

FILE NAME: Early Asbestos Damage Suits (EADS)

DATE: 1934

DOC#: EADS006

DOCUMENT DESCRIPTION: Documents from Case of Anna Pirskowski

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY.

ANNA PIRSKOWSKI,

Plaintiff,

-VS-

JOHNS-MANVILLE CORP.,

Defendant.

ACTION AT LAW

C O M P L A I N T.

The plaintiff, formerly a resident of Somerville, New Jersey, and now residing in Oil City, Pennsylvania, complains of the above named defendant a corporation, resident at Manville, New Jersey, as follows:-

1. The plaintiff was in the employ of the defendant in Manville, New Jersey, at its plant, in the year 1922 and for some time prior thereto.

2. That the said plaintiff was at that time an infant named Anna Urbanick, in the employ of the defendant who was engaged in the manufacture of asbestos, and that particles of said asbestos and other dangerous articles used in its business of manufacture as aforesaid was inhaled by her, so that she became diseased, sick and poisoned, and that the same permeated her system, particularly her lungs, and that her body became infected and weakened so as to cause her to suffer permanently with a malignant disease.

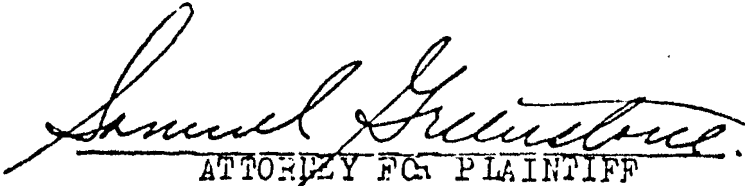
3. The negligence of the defendant complained of is as follows:-

(a) In failing to provide the plaintiff with a safe place of work.

(b) In failing to provide the plaintiff with masks

4. That by reason of her suffering, illness and diseased condition, due to the negligence of the defendant as aforesaid, the plaintiff was obliged to quit her employment in the year 1922, and will be disabled throughout her lifetime. She has, since leaving her position, been obliged to spend a large sum of money for medical expense and will suffer a loss in wages, all to her damage in the sum of \$50,000.00.

The plaintiff demands the sum of \$50,000.00 as damages from the defendant.


ATTORNEY FOR PLAINTIFF

5-6-29

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ANNA PIRSKOWSKI,

Action at Law.

Plaintiff,

AMENDMENT TO ANSWER

-VS-

JOHNS-MANVILLE CORPORATION,

Defendant.

to use the other appliances provided by the defendant for the purpose of protecting the plaintiff against the danger of her work.

Defendant files the following defenses in addition to those set forth in the original answer herein:

FOURTH DEFENSE

The injury and the disease alleged in the complaint were due to one of the risks of her employment assumed by the plaintiff as part of the terms of her contract of employment.

FIFTH DEFENSE

The injury and the disease alleged in the complaint were due to one of the risks of her employment assumed by the plaintiff as part of the terms of her contract of employment in that the plaintiff knew, or by the exercise of reasonable care on her part should have known, the alleged dangers of her employment.

SIXTH DEFENSE

The injury and the disease alleged in the complaint were caused by contributory negligence on the part of the plaintiff.

SEVENTH DEFENSE

The injury and the disease alleged in the complaint

EIGHTH DEFENSE

The injury and the disease alleged in the complaint were due to negligence on the part of a fellow-servant of the plaintiff, in failing to warn and instruct the plaintiff to use the mask and other appliances provided by the defendant for the purpose of protecting the plaintiff against the alleged dangers of her employment.

Hobart & Munroe
Attorneys for Defendant.

UNITED STATES DISTRICT Court
FOR THE DISTRICT OF NEW JERSEY

ANNA PIRSKOWSKI,

Plaintiff

vs.

JOHNS-MANVILLE CORPORATION,

Defendant

Action at Law.

ORDER FOR DISCONTINUANCE.

21897

The above entitled cause having been settled between the parties thereto;

It is ORDERED, that the same be, and it is hereby discontinued, without cost to either party as against the other.

George T. Lammes
Clerk
by Charles H. Chennier
Deputy

Entered June 13, 1934

On motion of

Robert W. Minard
Attorneys of defendant

Consent is hereby given to the making and entering of the above order.

Samuel Greenstein
Attorney of Plaintiff