STATE OF INDIANA)
) SS:
COUNTY OF DAVIS)

IN THE DAVIES CIRCUIT COURT

CAUSE NO. C 76-236

VINCENT HASTINGS and
VIRGINIA M. HASTINGS, husband and wife
Plaintiffs,

vs.

MONSANTO COMPANY and BLOOMFIELD SILO COMPANY INC.
Defendant.

COMPLAINT FOR DAMAGES

Comes now the Plaintiffs by their attorneys of the law firm of ANTCLIFF & WILSON and for cause of action against the Defendants alleges and says as follows:

1. Plaintiffs are the owners and operators of a certain dairy farm located in Davis County, Indiana.

2. That defendant Monsanto company is a business incorporated in the State of Missouri and Licensed to do business in the State of Indiana.

3. That defendant the Bloomfield Silo Company Incorporated is a business incorporated in the State of Indiana.

4. That defendants were the manufacturers and sellers of a substance containing Chlorinated Biphenyls, which substance was for use on, among other things, the interior surfaces of silos.

5. That plaintiffs did cause to be used in silos on the aforesaid dairy farm the aforesaid substance as manufactured and sold by defendants, with the result that plaintiffs personal property was damaged and rendered unsuitable for the purpose for which it was intended.

6. That defendants were negligent in failing to warn plaintiffs and the aforesaid chemical substance was dangerous in that it would damage personal property of plaintiffs and otherwise make said personal property unsuitable for the use for which said property was intended.

ANTCLIFF & WILSON
ATTORNEYS-AT-LAW
P. O. BOX 274
GREENWOOD,
INDIANA 46142
PHONE 882-0707

7. That further defendants have breached expressed and implied warranties that the aforesaid product was reasonably fit for use in silos.

8. That as a direct and proximate result of the negligence and breach of warranties of defendants, plaintiffs have been damaged in the sum of $110,000.00.

WHEREFORE, Plaintiffs pray the Court for judgment for them and against the defendants jointly and severly in the sum of $110,000.00 for cost of this action and for all other relief proper to the premises.

John P. Wilson
JOHN P. WILSON
Attorney at Law

SUMMONS

DAVIESS CIRCUIT COU.
Franklin, Indiana

STATE OF INDIANA } SS.
DAVIESS COUNTY }

Vincent Hastings and

Virginia Hastings, Husband & wife
Plaintiff

VS.

Monsanto Company and

Bloomfield Silo Company INC.
Defendant

No. C 76-236

THE STATE OF INDIANA TO DEFENDANT Bloomfield Silo Company INC.
Frank Lenning

ADDRESS: 223 West Spring Street, Bloomfield, IN

You have been sued by the person(s) named "plaintiff", in the court stated above.

The nature of the suit against you is stated in the complaint which is attached to this summons. It a states the demand which the plaintiff has made against you.

You must answer the complaint in writing, by you or your attorney, within twenty (20) days, commenc the day after you receive this summons, (you have twenty-three (23) days to answer if this summons v received by mail), or judgment will be entered against you for what the plaintiff has demanded.

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, y must assert it in your written answer.

ANTCL

HARTOLDMON0095923

IND
PHCI

Date August/0, 19 76

John P. Wilson
Attorney for Plaintiff

P.O. BOX 274

Greenwood, IN 46142

Telephone: 882-0707

Wilbur R. Peterburg
Clerk of the ~~Johnson~~ Circuit ~~Superior~~ Court
Dorcas

PRAECIPE: I designate the following mode of service to be used by the Clerk.

☒ 1. By certified or registered mail with return receipt to above address.

☐ 2. By Sheriff delivering a copy of summons and complaint personally to defendant or by leaving a copy of the summons and complaint at his dwelling house or usual place of abode with some person of suitable age and discretion residing therein.

☐ 3. By ..... delivering a copy of summons and complaint personally to defendant or by leaving a copy of the summons and complaint at his dwelling house or usual place of abode with some person of suitable age and discretion residing therein.

☐ 4. By serving his agent as provided by rule, statute or valid agreement, to-wit:

.....

Signed John P. Wilson Attorney

RETURN OF SUMMONS

This summons came to hand on the ..... day of ..... 19..... and I served the same on the ..... day of ..... 19.....

1. By mailing a copy of the summons and complaint personally to .....
address .....

2. By delivering a copy of summons and complaint personally to .....
.....

3. By leaving a copy of the summons and complaint at .....
the dwelling house or usual place of abode of defendant with .....
(Name of Person)
a person of suitable age and discretion residing therein; and by mailing by first class mail a copy of the summons on the ..... day of ..... 19..... to .....
..... his last known address.

4. By serving his agent as provided by rule, statute or valid agreement to-wit: .....
.....

5. Defendant cannot be found in my bailiwick and summons was not served.
And I now return this writ this ..... day of ..... 19.....

..... Sheriff

..... Deputy

(Seal)

.....
(Signature of person serving summons if other than sheriff)

HARTOLDMON0095924