STATE OF ILLINOIS }
COUNTY OF C O O K }

Jury Demanded

IN THE SUPERIOR COURT OF COOK COUNTY

JACK COLEMAN

VS

JOHNS-MANVILLE CORPORATION, a corporation.

No. 38 10422

JURY DEMANDED List #6 P.P.

COMPLAINT AT LAW

The plaintiff, JACK COLEMAN, complains of the defendant, JOHNS MANVILLE CORPORATION, a corporation, and says:

1. That on or about the 15th of March, A. D. 1934, the defendant, JOHNS MANVILLE CORPORATION, was a duly organized and authorized corporation, doing business in the State of Illinois, County of Lake, and City of Waukegan, at which time and place, it owned, operated, and maintained a factory, mill, or establishment for the purpose of manufacturing asbestos in its various forms.

2. That the said defendant, in its factory, owned and operated certain departments in which trucks were loaded with asbestos cement, and where bags of asbestos cement were weighed, and during these processes a great deal of dust from asbestos, cement, and other ingredients, were caused to and did impregnate the air in said premises in such great quantities as to be greatly deleterious to the health of human beings.

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3. That on the aforesaid day and at the time and place aforesaid and for a number of years prior thereto, he was in the employ of said defendant, and worked as a laborer, loading trucks with 100 pound bags of asbestos cement, weighing open bags of asbestos cement, and doing general work, during which time, he was exposed and subjected to a great deal of the aforesaid dusts circulating in and about the said departments.

4. That in the carrying on of the said business by the defendant as the same was being done and for many years prior thereto had been conducted, the defendant knew and by the exercise of due care and caution should have known that the same was apt to and did produce the illness and disease in the plaintiff of which the plaintiff now complains, which illness and disease is peculiar to such work and process used in the carrying on of said business, to which employees were and are not ordinarily exposed in other lines of employment.

5. That the plaintiff was caused to and did, during the period aforesaid, necessarily breathe in large quantities of asbestos dust, cement dust, and other dusts through his nose and mouth, and said dusts became lodged in his throat and lungs, causing the illnesses here complained of, while he, the plaintiff, was in the exercise of due care and caution for his own personal health and safety.

6. That the plaintiff was in entire ignorance of the dangerous character of the various dusts to which he was

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to provide masks or respirators or other apparatus to be used or worn by said plaintiff which would effectively prevent him from inhaling the said dusts caused to impregnate and float in the air in and about said premises as provided by the said statute, and which would effectively prevent the plaintiff from contracting the diseases herein complained of.

(b) negligently failed to remove as far as practicable, by either ventilating or exhaust devices, the aforesaid injurious dusts from the premises in which the plaintiff worked, contrary to Section 12 of an Act concerning the health and safety of employees in factories, mercantile establishments, mills, and workshops in the State of Illinois.

(c) negligently caused and permitted the premises to be swept so as to raise asbestos dust, cement dust, and other dusts, contrary to Section 13 of an Act concerning the health and safety of employees in factories, mercantile establishments, mills, and workshops.

Plaintiff asks judgment for Fifty Thousand Dollars ($50,000.00).

Sol Andrews
ATTORNEY FOR PLAINTIFF.

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16th day of July

Summons issued

[illegible] under the Seal thereof direct[illegible]

[illegible] which writ together with

[illegible] words and figures follow[illegible]

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