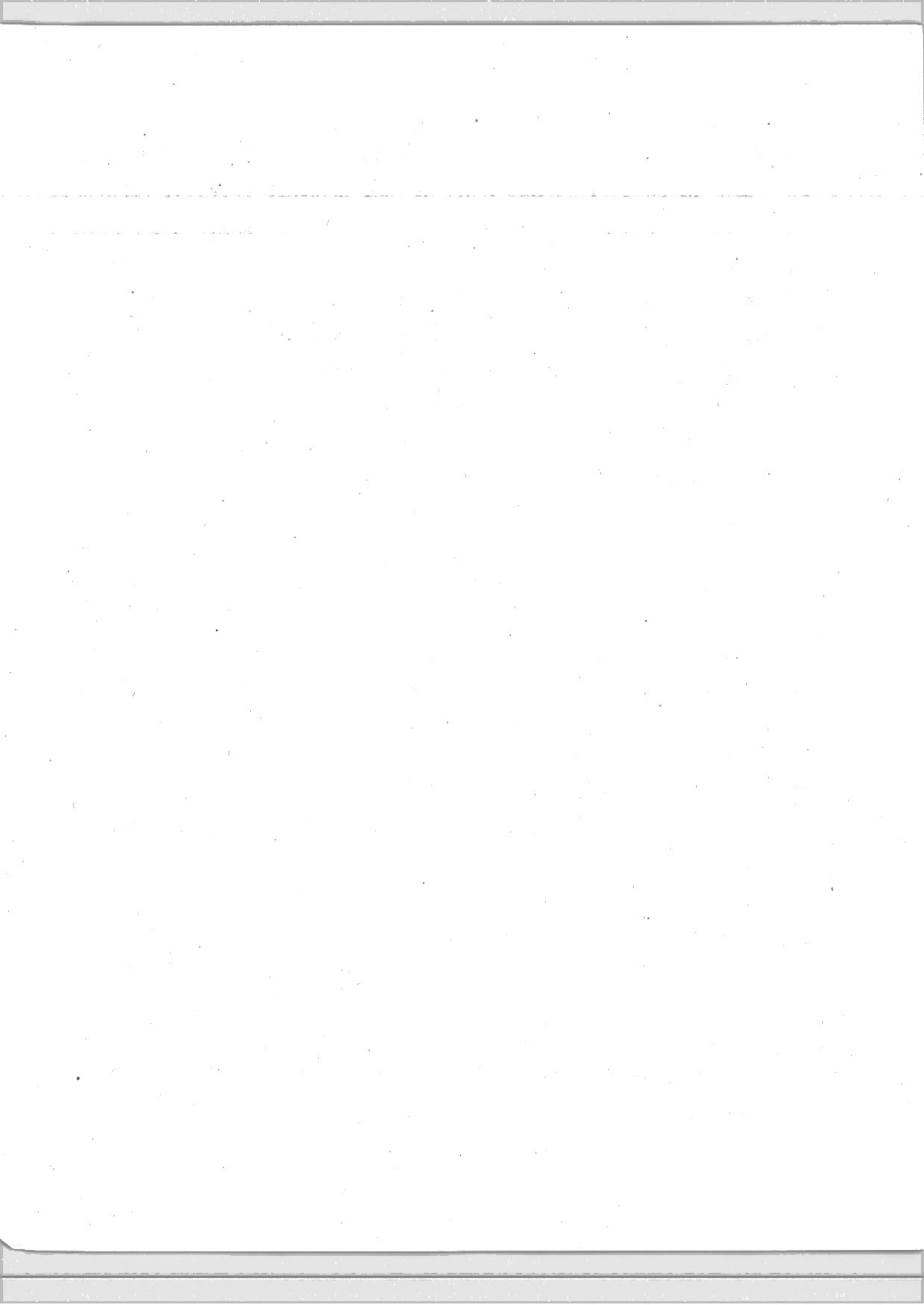
23 7. Venue is proper in this judicial district under 28 U.S.C. §1391 (a), since the claims of
24 Plaintiffs arose in this judicial district, and under 42 U.S.C. §9659(b), since the releases and
25 threatened releases of hazardous substances into the environment which give rise to the claims of
26 Plaintiffs have occurred, and the resulting damages have been suffered, in this judicial district. As
27 a result, many of the acts complained of herein occurred in this district, and many of the
28 prospective witnesses to these acts reside in this judicial district.



1 which the doctors could not explain. She was told that her uterus was that of a ninety year old
2 woman. Her uterus had to be removed in order to stop the bleeding. Ms. Hecker is now 43 years
3 old. She was diagnosed with an esophageal disorder in 1994 which required a feeding tube to be
4 surgically implanted into her abdomen. Ms. Hecker still has this condition. Two years later, in
5 June 1996, she was diagnosed with thyroid cancer. As a result, her thyroid was surgically
6 removed. She is now on hormone replacement therapy which she will have to continue for the rest
7 of her life. Ms. Hecker's son, Damyon Tashjian, was born in respiratory distress in 1974. Now
8 23 years old, Damyon has been severely asthmatic since birth and is on permanent medication and
9 intermittent inhalation therapy. He has nearly died several times as a result of his asthma and has
10 required emergency resuscitation. Ms. Hecker's daughter, Heather Cates, lived with her at the
11 Ramara residence. She is nineteen years old. Heather menstruates 28 days out of the month, and
12 she fears losing her uterus as well. While growing up, Ms. Hecker lost a boxer dog which suffered
13 an untimely death from a cancerous tumor in his throat. She also had a Thoroughbred-Clydesdale
14 horse who died an untimely death from a cancerous tumor in his throat. Both drank the tap water
15 and roamed the nearby Santa Susana foothills.

16 11. Plaintiffs Barr and Carlene Mugerdechian ("the Mugerdechians") own and occupy real
17 property located at 22619 Flamingo in Woodland Hills, California. They have resided at this
18 address, which is within five miles of the Santa Susana Field Lab, from 1970 to the present. The
19 Mugerdechians owned and occupied real property located at 23710 Carard in Woodland Hills,
20 within five miles of the Rocketdyne Facility, from 1966 to 1970. Barr Mugerdechian has bladder
21 cancer.

22 12. Plaintiff Mary Christine Crilley ("Ms. Crilley") currently owns and occupies real
23 property located at 1852 Stow Street in Simi Valley, California which is located within 4 miles of
24 the Santa Susana Field Laboratory. Ms. Crilley is the daughter of Mrs. Vroman and resided with
25 her at 5718 Fairhaven Street in Woodland Hills from 1967 to 1990 and from 1995 to 1997. Ms.
26 Crilley, still in her 20's, was diagnosed with a tumor in her breast in 1988. She was diagnosed
27 with hypothyroidism in November, 1994 and with thyroid cancer in December, 1995. She was
28 also diagnosed with hyperparathyroidism in December of 1995. She has been severely asthmatic



1 19. Plaintiff decedent Edward J. Barina ("Estate of Edward J. Barina") lived in West
2 Hills, California for approximately 25 years. Edward J. Barina's death was caused by ~~brain~~
3 ~~cancer~~. Edward J. Barina's surviving spouse, LaVerne Barina, brings these claims on behalf of the
4 Estate of Edward J. Barina, which is a member of the Class defined herein.

5 20. Plaintiff Linda Blaustein ("Ms. Blaustein") owns and occupies real property located
6 at 5556 Bill Cody Road in Hidden Hills, California. Ms. Blaustein has lived in the Hidden Hills
7 area since 1977. Ms. Blaustein has been diagnosed with ovarian cancer. She is a member of the
8 Class defined herein.

9 21. Plaintiff Howard Bleecker ("Mr. Bleecker") owns and occupies real property located
10 at 7244 Cirrus Way in West Hills, California. Mr. Bleecker has lived in the West Hills area for the
11 past 30 years. Mr. Bleecker was diagnosed with lung cancer in 1985. He is a member of the Class
12 defined herein.

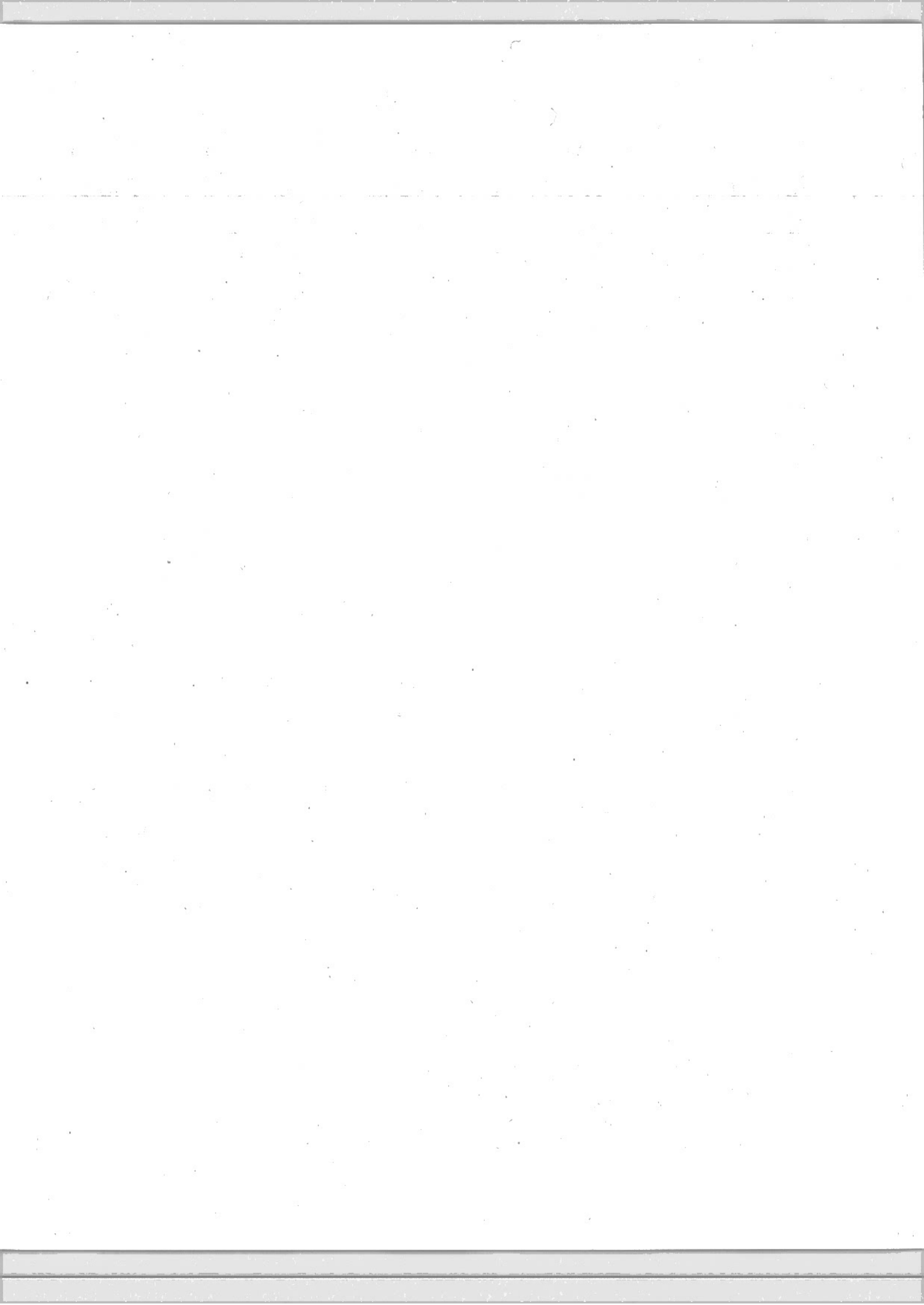
13 22. Plaintiff Melissa Bolster ("Ms. Bolster") currently resides at 38238 Pelion Court in
14 Palmdale, California. Ms. Bolster lived in Simi Valley from approximately 1973 to 1988.
15 Ms. Bolster had thyroid surgery in 1996 to remove her thyroid. Ms. Bolster will require thyroid
16 treatments for the rest of her life. She is a member of the Class defined herein.

17 23. Plaintiff Ashlie Bryant ("Ms. Bryant") currently resides at 71 Milano Court in
18 Danville, California. Ms. Bryant lived in Simi Valley from approximately 1967 to 1979.
19 Ms. Bryant was diagnosed with thyroid cancer in or about 1991 and has suffered numerous other
20 physical ailments. She is a member of the Class defined herein.

21 24. Plaintiff Jennifer Cady ("Ms. Cady") currently resides at 238 Cinnamon Oak Avenue
22 in Ventura, California. Ms. Cady lived in West Hills from approximately 1984 to 1993.
23 Ms. Cady, at the age of 24, was diagnosed with cervical cancer in 1994. She is a member of the
24 Class defined herein.

25 25. Plaintiff Heather Cass ("Ms. Cass") currently resides at 506 Palisades Avenue in
26 Santa Monica, California. Ms. Cass lived in Simi Valley from approximately 1963-1982. Ms.
27 Cass was diagnosed with breast cancer in 1989 and pheochromocytoma in 1996. She is a member
28 of the Class defined herein.

*High Blood
Pressure
Ovarian thyroid
gland*



1 33. Plaintiff Mary Hellerstein ("Ms. Hellerstein") owns and occupies real property
2 located at 24250 Mariano Street in Woodland Hills, California. Ms. Hellerstein has lived in
3 Woodland Hills from approximately 1971 to the present. Ms. Hellerstein has been diagnosed with
4 ~~Graves disease~~. She is a member of the Class defined herein.

5 34. Plaintiff Susan Hemming ("Ms. Hemming") currently resides at Rural Route 2 in
6 Woonsocket, South Dakota. Ms. Hemming lived in the contamination area from approximately
7 1961-1977. Ms. Hemming had her thyroid removed in 1969 because of a tumor. Ms. Hemming is
8 required to receive thyroid medication for the rest of her life. She is a member of the Class
9 defined herein.

10 35. Plaintiff Julie King ("Ms. King") currently resides at 381 Montwood Circle in
11 Redwood City, California. Ms. King lived in Canoga Park from approximately 1961-1969.
12 ~~Ms. King has been diagnosed with bladder cancer.~~ She is a member of the Class defined herein.

13 36. Plaintiff Margaret Kirby ("Ms. Kirby") currently resides at 894 Sandberg Lane in
14 Ventura, California. Ms. Kirby lived in the Simi Valley area from approximately 1962-1978.
15 Ms. Kirby has been diagnosed with stomach cancer. She is a member of the Class defined herein.

16 37. Plaintiff Joy E. Lee ("Ms. Lee") owns and occupies real property located at 1886
17 Prance Court in Simi Valley, California. Ms. Lee purchased this real property in 1988 and
18 currently resides at this address. Ms. Lee lived in Canoga Park, California from approximately
19 1953 to 1962 and West Hills, California from approximately 1962 to 1988. Ms. Lee was
20 diagnosed with breast cancer in 1992. She is a member of the Class defined herein.

21 38. Plaintiff Eugene D. Mauck ("Mr. Mauck") currently resides at 4657 Avenda del Sol
22 in Joshua Tree, California. Mr. Mauck lived in Simi Valley from approximately 1962-1979.
23 ~~Mr. Mauck has been diagnosed with prostate cancer.~~ He is a member of the Class defined herein.

24 39. Plaintiff Helen Pasquini ("Ms. Pasquini") owns and occupies real property located at
25 6655 Sale Avenue in West Hills, California. Ms. Pasquini has lived in West Hills since
26 approximately 1962. Ms. Pasquini was diagnosed with thyroid cancer in 1996 and has suffered
27 numerous other physical ailments. She is a member of the Class defined herein.

28 ///



1 47. Plaintiffs Donna and Jerry Stone ("the Stones") own and occupy real property located
2 at 23711 Justice Street in West Hills, California. The Stones have resided in West Hills for
3 approximately 22 years and currently reside at the above address. Jerry Stone has been diagnosed
4 with chronic lymphatic leukemia, and Donna Stone has been diagnosed Graves disease,
5 ~~hypertropic cardiomyopathy~~ and uterine fibroid tumors. They are members of the Class defined
6 herein. *Hewitt*

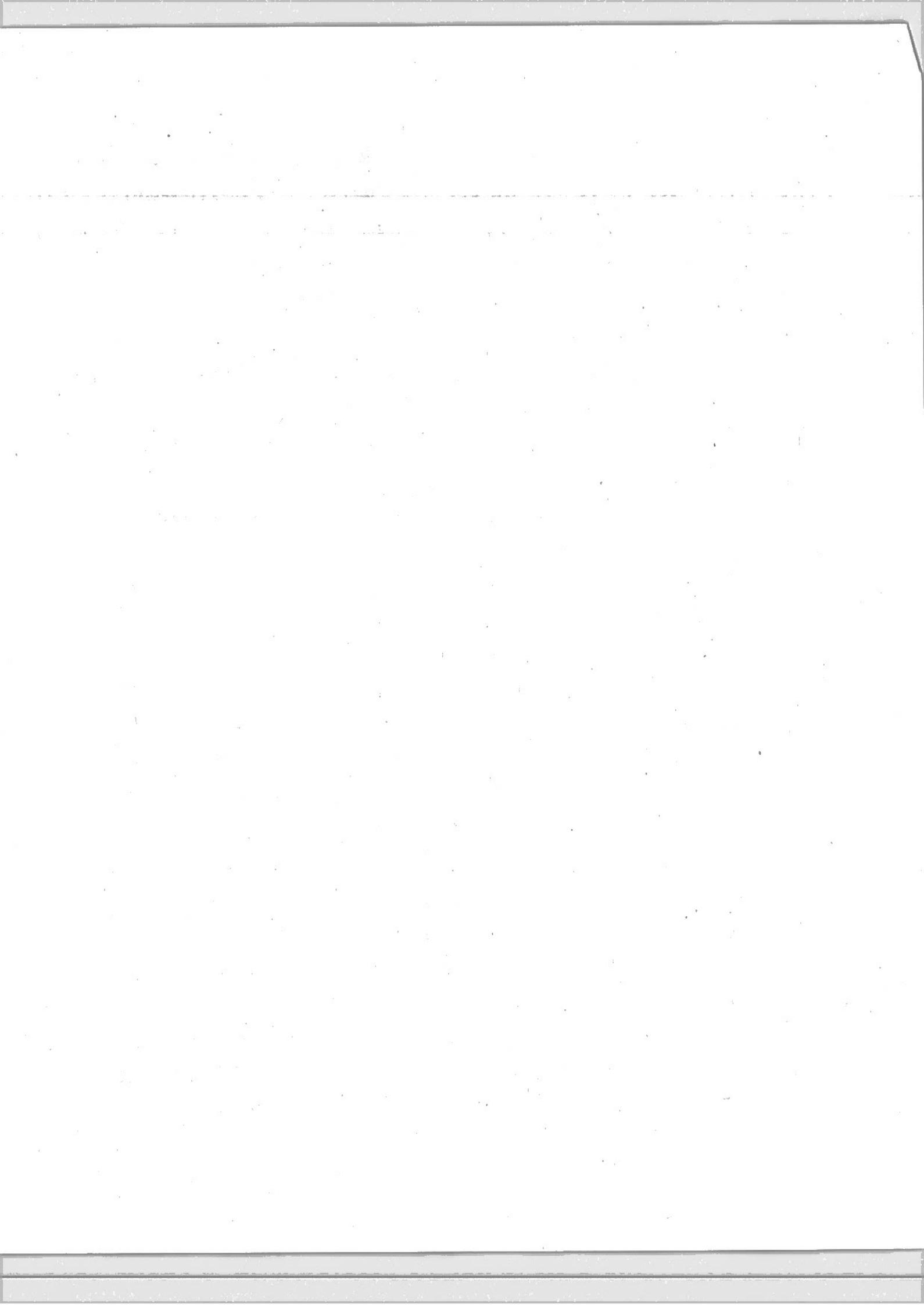
7 48. Plaintiff Mildred Strausburg ("Ms. Strausburg") currently resides at 759 South
8 Danvers Circle in Newbury Park, California. Ms. Strausburg has worked in the Simi Valley area
9 for the past 25 years. Ms. Strausburg has been diagnosed with cancer. She is a member of the
10 Class defined herein.

11 49. Plaintiffs Miles and Jacqueline Teicher ("the Teichers") currently reside at 1759 San
12 Gabriel Avenue in Ventura, California. The Teichers lived within approximately one and one half
13 mile of the Santa Susana field lab for approximately 20 years. Ms. Teicher was diagnosed with
14 breast cancer and was required to undergo a complete bi-lateral radical mastectomy. Mr. Teicher
15 ~~has been diagnosed with bladder cancer.~~ They are members of the Class defined herein.

16 50. Plaintiff Ralph Tremonti ("Mr. Tremonti") currently resides at 4450 Forenstglen
17 Court in Moorpark, California. Mr. Tremonti lived in the Simi Valley/Santa Susana area from
18 approximately 1964 to 1980. Mr. Tremonti lived in the west San Fernando Valley area from
19 approximately 1980 to 1990. Mr. Tremonti has been diagnosed with an autoimmune disorder. He is
20 a member of the Class defined herein.

21 51. Plaintiff Victor Wollman ("Mr. Wollman") owns and occupies real property located
22 at 23919 Pentland Way in West Hills, California, also directly below and within 5 miles of the
23 Rocketdyne Facility. Mr. Wollman still owns the real property located at this address.
24 ~~Mr. Wollman has been diagnosed with bladder cancer.~~ He is a member of the Class defined
25 herein.

26 52. Ms. Anzilotti, Faith Arnold, Lila Arnold, Ms. Barina, The Estate of Edward J. Barina,
27 Ms. Blaustein, Mr. Bleecker, Ms. Bolster, Ms. Bryant, Ms. Cady, Ms. Cass, Ms. Chappell, Mr.
28 Davis, Ms. Felkins, Ms. Fernandes, Mr. Grandinetti, Ms. Grandinetti, Mr. Gross, Ms. Hellerstein,



1 57. Defendant Rockwell Standard Corporation ("Rockwell Standard"), a Delaware
2 corporation with its principal place of business located in the State of Pennsylvania, is a corporate
3 predecessor of Rockwell International. At times relevant herein, Rockwell Standard owned and/or
4 operated one or more of the Rocketdyne Facilities.

5 58. Defendant Rocketdyne, Inc. ("Rocketdyne"), a Delaware corporation with its
6 principal place of business located in the State of Pennsylvania, was formerly a division of
7 Rockwell International and is now a division of Boeing. Over the years, Rocketdyne has tested
8 prototypes for nearly every rocket engine used in the U.S. Space Program. Rocketdyne has served
9 as the principal operator of the Santa Susana Field Laboratory since 1946, the approximate date
10 when that facility first opened.

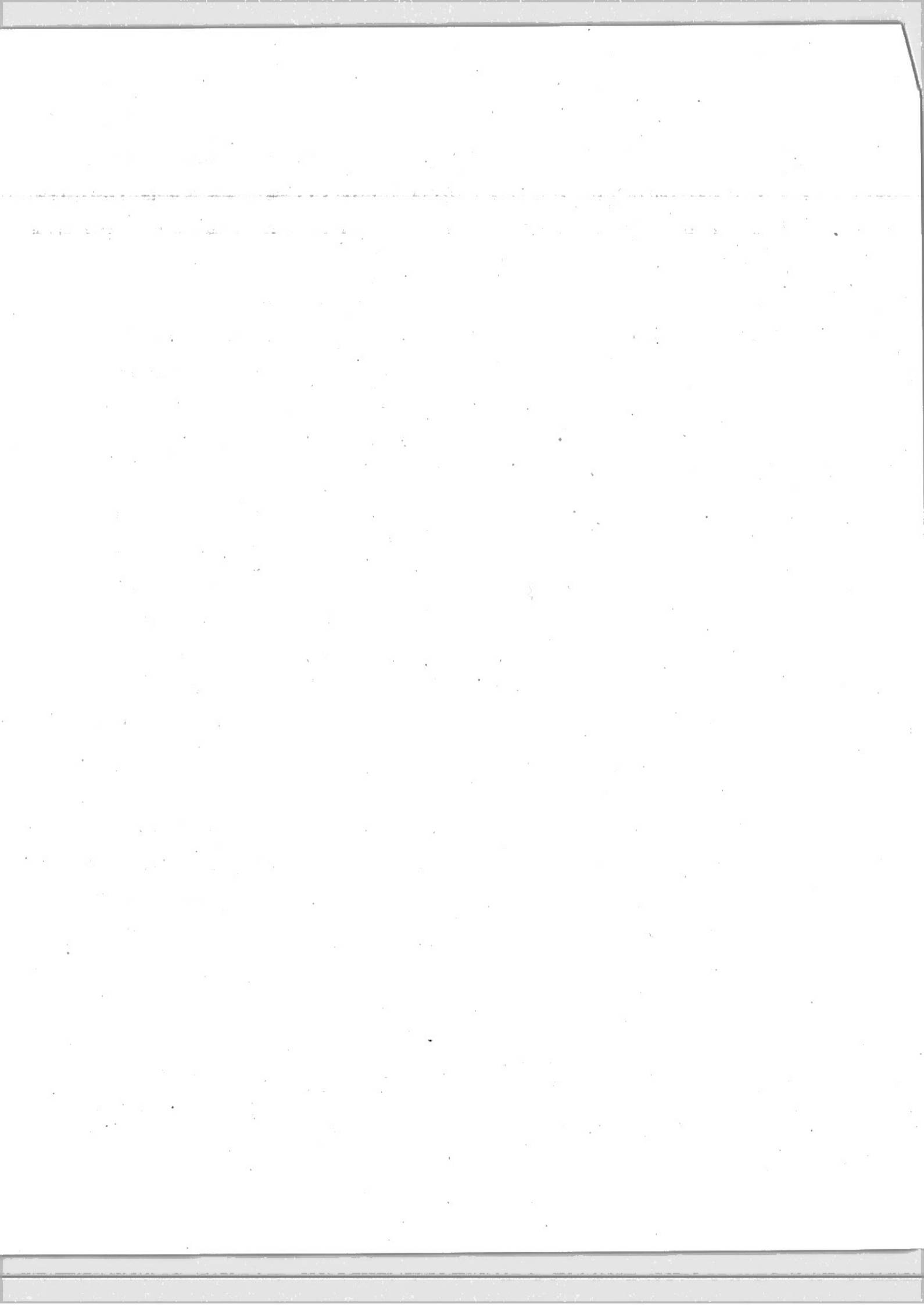
11 59. Defendant North American Aviation, Inc. ("North American Aviation"), a Delaware
12 corporation with its principal place of business located in the State of Pennsylvania, was the
13 corporate predecessor to Rocketdyne and opened the Santa Susana Field Laboratory in 1946.

14 60. Defendant Atomics International, Inc. ("Atomics International"), a Delaware
15 corporation with its principal place of business located in the State of Pennsylvania, was formerly
16 a division of Rockwell International and is now a division of Boeing. Atomics International has
17 served as the principal operator of the Canoga Park facility since 1956, the approximate date when
18 that facility first opened.

19 61. Defendants Boeing, Rockwell International, North American Rockwell, Rockwell
20 Manufacturing, Rockwell Standard, Rocketdyne, North American Aviation and Atomics
21 International hereinafter shall be referred to collectively as "Defendants". Defendants currently are
22 engaged in state and federal mandated ongoing cleanup efforts at and around the Rocketdyne
23 Facilities as a direct and proximate result of their hazardous operations of the Rocketdyne
24 Facilities as alleged herein.

25 26 VI. CLASS AND SUBCLASS DEFINITIONS

27 62. This action is brought by the Representative Plaintiffs on their own behalf and, under
28 Fed.R.Civ.P. 23, as representatives of a class defined as follows: all persons or entities who



1 Class and the Property Owner Subclass are sufficiently numerous that joinder of all members of
2 the Class and of the Property Owner Subclass is impracticable.

3 66. There are numerous questions of law and fact which are common to the claims of the
4 Class and the Property Owner Subclass as required by Fed.R.Civ.P. 23(a)(2) and which
5 predominate over any questions which affect only individual members of the Class or the Property
6 Owner Subclass within the meaning of Fed.R.Civ.P. 23(b)(3), including:

7 a. Whether Defendants used and released hazardous substances at their
8 Rocketdyne Facilities which contaminated the groundwater, soil and air in the vicinity of such
9 facilities;

10 b. The sources of such releases of hazardous substances and the timing thereof;

11 c. Whether there were one or more releases of hazardous substances from the
12 Rocketdyne Facilities into the environment in violation of CERCLA;

13 d. Whether the release of hazardous substances by Defendants caused damage
14 to the real and/or personal property of the members of the Property Owner Subclass;

15 e. Whether the release of hazardous substances by Defendants, and the resultant
16 exposure of the public thereto, has created an increased risk of illness, latent diseases such as
17 cancer, and other health problems for the Class;

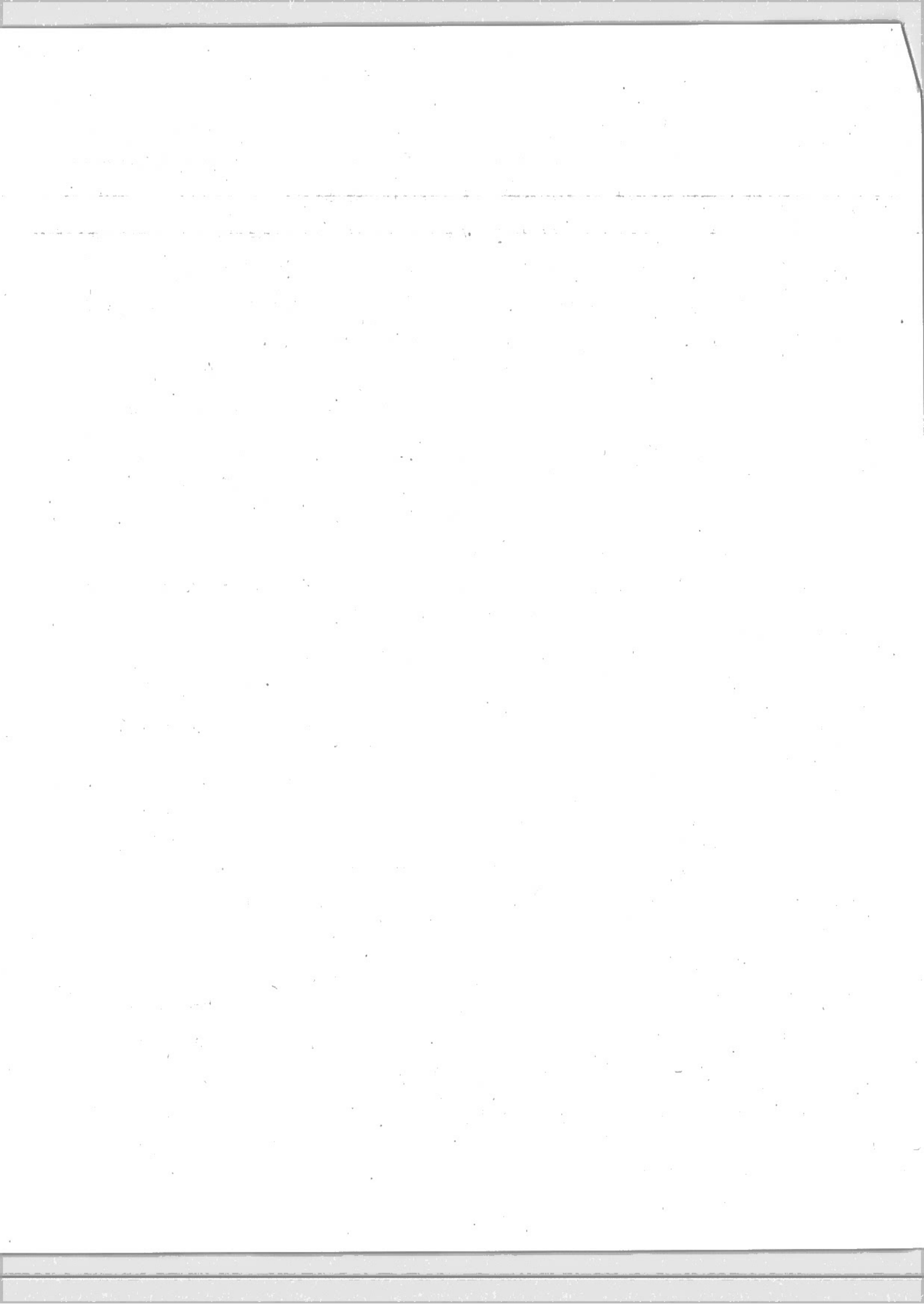
18 f. Whether medical monitoring is appropriate due to Defendants' release of
19 hazardous substances;

20 g. Whether Defendants, by virtue of their ownership, management, control and
21 disposal of ultrahazardous substances, are absolutely liable for the damages, injuries and losses
22 resulting from the release of such ultrahazardous substances into the environment;

23 h. Whether Defendants breached duties of care owed to Plaintiffs and to the
24 members of the Class; and

25 i. Whether declaratory, injunctive or other equitable relief is appropriate.

26 67. The Representative Plaintiffs' claims are typical of the claims of the Class and the
27 Property Owner Subclass which they seek to represent under Fed.R.Civ.P. 23(a)(3). The
28 Representative Plaintiffs, the members of the Class and the members of the Property Owner



1 respect to individual members of the Class or the Property Owner Subclass which would establish
2 incompatible standards of conduct for Defendants;

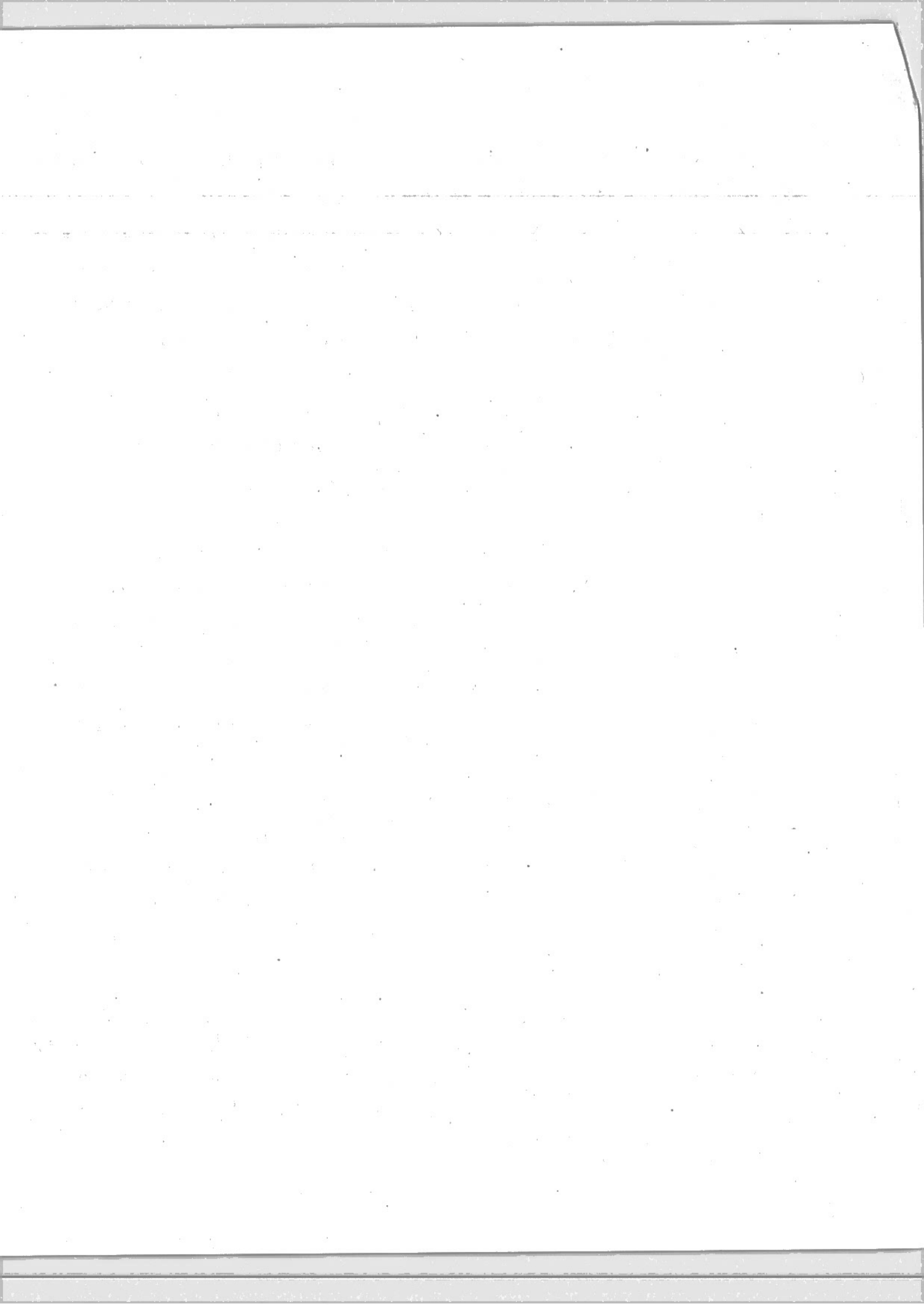
3 b. the prosecution of separate actions by individual members of the Class or the
4 Property Owner Subclass would create a risk of adjudications which would, as a practical matter,
5 be dispositive of the interests of the other members of the Class or the Property Owner Subclass
6 not parties to the adjudications, or substantially impair or impede their ability to protect their
7 interests; and

8 c. Defendants have acted or refused to act on grounds generally applicable to
9 the Class and the Property Owner Subclass, thereby making appropriate final injunctive relief or
10 corresponding declaratory relief with respect to the Class and the Property Owner Subclass as a
11 whole.

12 71. The Representative Plaintiffs are aware of no difficulty which will be encountered in
13 the management of this litigation which would preclude its prosecution as a class action.

14 72. Notice can be provided to the Class via first-class mail and/or publication in
15 newspaper and periodicals which are circulated in the Contamination Area.

16 73. Upon certification of the Property Owner Subclass, the Representative Plaintiffs will
17 seek the implementation of a uniform claims procedure to determine any individual issues of
18 causation and to award economic damages. There are overriding common issues related to the
19 Property Owner Subclass regarding Defendants' liability for the release of the subject hazardous
20 substances from their Rocketdyne Facilities. These matters, among others, would be subject to
21 common proof which would not differ among the members of the Property Owner Subclass.
22 Defendants have participated in a common course of conduct whereby the release of these
23 hazardous substances has occurred, and subclass-wide determination of these issues is the fairest
24 and most efficient method for adjudicating the claims herein. The uniform claims procedure will
25 start upon the resolution of such subclass-wide issues and, in the event of a trial, will involve a
26 separate hearing on any individual issues of causation and economic damages as to those subclass
27 members who are entitled to share in any award of damages. In the event of a settlement, any
28 individual issues of causation and damages will be administered through a procedure whereby a



1 asbestos, PCB's and hydraulic oil. In addition to spent rocket engine fuel, many of the chemicals
2 used were industrial solvents used for cleaning manufactured spacecraft parts. Many of the spent
3 chemicals used in the operations at the Rocketdyne Facilities were "hazardous waste" as defined
4 by 40 C.F.R. 261. The radioactive and non-radioactive hazardous wastes and other pollutants
5 generated by Defendants are regulated by numerous environmental, health and safety statutes and
6 regulations and DOE policies, orders and regulations, including, but not limited to: the Atomic
7 Energy Act, 42 U.S.C. Section 2201 et seq. (radioactive solid wastes and radioactive liquid
8 effluents); the Clean Air and Water Act, 42 U.S.C. Section 7401 et seq. (air emission, both
9 radioactive and non-radioactive); the Resources Conservation and Recovery Act ("RCRA"), 42
10 U.S.C. Section 6901 et seq. (solid non-radioactive and radioactive/non-radioactive mixed wastes);
11 the Refuse Act (Rivers and Harbors Act of 1899), 33 U.S.C. Section 407; and CERCLA, 42
12 U.S.C. Section 9601 et seq. (non-radioactive hazardous substances).

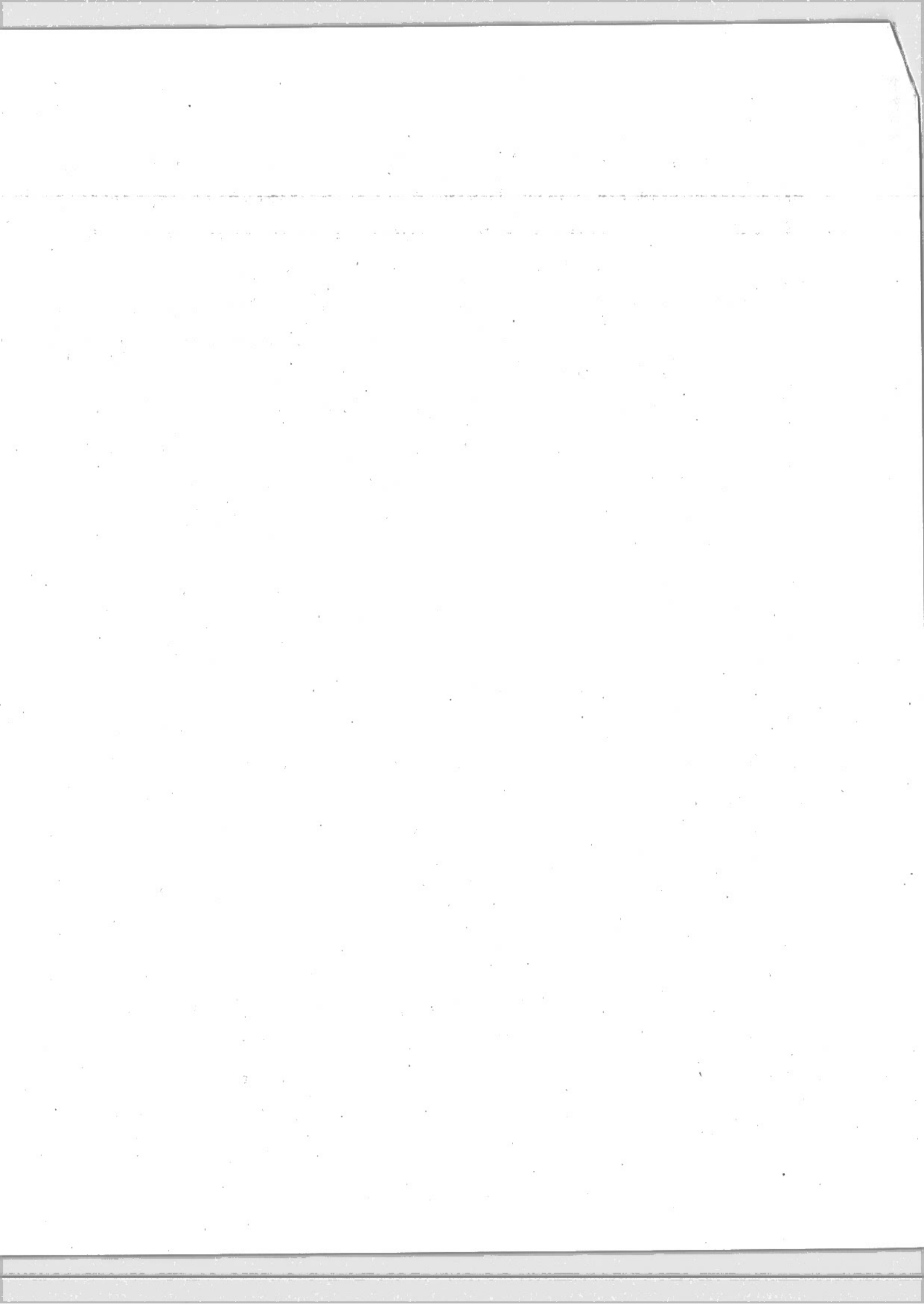
13 76. At all relevant times, 42 U.S.C. §6925 (a) of the RCRA: (i) prohibited the operation
14 of any hazardous waste "facility" without a permit issued by the United States Department of
15 Environmental Protection ("EPA"), and (ii) made the operation of a hazardous waste facility
16 without the requisite permit a felony.

17 77. At all times relevant hereto, the Rocketdyne Facilities were a hazardous waste
18 "facility" subject to RCRA, and Defendants were the "owners" of the hazardous waste facility as
19 defined by 40 C.F.R. 260.10. Accordingly, in order to operate the Rocketdyne hazardous waste
20 facilities, Defendants were required to obtain a Part A Permit from the EPA.

21 **B. Defendants' Releases Of Hazardous Waste**

22 78. After World War II ended, one or more of Defendants held contracts with the U.S.
23 Atomic Energy Commission and its successor, the Department of Energy, to operate experimental
24 nuclear reactors at the Rocketdyne Facilities.

25 79. Defendants operated 16 small nuclear reactors and a "hot lab" for handling
26 radioactive fuel between the 1950's and the 1980's. The nuclear testing stopped in 1990. During
27 the course of these four decades of nuclear testing, unbeknownst to homeowners neighboring the
28 high security facility, studies indicate a number of releases and other "accidents" and practices at



1 releases have gone unreported and undocumented. A preliminary study of past accidents at the
2 Rocketdyne Facilities which was conducted in 1980 indicated the following "known" reactor
3 accidents:

4 a. On March 25, 1959, fission gas was released from reactor AE-6
5 contaminating a containment room and several members of the operating staff. The reactor
6 reportedly scrambled due to improper operating procedures which allowed it to reach double its
7 maximum allowable power.

8 b. On July 13, 1959, Reactor SRE had a "power excursion". The reactor's
9 power increased uncontrollably - a serious sign of malfunction. Despite this problem, the reactor
10 was negligently started up again two hours later. An Atomic Energy Commission ("AEC") report
11 concluded: "It is quite clear that the reactor should have been shut down and the problems solved
12 properly. Continuing to run it in the face of a known tetralin leak, repeated scrams, equipment
13 failures, rising radioactive releases, and unexplained transient effects is difficult to justify. Such
14 emphasis on continued operation can and often does have serious effects on safety and can create
15 an atmosphere leading to serious accidents."

16 c. Just weeks thereafter, the very same reactor, SRE, suffered a partial
17 meltdown. Thirteen of the 43 fuel elements melted. Ten thousand curies of radiation were
18 released mostly into the coolant, and radioactive gases xenon and krypton were slowly released
19 into the atmosphere over a year's period. The extent of the release to the environment could not
20 be measured since some of the radiation monitors went off scale during parts of the "accident",
21 others malfunctioned, a device to automatically route high radioactivity to storage tanks didn't
22 work, and some of the monitors were incapable of measuring xenon and krypton since they are
23 noble gases.

24 d. Another meltdown occurred in 1964 where a reactor for the space program,
25 reactor SNAP-8, suffered melting in 80% of the fuel rods resulting in a substantial release of
26 fission products into the environment.

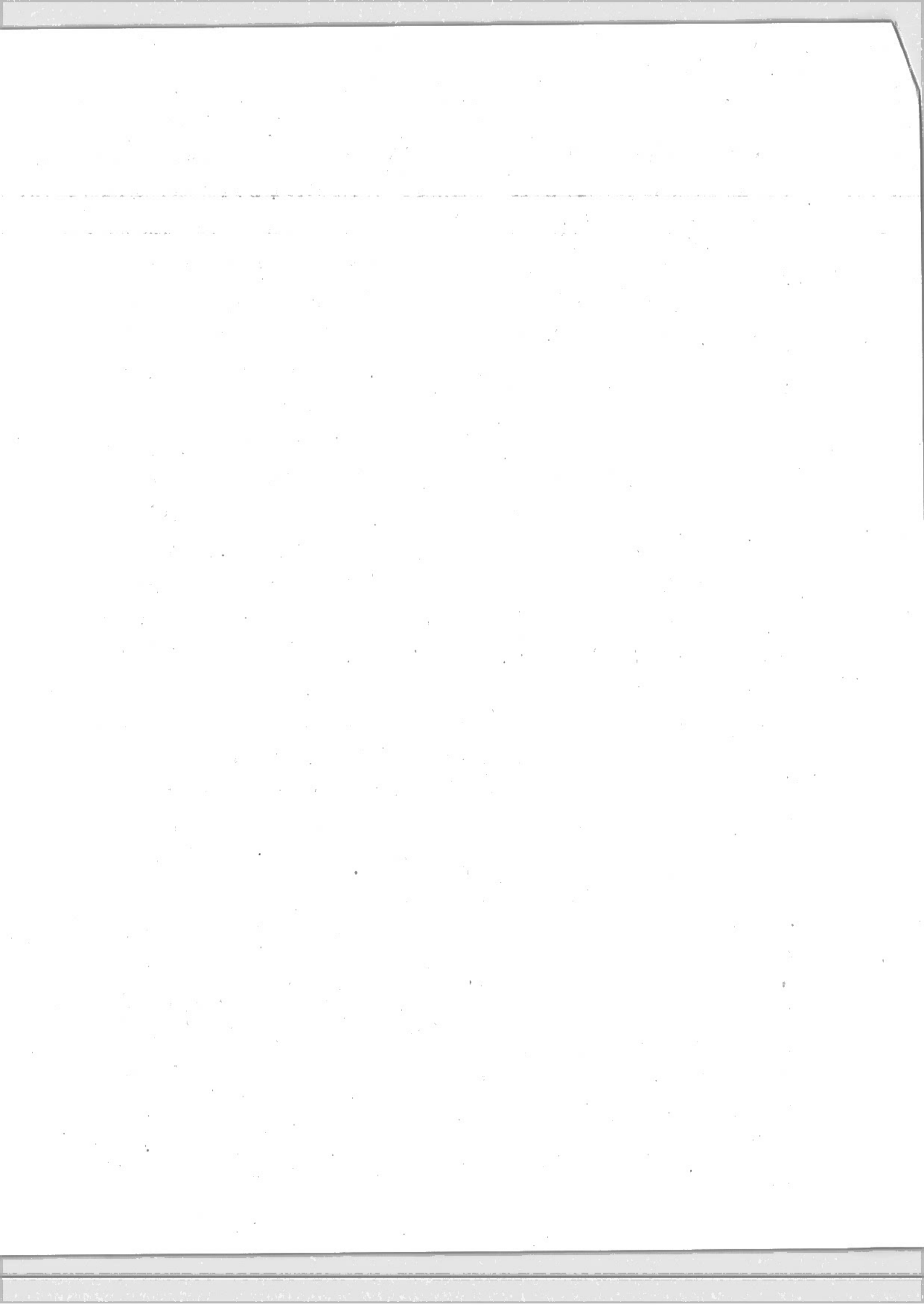
27 84. In addition to the "known" reactor accidents which have occurred at the Rocketdyne
28 Facilities, there were a number of non-reactor accidents which have caused radiation to be released



1 water (as well as vapors and dust particles) migrated and were carried by winds to the surrounding
2 communities for over a 14 year period at least, thus exposing Plaintiffs and the members of the
3 Class to significant amounts of radiation. When the contamination was finally discovered, the
4 radioactive soil was dug up and shipped to Beatty, Nevada, a radioactive waste dump.

5 89. In the late 1970's, the radiologic health section of the State Health Department
6 imposed additional radiation monitoring around the Santa Susan field laboratory. According to
7 the California Secretary for the Resource State Task Force on Nuclear Energy and Radioactive
8 Materials, the monitoring was done to address Defendants' history of detectable off site
9 contamination. The actual off site monitoring done for State Health, however, was done by the
10 Federal Environmental Protection Agency, which later discontinued its monitoring because of a
11 lack of funds. Thus, Defendants were responsible for doing its own monitoring of radiation
12 releases and exposures and publishing yearly composite figures without public access to raw data
13 to identify hot spots or significant releases which are merged into site or year averages.

14 90. In addition to the accidents alleged above, Plaintiffs have witnessed long lines of
15 trucks traveling in tandem up the Santa Susana Pass late at night which were transporting large
16 quantities of highly radioactive materials in and out of the Rocketdyne Facilities. According to
17 former Rocketdyne employees, these materials included spent fuel for decladding, raw uranium-
18 235 and highly enriched (bomb grade) concentrations for fuel fabrication, and finished fresh fuel,
19 as well as other radioactive materials. Plaintiffs are informed and believe that there have been
20 numerous accidents involving these radioactive materials while in transport. In addition, there is
21 evidence that transport of, for example, spent fuel, even without any accidents, involve radiation
22 exposure to large numbers of people. For example, Dr. Anthony Nero, a physicist in the energy
23 and environmental division of Lawrence Berkeley laboratory, reported that "somewhat
24 surprisingly, about half of this dose, the typical radiation received by the public within forty miles
25 of a nuclear plant, is contributed by irradiation of these populations by the transport of spent fuel."
26 (Emphasis added.) Thus, Plaintiffs have been exposed to these hazardous substances from the
27 mere transport of highly radioactive spent fuel and other radioactive materials through their
28 neighborhoods.



1 not enough, Defendants also engaged in the illegal disposal of radioactive waste which caused
2 further releases extending to at least July, 1994. Prior to 1989, federal and state regulatory
3 agencies allowed aerospace defense contractors to dispose of hazardous waste generated in the
4 manufacture of large rapid engines and propellers simply by blowing it up. At the Santa Susana
5 Field Laboratory, this practice was known as "thermal treatment."

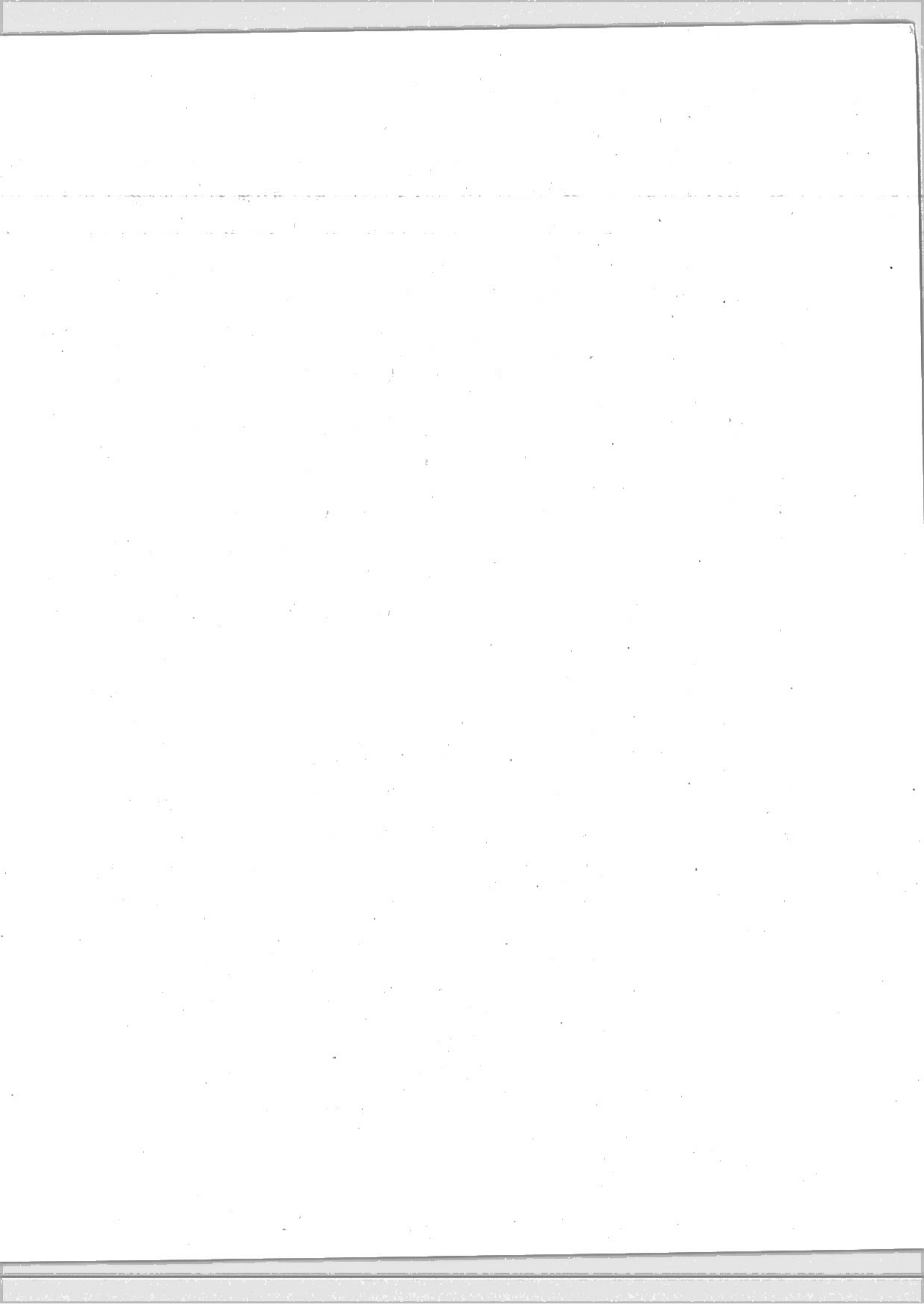
6 95. In 1989, the State of California ordered Rockwell International to halt "thermal
7 treatment" of all hazardous waste generated at the Rocketdyne Facilities. On November 15, 1989,
8 the United States Department of Energy (DOE) announced that it had awarded Rockwell a
9 \$34.6 million DOE contract in connection with government mandated decontamination of the
10 Santa Susana Field Laboratory (DOE clean-up contract).

11 96. In December, 1989, Rockwell International was informed that: (1) it had been
12 awarded the DOE clean-up contract; (2) pursuant to the terms of the contract, \$6.4 million of the
13 \$34.6 million awarded was required to be spent to remove chemical and radioactive contamination
14 from a disposal site known as the "Area 1 Burn Pit", a Rocketdyne site that had long been used by
15 the company to "thermally treat" a variety of hazardous wastes including waste rocket fuel; and
16 (3) under the terms of the DOE contract, Rockwell International was prohibited from using the
17 "Area 1 Burn Pit" for any future disposal of hazardous waste at the Rocketdyne Facilities other
18 than in accordance with the requirements imposed by the RCRA. In 1990, the California
19 Department of Toxic Substances Control (DTSC), the lead regulatory agency responsible for
20 monitoring Rockwell International's compliance with federal and state environmental laws,
21 conducted regulatory inspections of the Rocketdyne hazardous waste facility and concluded that:

22 a. Rockwell International's part A EPA application for the Rocketdyne
23 Hazardous Waste Facility filed by the company on November 17, 1980 improperly characterized
24 the "Area 1 Burn Pit" as a "waste pile" and failed to disclose that the Area 1 Burn Pit would be
25 used for "open pit burning" of hazardous waste including the burning of waste rocket propellants;

26 b. The DTSC had advised Rockwell International by letter in December 1983
27 that the company's part A permit application for Rocketdyne was materially deficient;

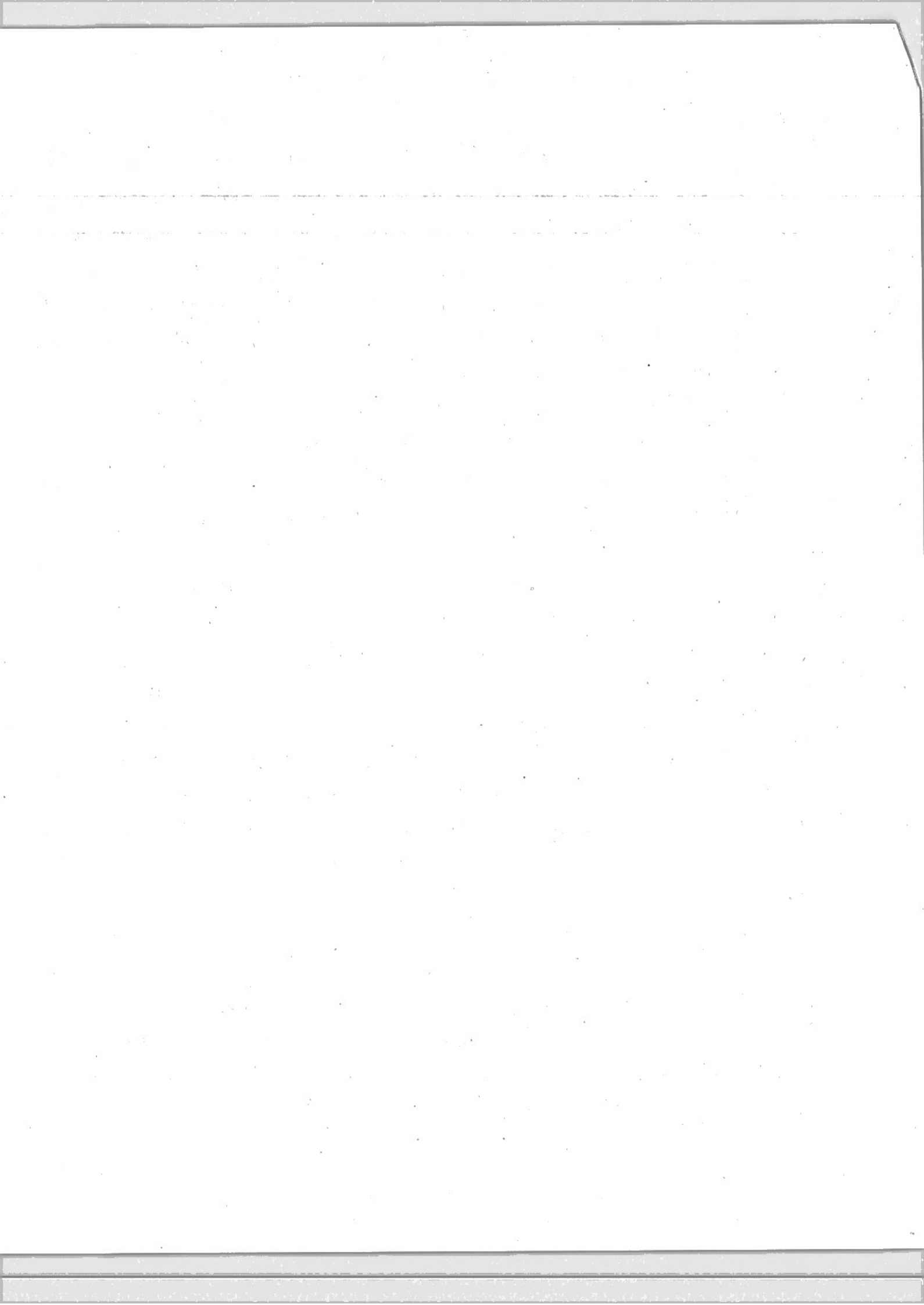
28 c. Because Rockwell International had never complied with the requirements



1 term Defendants used for illegal tests of no scientific value with only one goal: to get rid of the
2 rocket fuel. Burning off unneeded rocket fuel chemicals violates the federal environmental laws
3 and breaches Defendants' clean-up contracts. CAL/OSHA and Rocketdyne's engineers launched
4 investigations. In January, CAL/OSHA levied a \$202,500 fine against Rockwell International for
5 four serious violations of safety rules that contributed to the explosion. Investigators also found
6 that Rocketdyne violated State regulations by failing to inform CAL-OSHA where and when the
7 explosives were being made. The families of the physicists thereafter filed wrongful death
8 lawsuits against Rockwell International and a host of company officials. Additionally, in January,
9 1996, Rockwell International shareholders sued Rockwell International and Rocketdyne directors
10 in Orange County Superior Court alleging that they recklessly disregarded the environmental laws
11 in the events leading to the fatal explosion and thus exposed the company to millions of dollars in
12 potential damages. Three months later, Rockwell International officials pled guilty to three federal
13 felony counts: two of illegal disposal and one of illegal storage of hazardous waste. Rockwell
14 International paid a record \$6.5 million fine, the largest ever levied in a hazardous waste case in
15 California.

16 100. The operations of the subject Rocketdyne Facilities were veiled in secrecy.
17 Thousands of residents in the surrounding communities have and continue to use drinking water,
18 breathe the air, radioactive vapors and dust particles blown over their homes, garden and work the
19 soil, and eat citrus from plants growing in the contaminated soil on their properties for literally
20 decades. Not only were they unknowingly breathing and ingesting radioactive waste, they also
21 were consuming many other hazardous substances. These hazardous substances were released
22 both through air emissions and into the soil and ground water and migrated through the winds and
23 into the water supplies of the nearby communities, causing yet further exposure.

24 101. The ongoing state and federal mandated cleanup efforts, which will not be completed
25 until at least 2002, continue to expose Plaintiffs and the Class to still further toxic substances. As
26 the substances which for years have saturated the buildings and soil beneath the Rocketdyne
27 Facilities are dug up and disturbed highly toxic dust particles will continue to be carried by the
28 winds over the neighborhoods and homes of Plaintiffs and the Class. It is for this reason, among



1 workers' radiation exposure at Rocketdyne. The results of this study have not yet been released.
2 There has been no study by any health department of cancer incidence in the surrounding
3 communities within the last ten years. However, there is a significant population of oncologists
4 who have located their practices at the West Hills Oncology Center in order to take advantage of
5 the unusually high incidence of cancers in the greater Simi Valley and San Fernando Valley area.
6

7 **X. EPIDEMIOLOGY AND TOXICOLOGY OF SUBJECT CONTAMINATION**

8 105. Based on the extent and duration of the releases of radiation, plutonium, cesium,
9 tritium, hexavalent chromium, TCE and other toxic substances, and as a result of Plaintiffs'
10 exposure to air emissions and releases, drinking contaminated water as alleged herein, and other
11 multiple exposures related to groundwater, soil and airborne contaminants, the subject
12 contamination has increased the risk that the Class will suffer the types of health problems
13 displayed by Plaintiffs. The Individual Plaintiffs' symptoms are consistent with such exposure.

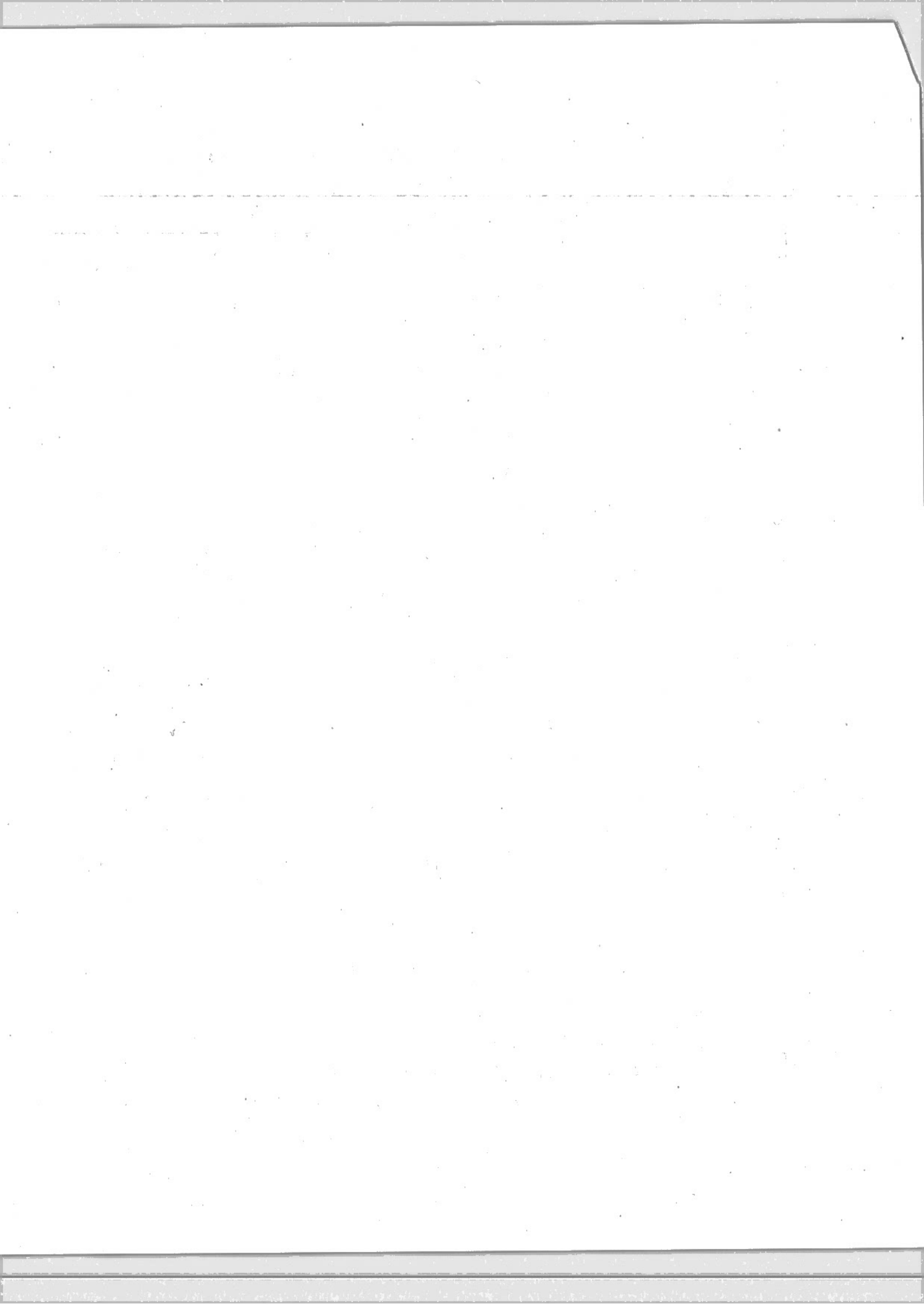
14 106. In addition, there has been a common exposure to the subject contamination through
15 domestic and other sources such as airborne contaminants, air emissions, drinking water and soil
16 contaminants caused by releases from the Rocketdyne Facilities. These facilities, and the
17 contamination created thereby, have created and continue to create excessive human exposure to
18 these radioactive and carcinogenic contaminants as well as other contaminants outlined in EPA
19 and CAL/OSHA reports. This exposure has substantially increased the risk that Plaintiffs and the
20 Class will develop cancer in the near future, if they have not done so already, which risks can be
21 determined through common proof of the known health risks posed by such hazardous substances.
22

23 **FIRST CLAIM FOR RELIEF**

24 (On Behalf of the Class for Violations of CERCLA)

25 107. Plaintiffs repeat and incorporate herein by reference the allegations contained in
26 paragraphs 1 through 14, 53 through 62, and 64 through 106, inclusive, above.

27 108. The Rocketdyne Facilities are each a site where hazardous substances have been
28 deposited, stored, disposed of, placed or otherwise come to be located and, as such, each is a



1 SECOND CLAIM FOR RELIEF

2 (On Behalf of the Class for Public Liability Under the Price Anderson Act)

3 115. Plaintiffs repeat and incorporate herein by reference the allegations contained in
4 paragraphs 1 through 14, 53 through 62, and 64 through 106, inclusive, above.

5 116. The actions and conduct of Defendants as alleged herein subject Defendants to public
6 liability under 42 U.S.C. § 2210 of the Price Anderson Act for the nuclear accidents which have
7 occurred at the Rocketdyne Facilities.

8 117. Plaintiffs are informed and believe that the radiation released into the environment
9 from the Rocketdyne Facilities as a result of such nuclear accidents exceeded the permissible dose
10 limitations set forth under 10 C.F.R. § 20.1301.

11 118. As a direct and proximate result of said wrongful conduct, Plaintiffs have suffered
12 damages and losses related to radioactive contamination in an amount according to proof at trial.

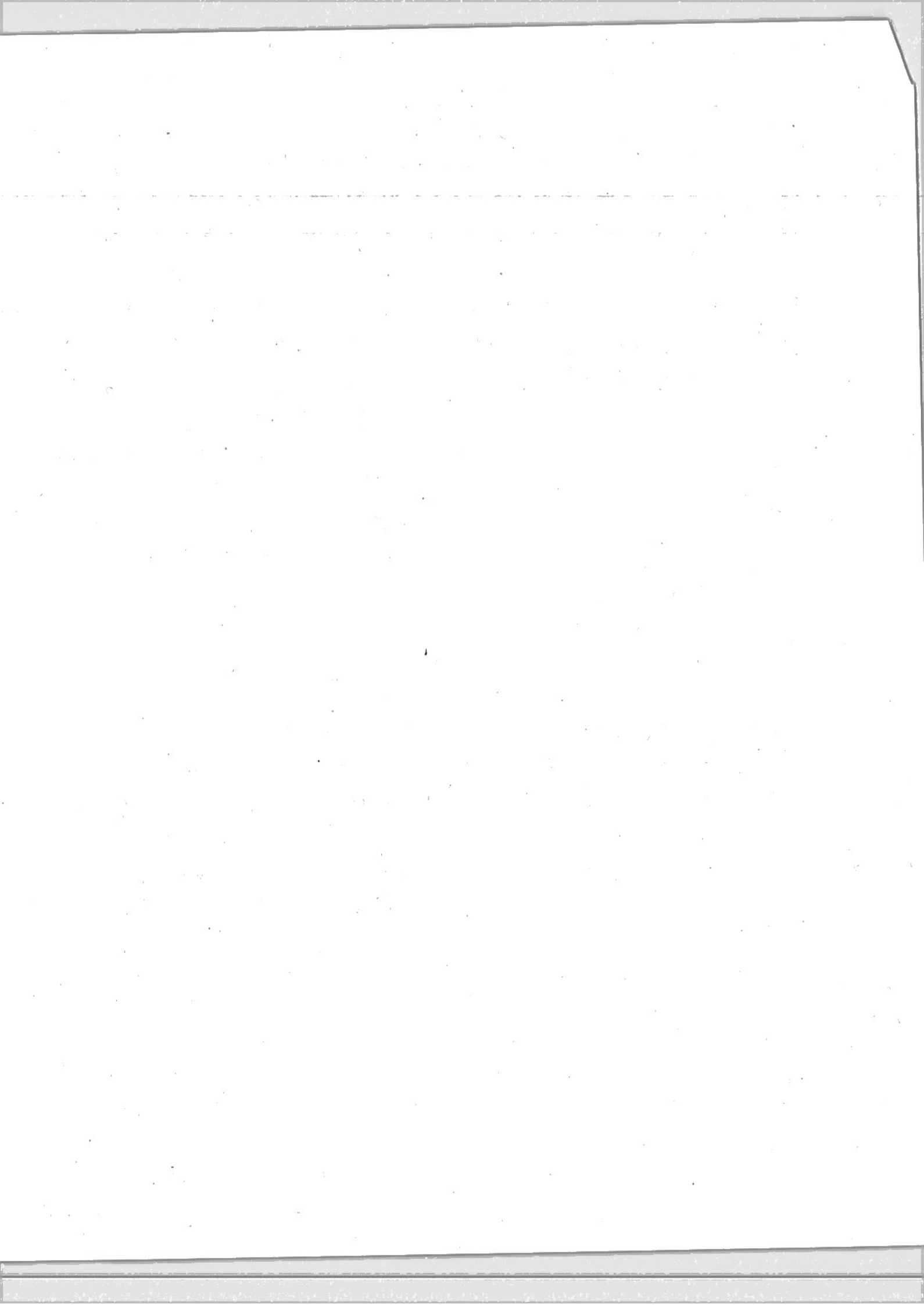
13 119. As a direct and proximate result of Defendants' wrongful conduct as alleged herein,
14 Plaintiffs were significantly exposed to radioactive substances having carcinogenic properties. As
15 a direct and proximate result of such exposure, Plaintiffs have an increased risk of contracting and
16 suffering from a serious latent disease, injury or illness. Such increased risk makes periodic
17 diagnostic medical examinations reasonably necessary. Monitoring and testing procedures exist
18 which make the early detection and treatment of the latent diseases, injuries and illnesses possible
19 and beneficial, and such medical monitoring procedures should be implemented for the benefit of
20 Plaintiffs and the Class.

21 120. Defendants acted in a willful, wanton and malicious manner, in callous, conscious
22 and intentional disregard for the interests of Plaintiffs, and with knowledge that their conduct was
23 substantially likely to vex, annoy and injure Plaintiffs and the other members of the Class. As a
24 result, Plaintiffs are entitled to an award of punitive and exemplary damages in an amount
25 according to proof at trial.

26 ///

27 ///

28 ///



1 127. At all times mentioned herein, Defendants, through their negligence as herein alleged,
2 ignored their responsibilities to Plaintiffs and unreasonably jeopardized the environment as well as
3 the property, health and safety of Plaintiffs.

4 128. As a direct and proximate result of Defendants' wrongful conduct as alleged herein,
5 Plaintiffs were significantly exposed to hazardous substances having toxic and/or carcinogenic
6 properties. As a direct and proximate result of such exposure, Plaintiffs have an increased risk of
7 contracting and suffering from a serious latent disease, injury or illness. Such increased risk
8 makes periodic diagnostic medical examinations reasonably necessary. Monitoring and testing
9 procedures exist which make the early detection and treatment of the latent diseases, injuries and
10 illnesses possible and beneficial, and such medical monitoring procedures should be implemented
11 for the benefit of Plaintiffs and the Class.

12
13 **FOURTH CLAIM FOR RELIEF**

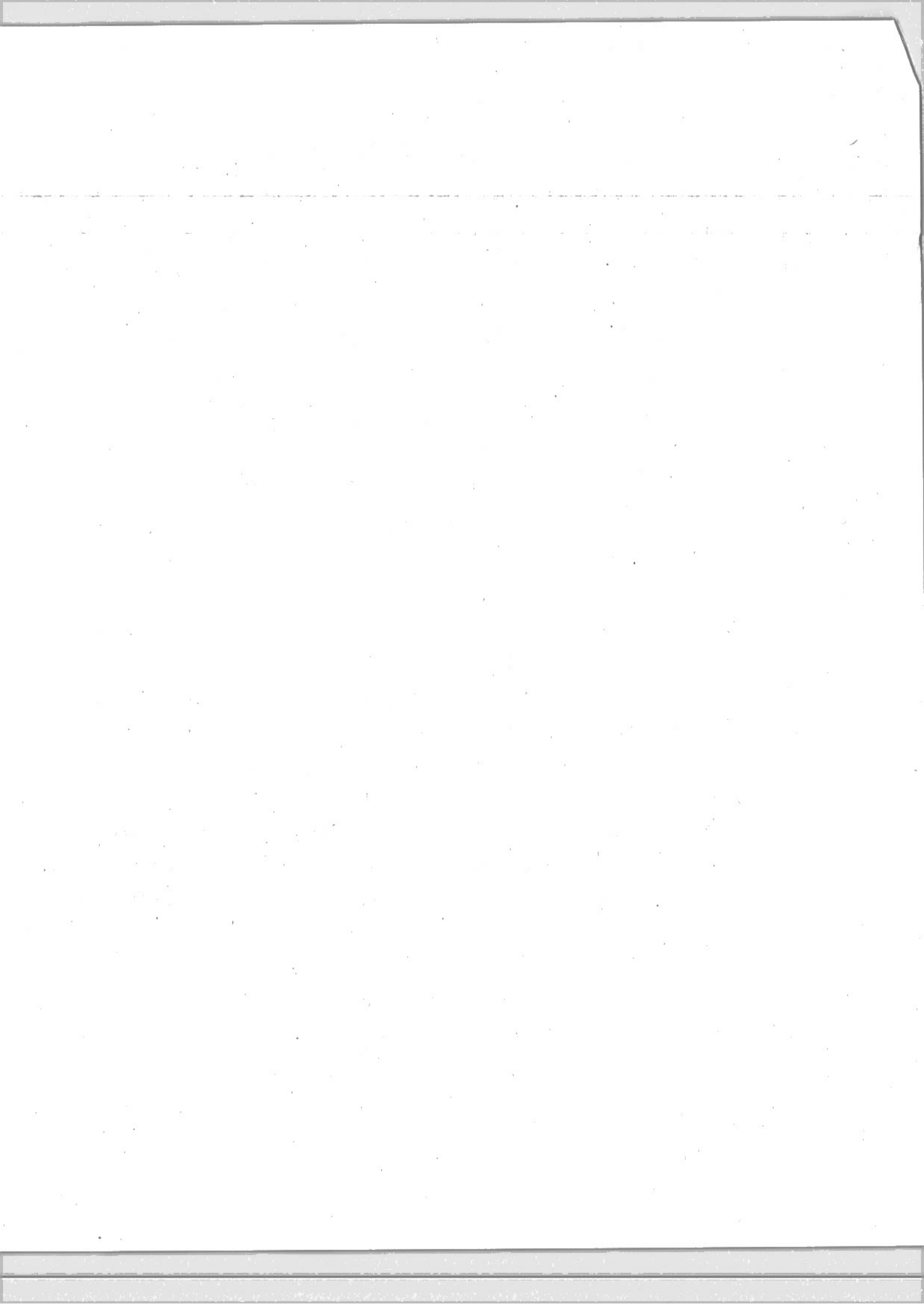
14 (On Behalf of the Class for Negligence Per Se
15 Resulting in the Need for Medical Monitoring)

16 129. Plaintiffs repeat and incorporate herein by reference the allegations contained in
17 paragraphs 1 through 14, 53 through 62, and 64 through 106, inclusive, above.

18 130. Plaintiffs bring this claim for relief on behalf of the Class with respect to the
19 discharge and release by Defendants into the environment of non-radioactive substances only.

20 131. Defendants have breached numerous legal duties to Plaintiffs in that they have
21 negligently, carelessly and recklessly generated, handled, stored, treated, disposed of and failed to
22 control and contain various hazardous materials, released or discharged such hazardous substances
23 into the surrounding environment and community, and thereby subjected Plaintiffs to an
24 unreasonable risk of harm.

25 132. Defendants' generation, handling, storage, treatment, and disposal of toxic solvents
26 and hazardous substances at the Rocketdyne Facilities, and their failure to control and contain the
27 same within the confines of the facilities, constituted numerous and repeated violations of state
28 and federal environmental health and safety statutes and regulations, including, inter alia,



1 **FIFTH CLAIM FOR RELIEF**

2 (On Behalf of the Class for Strict Liability for Ultra-Hazardous Activities
3 Resulting in the Need for Medical Monitoring)

4 137. Plaintiffs repeat and incorporate herein by reference the allegations contained in
5 paragraphs 1 through 14, 53 through 62, and 64 through 106, inclusive, above.

6 138. Plaintiffs bring this claim for relief on behalf of the Class with respect to the
7 discharge and release by Defendants into the environment of non-radioactive substances only.

8 139. The use of hazardous substances, including those containing hexavalent chromium,
9 TCE and other toxic substances, in the activities of Defendants hereinabove described, as well as
10 the storage and/or disposal of the waste resulting therefrom, are all ultra-hazardous activities in
11 that:

12 a. There necessarily exists a risk of serious harm to the person, land or chattels
13 of others in the use, storage and/or disposal of hazardous substances, which cannot be eliminated
14 by the exercise of the utmost care;

15 b. The use, storage and/or disposal of hazardous substances undertaken by
16 Defendants are not matters of common usage, as they are not customarily carried on by the great
17 mass of mankind or many people in the community;

18 c. The solvents, wastes and byproducts involved in the use, storage and/or
19 disposal of said hazardous substances are dangerous and highly toxic, are known to be
20 carcinogens, and further known to be ecologically devastating if discharged into the air, soil and
21 groundwater;

22 d. The use, storage and/or disposal of these hazardous substances into the
23 environment took place with the knowledge and/or awareness of the proximity of homes, schools,
24 parks, businesses and/or private and public property frequented by members of the neighboring
25 communities who were unaware of the dangers presented; and

26 e. The use of the solvent and chemical compounds in Defendants' activities,
27 and the storage and disposal thereof, has little value to Plaintiffs, and said value, if any, is
28 outweighed by the dangerous attributes of those substances and the likelihood of harm resulting



1 supervision, maintenance and operation of the manufacturing processes and storage facilities for
2 hazardous materials, and the training and supervision of the personnel used by Defendants to
3 conduct those aspects of their business which related to the use, storage and/or disposal of
4 hazardous substances. Defendants also had, and still have, a continuing obligation to warn
5 Plaintiffs of the releases and/or threatened releases of hazardous substances into the environment
6 and communities surrounding the Rocketdyne Facilities and of the reasonably foreseeable effects
7 of such releases.

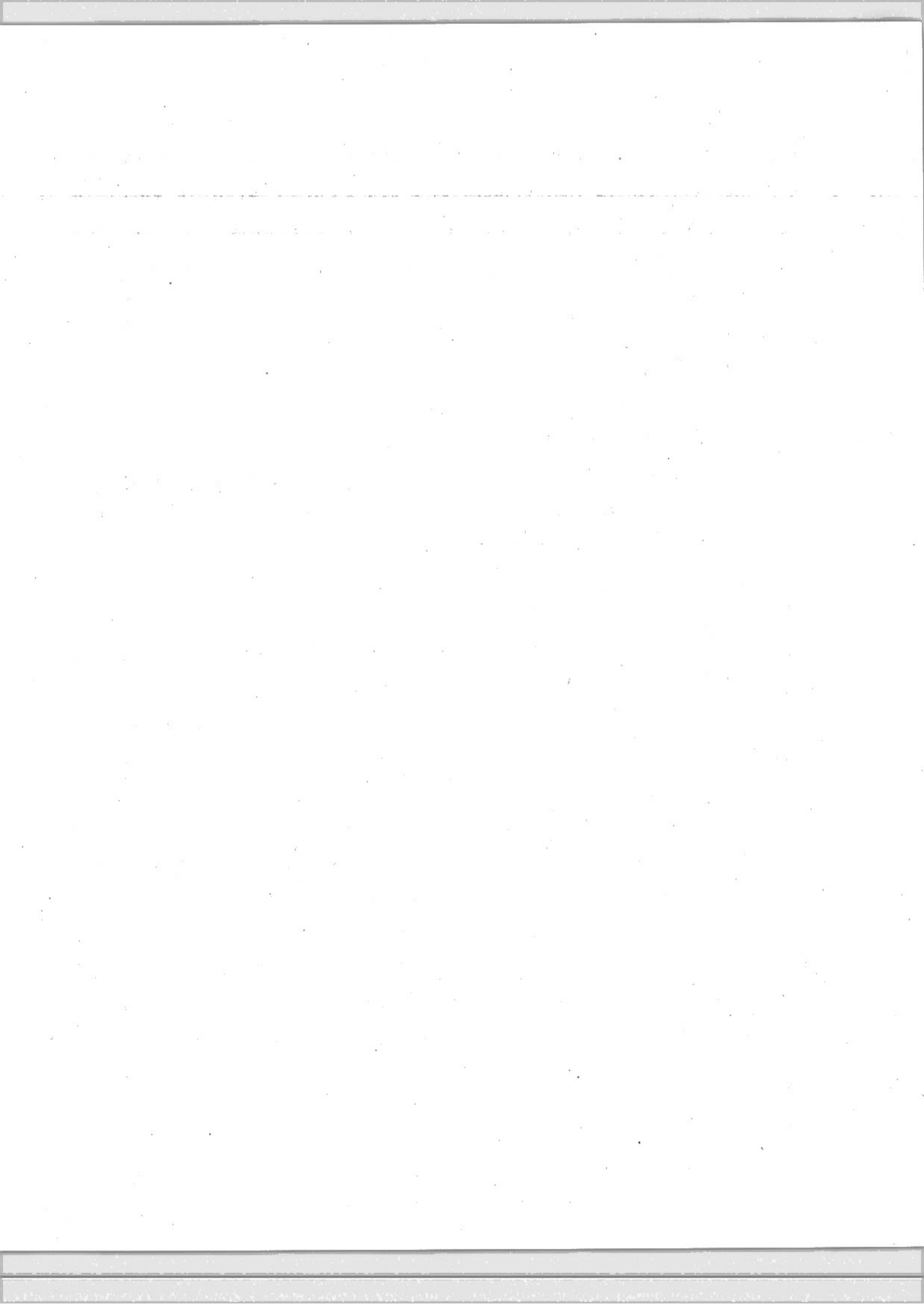
8 146. Defendants breached their duties to Plaintiffs by failing to exercise ordinary care and
9 due diligence in negligently permitting the circumstances to exist that led to the release of
10 hazardous and toxic substances including, but not limited to, the negligent operation, maintenance,
11 and inspection of their business, as well as the design, manufacture, assembly and related activities
12 associated with the use, storage and/or disposal of hazardous substances.

13 147. Defendants' activities contributed in natural and/or continuous sequence to the
14 discharge of hazardous toxic substances and known carcinogens into the environment, and each of
15 their actions as alleged herein was a substantial factor in causing the resultant losses and injuries to
16 Plaintiffs.

17 148. At all times mentioned herein, Defendants, through their negligence as herein alleged,
18 ignored their responsibilities to Plaintiffs and unreasonably jeopardized the environment as well as
19 the property, health and safety of Plaintiffs.

20 149. As a direct and proximate result of Defendants' negligence, Plaintiffs were exposed
21 to harmful contaminants and have suffered injury, illness or death, for which they are entitled to
22 compensatory damages in an amount according to proof at trial.

23 150. As a further, direct and approximate result of Defendants' negligence, Plaintiffs have
24 suffered serious emotional distress and anxiety attributable to a reasonable fear of future harm
25 caused by their injuries, fear of cancer due to their exposure to toxic substances which threaten
26 cancer, and fear that other types of serious physical illness or injury may result from their toxic
27 exposure.
28



1 entitled to compensatory damages in an amount according to proof at trial.

2 158. As a further, direct and approximate result of Defendants' negligence per se,
3 Plaintiffs have suffered serious emotional distress and anxiety attributable to a reasonable fear of
4 future harm caused by their injuries, fear of cancer due to their exposure to toxic substances which
5 threaten cancer, and fear that other types of serious physical injury or illness may result from their
6 toxic exposure.

7 159. In committing the statutory violations which constitute negligence per se on the part
8 of Defendants, Defendants acted in a willful, wanton and malicious manner, in callous, conscious
9 and intentional disregard for the interests of Plaintiffs, and with knowledge that their conduct was
10 substantially likely to vex, annoy and injure Plaintiffs. As a result, Plaintiffs are entitled to an
11 award of punitive and exemplary damages, pursuant to California Civil Code section 3294, in an
12 amount according to proof at trial.

13
14 **EIGHTH CLAIM FOR RELIEF**

15 (On Behalf of the Individual Plaintiffs, Ms. Hecker, Mr. Mugardechian, Ms. Crilley and
16 Ms. Pelaez for Strict Liability for Ultra Hazardous Activities Resulting in Personal Injury)

17 160. Plaintiffs repeat and incorporate herein by reference the allegations contained in
18 paragraphs 6, 7, 10 through 61, and 74 through 106, inclusive, above.

19 161. Plaintiffs bring this claim for relief on behalf of themselves alone with respect to the
20 discharge and release by Defendants into the environment of non-radioactive substances only.

21 162. The use of hazardous substances, including those containing hexavalent chromium,
22 TCE and other toxic substances, in the activities of Defendants hereinabove described, as well as
23 the storage and/or disposal of the waste resulting therefrom, are all ultra-hazardous activities in
24 that:

25 a. There necessarily exists a risk of serious harm to the person, land or chattels
26 of others in the use, storage and/or disposal of hazardous substances, which cannot be eliminated
27 by the exercise of the utmost care;

28 b. The use, storage and/or disposal of hazardous substances undertaken by





1 not occur in the absence of negligence. The release of hazardous and toxic substances was caused
2 by agencies or instrumentalities within the exclusive control of Defendants. The release of
3 hazardous and toxic substances was not due to any voluntary act or contribution on the part of
4 Plaintiffs.

5 179. ~~The injuries and damages suffered by Plaintiffs were of the nature of which~~
6 the state and federal environmental health and safety statutes and regulations were designed to
7 prevent, and Plaintiffs are within the class of persons whom such statutes and regulations were
8 intended to protect.

9 180. As a direct and proximate result of Defendants' negligence per se, Plaintiffs have
10 suffered economic damages including, but not limited to, physical damage to their property, past
11 loss use of their property and past loss of enjoyment of their property, all in an amount according
12 to proof of trial.

13 181. In committing the statutory violations which constitute negligence per se on the part
14 of Defendants, Defendants acted in a willful, wanton and malicious manner, in callous, conscious
15 and intentional disregard for the interests of Plaintiffs, and with knowledge that their conduct was
16 substantially likely to vex, annoy and injure Plaintiffs and the other members of the Property
17 Owner Subclass. As a result, Plaintiffs are entitled to an award of punitive and exemplary
18 damages, pursuant to California Civil Code section 3294, in an amount according to proof at trial.

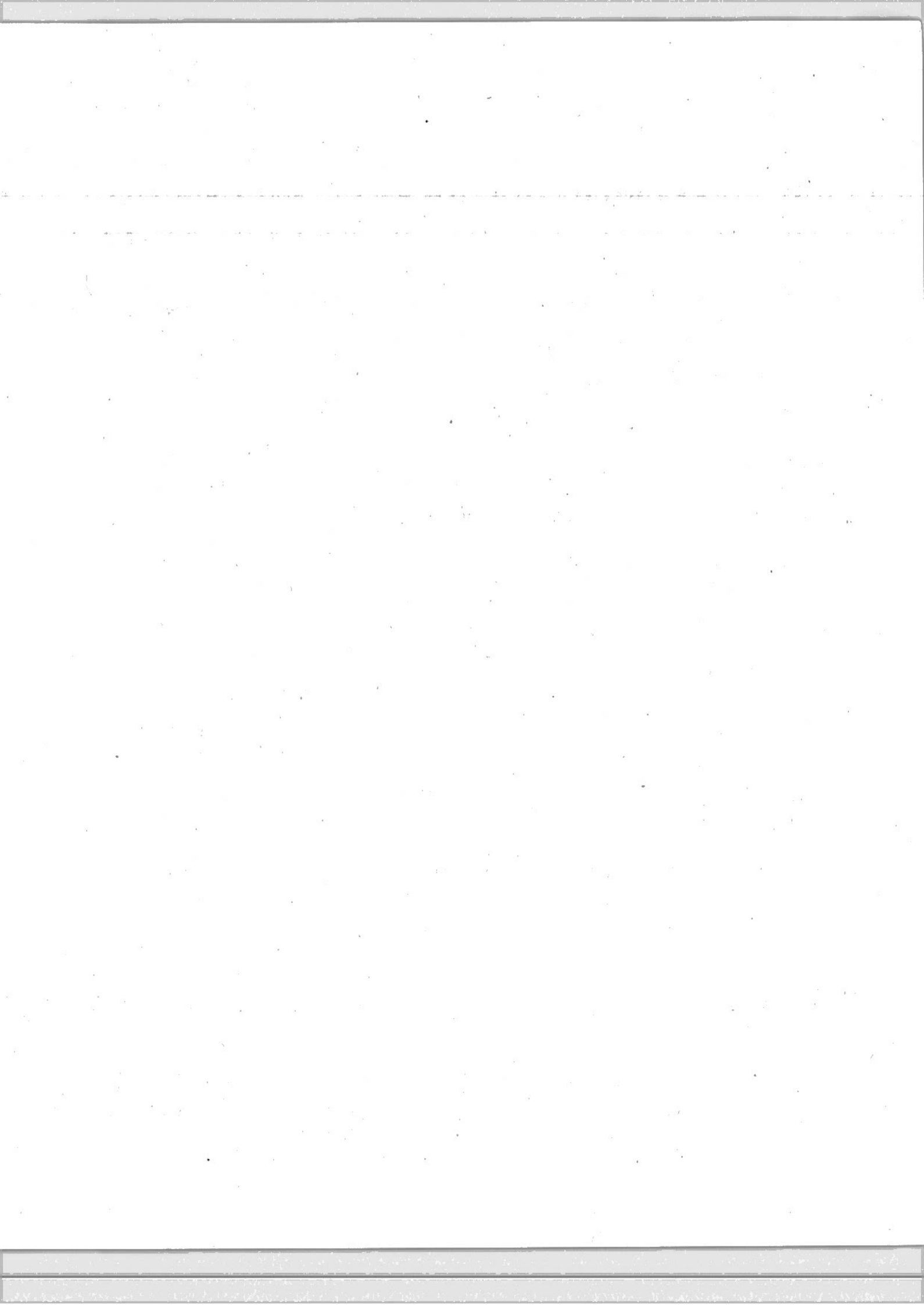
19 **ELEVENTH CLAIM FOR RELIEF**

20 (On Behalf of the Property Owner Subclass for Strict Liability for Ultra-Hazardous
21 Activities Resulting in Economic Losses Relating to Property Damage)

22 182. Plaintiffs repeat and incorporate herein by reference the allegations contained in
23 paragraphs 1 through 14, 53 through 61, and 63 through 106, inclusive, above.

24 183. Plaintiffs bring this claim for relief on behalf of the Property Owner Subclass with
25 respect to the discharge and release by Defendants into the environment of non-radioactive
26 substances only.

27 184. The use of hazardous substances, including those containing hexavalent chromium,
28 TCE and other toxic substances, in the activities of Defendants hereinabove described, as well as



1 are entitled to an award of punitive and exemplary damages, pursuant to California Civil Code
2 section 3294, in an amount according to proof at trial.

3
4 **TWELFTH CLAIM FOR RELIEF**

5 (On Behalf of the Property Owner Subclass for Continuing Trespass)

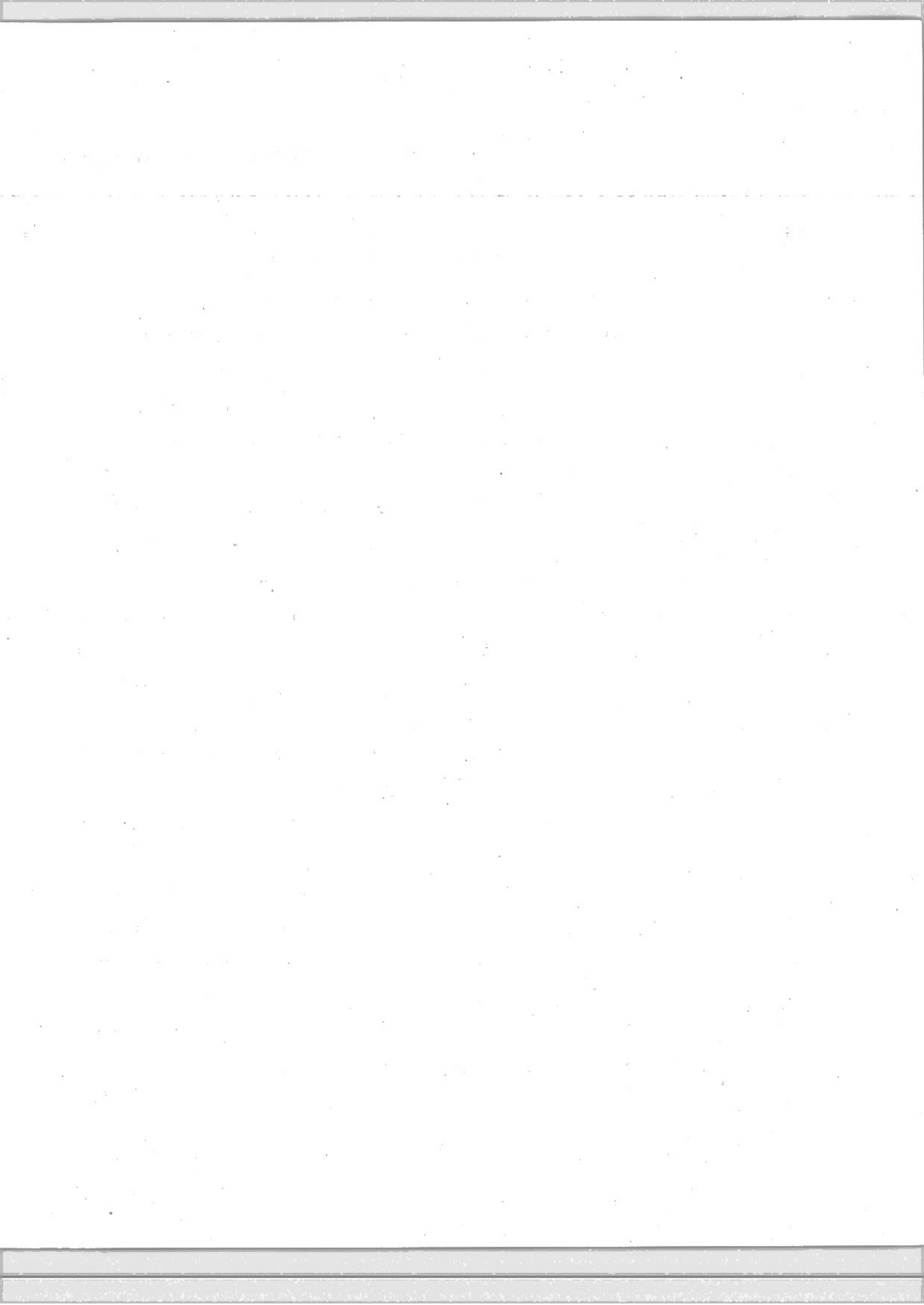
6 187. Plaintiffs repeat and incorporate herein by reference the allegations contained in
7 paragraphs 1 through 14, 53 through 61, and 63 through 106, inclusive, above.

8 188. Plaintiffs bring this claim for relief on behalf of the Property Owner Subclass with
9 respect to the discharge and release by Defendants into the environment of non-radioactive
10 substances only.

11 189. Plaintiffs, at all times herein mentioned, had interest and title in their properties, and
12 the right to quiet and useful enjoyment thereof, as well as their surrounding living environment,
13 including air and water. As a result of the intentional, reckless or negligent conduct of
14 Defendants, as alleged herein, the discharge of toxic contaminants spoiled the air, ground water
15 and/or soil and migrated into Plaintiffs' water supplies and onto Plaintiffs' property which in turn
16 spawned toxic vapors and byproducts to invade and/or irreparably damage Plaintiffs' interest in
17 water, property and air.

18 190. As a direct and proximate result of said wrongful conduct, Plaintiffs have suffered
19 economic damages including, but not limited to, physical damage to their property, past lost use of
20 their property and past loss of enjoyment of their property, all in an amount according to proof at
21 trial.

22 191. In committing those acts which constitute continuing trespass as described herein,
23 Defendants acted in a willful, wanton and malicious manner, in callous, conscious and intentional
24 disregard for the interests of Plaintiffs, and with knowledge that their conduct was substantially
25 likely to vex, annoy and injure Plaintiffs and the other members of the Property Owner Subclass.
26 As a result, Plaintiffs are entitled to an award of punitive and exemplary damages, pursuant to
27 California Civil Code section 3294, in an amount according to proof at trial.
28



1 **FOURTEENTH CLAIM FOR RELIEF**

2 (On Behalf of the Property Owner Subclass for Continuing Private Nuisance)

3 197. Plaintiffs repeat and incorporate herein by reference the allegations contained in
4 paragraphs 1 through 14, 53 through 61, and 63 through 106, inclusive, above.

5 198. Plaintiffs bring this claim for relief on behalf of the Property Owner Subclass with
6 respect to the discharge and release by Defendants into the environment of non-radioactive
7 substances only.

8 199. Plaintiffs have the inalienable right to own, enjoy and use their residences and
9 property without interference by other property owners, such as Defendants, who chose to
10 undertake ultra-hazardous activities on their land.

11 200. At all times mentioned herein, the conduct of Defendants caused hazardous industrial
12 materials and other toxins, including hexavalent chromium, TCE and other hazardous substances,
13 to be discharged into the environment from the Rocketdyne Facilities.

14 201. These substances contaminated the soil, groundwater and air in the Contaminated
15 Area. This nuisance is properly classified as a continuing nuisance subject to reasonable
16 abatement.

17 202. The aforementioned discharges emanated from land upon which Defendants carried
18 on activities in conjunction with the operation of their business at all times mentioned herein.

19 203. The aforementioned conduct of Defendants was wrongful and constitutes a private
20 nuisance within the meaning of section 3481 of the California Civil Code in that it is injurious
21 and/or offensive to the senses of Plaintiffs and/or interferes with their comfortable enjoyment of
22 life and/or property, and/or unlawfully obstructs the free use, in the customary manner of
23 Plaintiffs' property, including, but not limited to, all uses particular to residential living and work.
24 The toxic discharges, their concomitant contamination of air, spoliation of groundwater and/or the
25 soil, and resultant emission of noxious and toxic vapors, dust particles and silt is a continuing
26 nuisance which has adversely impacted the use of Plaintiffs' property.

27 204. As a direct and proximate result of the continuing private nuisance created by
28 Defendants, Plaintiffs have suffered economic damages, including, but not limited to, physical





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On the Second Through Fifteenth Claims for Relief:

For compensatory damages in an amount according to proof at trial.

On the First Through Fifteenth Claims for Relief:

For mandatory injunctive relief in the form of an order requiring Defendants to:

- (1) make public all information in their possession, custody or control necessary to alert the members of the Class to the risks posed by the operation of the Rocketdyne Facilities;
- (2) refrain from discharging any further hazardous, toxic and/or carcinogenic substances into the environment from the Rocketdyne Facilities; and
- (3) remedy the conditions caused by Defendants' release of hazardous, toxic and/or carcinogenic substances into the environment from the Rocketdyne Facilities.

On the Sixteenth Claim for Relief:

For a declaration that Defendants' discharge of hazardous, toxic and/or carcinogenic substances into the environment from their Rocketdyne Facilities is unlawful and violates both federal and state law.

On All Claims for Relief Other Than the Third, Sixth, Ninth and Sixteenth Claims for Relief:

For punitive and exemplary damages in an amount according to proof of trial.

On All Claims for Relief:

For reasonable attorneys' fees, expenses and costs of suit; and

For such other and further relief as the Court deems just and appropriate.

Dated: June __, 1997

CAPPELLO & McCANN LLP

By: _____
J. Paul Gignac
Attorneys for Plaintiffs

Dated: June __, 1997

GANCEDO & NIEVES LLP

By: _____
Tina B. Nieves
Attorneys for Plaintiffs

