

MATTHEW CHOBANIAN and YVONNE  
CHOBANIAN, his wife

Plaintiffs,

vs.

BABCOCK & WILCOX COMPANY,

Defendant.

COMPLAINT

COUNT I

Plaintiffs, Matthew Chobanian and Yvonne Chobanian, by their attorneys, Grogan, Graffam, McGinley, Solomon & Lucchino, Esquires, files the following Complaint:

1. Matthew Chobanian is an individual and citizen of the Commonwealth of Pennsylvania. Yvonne Chobanian is an individual, the wife of Matthew Chobanian and citizen of the Commonwealth of Pennsylvania.

3. Babcock & Wilcox Company, Defendant, is a New Jersey corporation.

4. Jurisdiction of this Honorable Court is founded on diversity of citizenship. Plaintiffs are citizens of the Commonwealth of Pennsylvania and Defendant is a corporation incorporated under the laws of the state of New Jersey and having its principal place of business in the state other than the Commonwealth of Pennsylvania. The matter in controversy exceeds, exclusive interest and costs, the sum of Ten Thousand and No/00 (\$10,000.00) Dollars.

5. Defendant is a successor corporation to entities including but not limited to: Nuclear Materials And Equipment Corporation (NUMEC), and Atlantic Richfield Corporation (ARCO).

6. The events hereinafter complained of arise from an incident which took place on or about November 30, 1966, and at times thereafter.

7. On November 30, 1966, husband Plaintiff was injured while working for Defendant's predecessor NUMEC. The activity in which he was engaged involved plutonium, an inherently dangerous and ultra-hazardous product. The process in which husband Plaintiff had been engaged was a process and procedure which required the approval of the appropriate federal regulatory agencies.

8. During the performance of a procedure involving the recovery of plutonium and other hazardous materials, an explosion occurred, causing Plaintiff to be physically and emotionally injured, and to be severely and permanently disabled. Further, Defendant was contaminated by plutonium which has resulted in a permanent condition.

9. As a result of the occurrence, Plaintiff suffered great pain of body and mind, and has incurred expenses from medical attention.

WHEREFORE, husband Plaintiff demands judgment against Defendant for sums in excess of \$10,000.00.

#### COUNT II

Matthew and Yvonne Chobanian vs. Babcock & Wilcox

#### IN ASSUMPSIT

10. Paragraphs 1 through 9 are incorporated herein by reference.

11. After the injuries and damages described heretofore were sustained, husband Plaintiff was offered permanent, life time employment by agents, servants and employees of NUMEC. Plaintiff accepted such offer and detrimentally relied upon the promises made by NUMEC. As a result, Plaintiff forebore from suit, and did not commence any action before the termination of his employment by Defendant in September of 1980.

WHEREFORE, in consideration of the foregoing, Plaintiff demands judgment from Defendant for sums in excess of \$10,000.00.

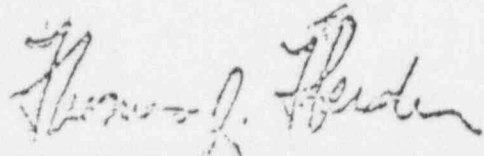
COUNT III

Yvonne Chobanian vs. Defendant

12. Paragraphs 1 through 11 are incorporated herein by reference.

13. As a consequence of the occurrence of the events heretofore described, wife Plaintiff has been deprived of the consortium, society, and comfort of husband Plaintiff.

WHEREFORE, in consideration of the foregoing, Plaintiffs demand judgment of Defendants for an amount in excess of \$10,000.00.



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GROGAN, GRAFFAM, MCGINLEY,  
SOLOMON & LUCCHINO  
ATTORNEYS OF PLAINTIFF