STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

List #7
P.P.

IN THE SUPERIOR COURT OF COOK COUNTY

CHARLES SAROUNAS
VS
JOHNS MANVILLE CORPORATION, a corporation

NO. 34s7342
JURY DEMANDED

COMPLAINT AT LAW

COUNT I

The plaintiff, CHARLES SAROUNAS, by his attorney, SOL ANDREWS, complains of the defendant, JOHNS MANVILLE CORPORATION, a corporation, and says:

1. That on or about the 26th day of January, A.D. 1934 the defendant, JOHNS MANVILLE CORPOATION, was 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 a certain department known as the tiling room, in which tiles were cut from hot slabs; that right next to this department there was another room, in which the ingredients that are used to make asbestos were mixed, and this produced a great deal of dust, which circulated and permeated the department known as the tiling room in such great quantities as to be greatly deleterious to the health of human beings.

3. That on the aforesaid day and at the time and place aforesaid and for a number of years prior thereto, the plaintiff was in the employ of said defendant and worked in the tiling room, cutting tiles from hot slabs; that he was exposed and

PRODUCED
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/1

subjected to a great deal of dust which permeatted the air in the tiling room from the room next to it, said dusts coming from the ingredients that were used and mixed to make asbestos.

4. That in the carrying on of the said business by the defendant as the same was being conducted 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 operations carried on and used in the 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 the various dusts as aforesaid through his nose and mouth, and said dusts became lodged in his throat and lungs, causing the illness hereinafter 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 dangerious character of various dusts to which he was exposed and to the specific nature of the disease or diseases that would or could result from the inhalation of the aforesaid dusts, and was never, at any time, informed by any agent of the defendant of the fact that such danger did or could possibly exist.

7. That at and during the aforesaid time and place, the defendant did one or other of the following acts, thereby causing the plaintiff to contract and succumb to the occupational disease known as pneumoconiosis, as a result whereof, he has been incapacitated and weakened so that he cannot perform any work for which he is fitted; that he has lost considerable weight; he has suffered great mental and physical pain and anguish and will

PRODUCED -
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/2

[illegible] for the rest of his life; he has become liable for and expended large sums of money in and about endeavoring to be cured of his illness; he has been prevented and hindered from attending to his usual occupation and business whereby he has lost divers great gains and profits and will continue to lose divers great gains and profits.

(c) wilfully failed to provide reasonable and approved devices, methods, or means for the prevention of said disease, contrary to the provisions of Section I of an Act entitled, "An Act to Promote the Public Health by Protecting Certain Employees in this State from the Dangers of Occupational Diseases", and providing for the enforcement thereof, in this that there were, in and about the said premises, no proper suction fans or other apparatus provided for collecting the injurious dusts in the air in and about the premises; that the defendant failed 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 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 the aforesaid 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).

Sol Andrews
ATTORNEY FOR PLAINTIFF

PRODUCED
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/3

Thereupon on the Sec... ...the 22nd day of May
A. D. 1934 a certain Peoples Writ of Summons issued out
of the Office of the Clerk of said Court and under the Seal thereof directed
to the Sheriff of Cook County to execute which writ together with the
return of the Sheriff thereon endorsed are in words and figures following
to-wit

PRODUCED
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/4

In the Name of the People of the State of Illinois in the Superior Court of Cook County, Illinois.

CHARLES SAROUNAS

Plaintiffs
vs.

No.

JOHNS MANVILLE CORPORATION
A CORPORATION

Defendants

To the above named defendants:

You are hereby summoned to answer the complaint in the above entitled cause.

Take notice that you must file your answer or otherwise make your appearance in said court held in the courthouse in the City of Chicago, Illinois, on or before the ~~first~~ (or third) Monday in the month of June, 19 34, provided this writ shall be served upon you not less than 20 days prior to said date.

If this writ shall be served upon you less than 20 days before said date, you will file your answer or otherwise make your appearance in said court on or before the third ~~next~~ Monday in the month of July, 19 34.

If you do not appear according to the command of this writ, plaintiff may take judgment against you by default.

This summons must be returned, in person or by mail, by the officer or other person to whom it was given for service, with indorsement thereon of service and fees, if any, not later than 5 days after service thereof and in no event later than the date first above named.

Witness, FRANK V. ZINTAK, the clerk of said court, and the seal thereof, at Chicago, Illinois, this 22 day of May, 19 34

(Seal)

Frank V. Zintak
Clerk

Plaintiff's Attorney (or Plaintiff, if he be not represented by Attorney)

SOL ANDREWS

Address

160 N. LaSalle St. Phone Andover 5808-9

PRODUCED
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/5

RY DEMANDED

No. 348 7342

Court of Cook County

HARLES SAROUNAS

vs.

MANVILLE CORPORATION,

orporation

SUMMONS

erve defendant at
30 N. Michigan Ave.
hicago, Illinois

OL ANDREWS
60 N. La Salle St.
ndover 5803-9
Attorney

FRANK V. ZINTAK
rk of the Superior Court

I certify that I served this writ on the within named defendant
Johns-Manville Corporation a corporation by
delivering a copy thereof to W. H. Fogarty an agent
of said corporation this 24th day of May 1934.
~~the president of said corporation not found in my county.~~

William D. Meyering Sheriff by Oliver J. McCormick
Dep

PRODUCED
JM - 83

Published by AsbestosClaims.Law
asbestosclaims.law/library/12037/6