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Attorney(s) for Plaintiff(s)

LIT
Peterson v UCC
CORP PAPER

4/5/89

JOHN PETERSON and SHIRLEY MAE : SUPERIOR COURT OF NEW JERSEY
PETERSON, his wife : MIDDLESEX COUNTY
LAW DIVISION

Plaintiff(s) :

vs.

DOCKET NO. L-060148-87

UNION CARBIDE CORPORATION, :
etc. :

CIVIL ACTION

Defendant(s)

NOTICE OF MOTION
TO AMEND COMPLAINT

TO Pitney, Hardin & Kipp & Szuch, Esqs.,
163 Madison Ave., Morristown, N.J. 07960
Attorneys for defendant

TAKE NOTICE that the undersigned will apply to the above
named Court, at New Brunswick
on April 28th, 1989 at 9:00 A.M. o'clock or as
soon thereafter as counsel may be heard, for an Order
upon the following grounds:

allowing attorneys for Plaintiffs to amend their complaint to add
the following to the complaint and with particularity the first
count and all those counts thereafter for the purpose of
supplementing as follows that in addition to the plaintiffs being
exposed to "noxious, dangerous and carcinogenic material known as
'polyvinyl chloride' and a monomer known as 'vinyl chloride',
he was further exposed to other dangerous, noxious and
carcinogenic chemicals manufactured and negligently transported,
sold, maintained and unlabeled by the defendant herein.

UCC 089105

The plaintiffs wish all those counts to set forth that the defendant negligently manufactured, shipped and sold in addition to 'polyvinyl chloride' and 'vinyl chloride monomer' other noxious and dangerous chemicals.

The purpose of this amendment is to cover the range of chemicals which were manufactured by the defendant and shipped to its sole purchaser to wit, the Amboy Terminaling Company and its predecessor corporation, O.T.D. Terminals Corporation.

This amendment is being sought to encompass all those chemicals shipped and manufactured in addition to the 'polyvinyl chloride' and 'vinyl chloride monomer' as hereinabove set forth. Plaintiff will further rely upon the attached Affidavit.

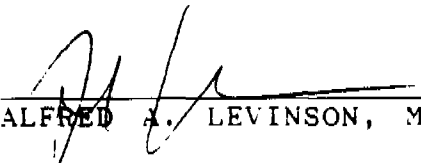
I hereby certify that the original was filed with the Clerk, Middlesex County and copies forwarded to the attorneys above set forth.

Pursuant to R.1:6-2(d), the undersigned:

- (x) waives oral argument and consents to disposition on the papers.
- () does not request oral argument at this time.
- () requests oral argument.

A proposed form of Order is annexed.

Dated: April 5th, 1989


ALFRED A. LEVINSON, Member of firm

UCC 089106