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18 **UNITED STATES DISTRICT COURT**
19 **SOUTHERN DISTRICT OF CALIFORNIA**
20 **SAN DIEGO DIVISION**

21 DUSTIN BARTEL, PAMELA AHLBERG,
22 CHRISTOPHER ALBA, CONTRAIL
23 ALLEN, ANDREW ANDERSON,
24 MATTHEW ANDERSON, JEFFREY
25 ARMSTRONG, MATTHEW AYRES,
26 DANIEL BARBIERO, MONTY BARHAM
27 JR., JESSICA BARLOW, BEATRICE
28 BARTHELEMY, BRENDEN BESKOW,
JENNIFER BOYLE, LOGAN BLACK,

Case No.: '18CV0537 BAS MDD

**INDIVIDUAL AND CLASS
ACTION COMPLAINT
FOR DAMAGES**

1 JOHNATHAN BURBACH, ADRIANA
 2 CABARCAS, DEREK CAMBRIDGE,
 3 DEREK CAMBRIDGE, on behalf of and for
 4 his minor son, D.C., DEREK CAMBRIDGE,
 5 on behalf of and for his minor son, D.C.,
 6 CAMRY CAMPBELL, ALEXANDRA
 7 RENEE CAMPOS, CHRISTOPHER CARR,
 8 AMY CHAMBERLAIN, CARISSA
 9 CLARK, THOMAS CLARKE, JAIME
 10 CLAVITO, JESTINE CLAYTON, ASHLEY
 11 COCHRAN, CHRISTOPHER COLEMAN,
 12 JEFF COOK, PATRICK CRESPO, BRIAN
 13 CROSS, MICHAEL CROSS, JOSHUA
 14 CUNNINGHAM, DAKOTA DAVIS,
 15 GERALD H. DAVIS, KATARINA
 16 DAVISON, ADAM DAWSON, GADIEL
 17 DEL ORBE, THE ESTATE OF DONALD
 18 H. DELLINGER, OLIVIA DIMAS,
 19 MATTHEW DONALDSON, SHARONDA
 20 DOUGLAS, DANIEL DRESSLER, COREY
 21 DREW-BELL, LAWRENCE EDWARDS,
 22 EDWARD ELUERE, RAMON ENCISO,
 23 JR., ERIC I. EPPS, BRIAN EUBANKS,
 24 JASON FERGUSON, JUSTINE FRALEY,
 25 MARLON FRANCIS, RUTH FREEMAN,
 26 STEVEN GARDNER, LISSET GARNER,
 27 DEREK KEITH GAY, JOSHY GEORGE,
 28 RAYMOND GILES, KIRK GODAIR,
 individually and as administrator of the
 ESTATE OF RUBY PEREZ, KIRK
 GODAIR, on behalf of and for his minor
 daughter, C.G., RODOLFO GUERRA,
 TYMESHIA GUIDRY, CECILIA
 GUITIERREZ, CYRINTHIA HAMBLEY
 HALDANE HAMILTON, NATHAN
 HANSEN, COREY HART, MICHAEL
 HARVEY, JOSEPH K. HENRY, DARREN
 HENSON, MARTY B. HILL, MARTIN
 HITSON, MITCHELL HODGES,
 NICHOLAS HOLLAND, WILLIAM HOLT,

1. NEGLIGENCE
2. GROSS NEGLIGENCE
3. STRICT LIABILITY FOR MANUFACTURING DEFECT
4. STRICT LIABILITY FOR DESIGN DEFECT
5. STRICT LIABILITY FOR ULTRAHAZARDOUS ACTIVITIES
6. NEGLIGENCE *PER SE*: *RES IPSA LOQUITUR*
7. PRESUMPTION OF NEGLIGENCE PER SE
8. SURVIVAL ACTION
9. WRONGFUL DEATH
10. LOSS OF CONSORTIUM

JURY TRIAL DEMANDED

1 JOHN WESLEY HYATT, NANCY
2 JACKSON, KEVIN JACOBSON, JUSTIN
3 JAEHNIG, MATTHEW JENKINS,
4 GREGGORY JORDAN, RODERICK
5 JESSAMY, JUSTIN KENWORTHY,
6 MATTHEW KNAUST, ANDREW
7 KOEPKE, NICHOLAS KOVACHEV,
8 RYAN KUNIN, RENE LANDEROS,
9 MICHAEL LELAND, MELISSA M.
10 LESTER, LAWRENCE M. LEVAN,
11 JOSEPH LEWIS, SCOTT LIENG,
12 ARNULFO LIMON, ADRIAN LUCINA,
13 ANNETTE LUCKEY, individually and as
14 administrator of the ESTATE OF
15 DANIELLE LUCKEY, DERRICK
16 LUCKEY, EDWIN MAHER, FRANCISCO
17 E. MARIGUNDON, JR., CHAD MARTINS,
18 JANETH MASINDE, individually and as
19 administrator of the ESTATE OF BRENDA
20 DOWNING, TRAVIS MCKNIGHT,
21 EDWARDS MELLO, RACHEL MENDEZ,
22 ANAIS MENDOZA-GASTELUM,
23 ROBERT MEYER, JEREMY MICHAUD,
24 ZACHARY MILLER, BRANDON
25 MONTGOMERY, HERBERT MOORE,
26 ESMERELDA MORALES, JOSEPH
27 MULDER, JONATHAN MULDOWNNEY,
28 CHARLES R. MURPHY, EION NELSON,
GARRETT NELSON, ROBERT OCHOA,
GLENN OFORI, LUKE OPYD, TIM
PALMER, JAYSEN PATAO, NATHAN
PENA, JOSHUA PEOPLES, ALEJANDRO
PEREZ, TRANG PHAM,
CHANRATHANA PHUN, TIMOTHY
PIERCE, CHELSEA QUINTOG, CLINTON
RAMSIARE, BRIAN RAWLINS, CYRUS
REA, TERESA READY, individually and as
administrator of the ESTATE OF JESSE
READY, TERESA READY, on behalf of
and for her minor daughter, A.R., JACOB

1 REED, BALTHAZAR REFORSADO,
 2 CAMERON REID, ANGELINA REYNA,
 3 QUENTIN RICHARDSON, WILLIAM E.
 4 RIGBY, DEVIN RITCHEY, PEDRO
 5 RODRIGUEZ, CESAR SALGADO, TYLER
 6 SATTERWHITE, TIFFANY SCHAD,
 7 BRETT SCHMIDT, MICHELLE SCOTT,
 8 JOSHUA SEGREE, JOSHUA SEGREE, on
 9 behalf of and for his minor son, H.S., ERIC
 10 SEIBERT, JERRID SEVART, QUINCY
 11 SHEPHERD, CARL SLAUBAUGH,
 12 AARON SMITH, GREGORY SMITH,
 13 JUSTIN SMITH, MELLONY SNYDER,
 14 SHENNY SOLIS, CRYSTAL SOUDER,
 15 JAMES SOUDER, KYLE SPURLOCK,
 16 JUSTIN STEINMETZ, AMANDA
 17 STEMEN, RONALD STEMEN, LOWELL
 18 STEWART, DANIEL STROHL, JOSE
 19 SUERO, MARK SURTEL, NICHOLAS
 20 SWANN, BYRON SY, ALEXANDER
 21 TIDD, LOUIS TORRES, CASEY TUCKER,
 22 RANDY VALENTIN, GABRIEL
 23 VASQUEZ, SHAWN VELASQUEZ,
 24 ROBERT VENABLE, DONALD
 25 VOORHEES, BRITTNEY WACHNER,
 26 WILLIAM WALSH, PATRICK WALTON,
 27 BRIDGET WATERS, KENNETH
 28 WETHERED, CAROLYN FELIX WHITE,
 TIM WHITE, ELOI WHITEMAN,
 JEFFREY WILLHOITE, CHRISTOPHER
 WOODS, DEREK YODER, BRANDON
 ZACHARIE, EDWARD ZIMMERMAN,
*on behalf of themselves and others similarly
 situated,*

Plaintiffs,

v.

1 TOKYO ELECTRIC POWER COMPANY,
2 INC, and GENERAL ELECTRIC
3 COMPANY,

4 Defendants.

5 PLAINTIFFS, by their attorneys, respectfully allege, on behalf of themselves and
6 others similarly situated, as follows:

7 **INTRODUCTION**

8 1. Plaintiffs were all members of the United States Armed Forces, primarily the Navy,
9 who were sent to Japan in or around March 2011 to provide humanitarian aid to the people
10 of Japan following the earthquake and tsunami that devastated the country.

11 2. On or around March 11, 2011, due to Defendants' longstanding gross negligence,
12 the boiling water reactors at the Fukushima Daiichi Nuclear Power Plant melted down.
13 The Fukushima Nuclear Power Plant was and is owned by Defendant Tokyo Electric Power
14 Company Holdings ("TEPCO), and the reactors in question were designed and built by
15 Defendant General Electric ("GE").

16 3. As a result of the meltdown, significant amounts of radiation were released into the
17 surrounding environment.

18 4. In subsequent investigations, including one conducted by the Japanese Government,
19 TEPCO was found to have been grossly negligent.

20 5. Due to the radiation exposure that Plaintiffs experienced as a result of Defendants'
21 negligence and gross negligence, Plaintiffs have experienced severe physical and mental
22 injury, including cancers, thyroid conditions and, in some cases, death.

23 **PARTIES**

24 **PLAINTIFFS**

25 6. **PLAINTIFFS** were among the members of the U.S. Navy crews of the U.S.S.
26 Ronald Reagan (CVN-76), with its home port in San Diego, California, the crews of other
27

1 vessels participating as part of the Reagan Strike Force, 7th Fleet, land-based service
2 personnel, and/or their dependents. All of the Plaintiffs were repeatedly exposed to
3 ionizing radiation on or after March 11, 2011, due to the release of radioisotopes from the
4 Fukushima Nuclear Power Plant (hereinafter, “FNPP”). All of the Plaintiffs were exposed
5 during and as a result of the mission known as “Operation Tomodachi.”¹

6 7. Plaintiffs’ injuries, losses, damages, and harms are the results of Defendants’
7 illegal conduct, including the negligently designed and maintained GE Boiling Water
8 Reactor, which contains numerous design and manufacturing defects. These harms
9 include, but are not limited to, the following: illnesses such as Leukemia, ulcers, gall
10 bladder removals, brain cancer, brain tumors, testicular cancer, dysfunctional uterine
11 bleeding, thyroid illnesses, stomach ailments, birth defects, death, and a host of other
12 complaints unusual in such young adults and victims. The injured servicemen and women
13 will require treatment for their deteriorating health, medical monitoring, payment of their
14 medical bills, appropriate health monitoring for their children, and monitoring for possible
15 radiation-induced genetic mutations. Some of the radioactive particles inside these service
16 personnel have long half-lives, from 6 to 50 to 100 years.

17 8. Plaintiffs have only recently, within all the relevant statutes of limitation periods,
18 discovered the facts pertaining to the nature and extent of their injuries. Plaintiffs returned
19 home to the United States, where their injuries later arose and manifested. Plaintiffs also
20 have just recently discovered facts which show Defendants’ illegal conduct, as well as
21 Defendants’ negligent conduct in the engineering, construction, maintenance, operation,
22 management and control of the defectively designed Fukushima Nuclear Power Plant.

23
24
25 ¹ On March 14, 2011, the U.S. 7th Fleet, U.S. Naval personnel, and aircraft aboard the
26 vessels were repositioned away from Japan’s FNPP after detecting contamination in the air
27 and on the helicopters returning to the U.S.S. Ronald Reagan (CVN-76) from ferrying
28 supplies to the land on aircraft deployed by the U. Sed.

1 Plaintiffs recently discovered facts showing that Defendants' negligence and defective
2 design of FNPP which caused injuries to Plaintiffs occurred before, during and after the
3 March 11, 2011 earthquake and tsunami. Within all the relevant statutes of limitation
4 periods, Plaintiffs discovered the facts which prove that Defendants, and each of them, are
5 the actual and proximate cause of their injuries, damages and harm. This delayed discovery
6 tolls, both in equity and in law, the expiration of the statutes of limitation.

7 **INDIVIDUAL PLAINTIFFS**

8 9. Plaintiff, DUSTIN BARTEL, was born February 5, 1988 and is currently a resident
9 of the State of California. At the time of Operation Tomodachi, he was a Petty Officer
10 Third Class in the Navy attached to the U.S.S. Ronald Reagan, whose home port was Naval
11 Base San Diego in San Diego, California. Mr. Bartel served as a helicopter pilot with the
12 HS-4 during Operation Tomodachi, acting as a first responder and flying missions within
13 twenty miles of the Fukushima Nuclear Power Plant. He experienced injury as a result of
14 Defendants' negligent and intentional acts and omissions described herein.

15 10. Plaintiff, PAMELA AHLBERG, was born February 3, 1988 and is currently a
16 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, she was
17 a Seaman stationed at Naval Air Facility Atsugi in Japan. Ms. Patouille served as an
18 Aviation Maintenance Administrator during Operation Tomodachi, responsible for logging
19 and documenting equipment as it came back to the base to be scanned for radiation,
20 decontaminated, packed and sent off. She experienced injury as a result of Defendants'
21 negligent and intentional acts and omissions described herein, including but not limited to
22 migraines. Ms. Ahlberg is married to Chris Ahlberg, and they have a child together. As a
23 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Ahlberg were
24 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
25 conjugal fellowship, all to the detriment of their marital relationship.

26 11. Plaintiff, CHRISTOPHER ALBA, was born November 10, 1981 and is currently a
27 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
28

1 Officer First Class stationed with the VAQ 139 Squadron attached to the U.S.S. Ronald
2 Reagan, whose homeport was Naval Base San Diego in San Diego, California. Mr. Alba
3 served as a Maintenance Quality Assurance Representative during Operation Tomodachi,
4 responsible for sending food to the flight deck and sending supplies to shore to provide
5 relief. He experienced injury as a result of Defendants' negligent and intentional acts and
6 omissions described herein, including but not limited to hematuria and hematochezia. Mr.
7 Alba is married to Abigail Alba, and they have three children together. As a result of the
8 wrongful and negligent acts of the Defendants, Mr. and Mrs. Alba were caused to suffer,
9 and will continue to suffer in the future, loss of consortium, affection, and conjugal
10 fellowship, all to the detriment of their marital relationship.

11 12. Plaintiff, CONTRAIL ALLEN, was born August 22, 1976 and is currently a
12 resident of the State of Mississippi. At the time of Operation Tomodachi, he was a Chief
13 Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
14 San Diego in San Diego, California. Mr. Allen served as the Carrier Air Wing
15 Communication Officer during Operation Tomodachi, responsible around the clock for
16 leading the Information Technology operation watch that supported the Carrier Air Group
17 Staff of over 1,500 personnel. He experienced injury as a result of Defendants' negligent
18 and intentional acts and omissions described herein, including hematochezia, hip problems
19 and pain, depression and anxiety over exposure to radiation, difficulty focusing, symptoms
20 of post-traumatic stress disorder, and asthma. Mr. Allen had significant abnormalities in
21 his left hip, requiring left hip replacement surgery. Mr. Allen is married to Janeen Allen,
22 and they have five children together. As a result of the wrongful and negligent acts of the
23 Defendants, Mr. and Mrs. Allen were caused to suffer, and will continue to suffer in the
24 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
25 marital relationship.

26 13. Plaintiff, ANDREW ANDERSON, was born November 15, 1986 and is currently
27 a resident of the State of Arizona. He was a Petty Officer Third Class stationed aboard the

1 U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego in San Diego,
2 California. Mr. Anderson served as a Culinary Specialist and Security Guard, and was
3 responsible for assisting with the decontamination of the U.S.S. Ronald Reagan during the
4 18 months immediately following Operation Tomodachi. He experienced injury as a result
5 of Defendants' negligent and intentional acts and omissions described herein, including
6 but not limited to extreme weight fluctuations, loss of appetite, excessive swelling and
7 ongoing anxiety.

8 14. Plaintiff, MATTHEW ANDERSON, was born March 16, 1984 and is currently a
9 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
10 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
11 Naval Base San Diego in San Diego, California. Mr. Anderson served as a helicopter pilot
12 with the HS-4 during Operation Tomodachi, acting as a first responder and flying missions
13 within twenty miles of the Fukushima Nuclear Power Plant. He experienced injury as a
14 result of Defendants' negligent and intentional acts and omissions described herein,
15 including but not limited to sleep deprivation, migraines, bodily pains, stomach issues,
16 post-traumatic stress disorder, and severe depression and anxiety.

17 15. Plaintiff, KYLE APPLGATE, is currently a resident of the State of California. He
18 participated in Operation Tomodachi, and experienced injury as a result of Defendants'
19 negligent and intentional acts and omissions described herein.

20 16. Plaintiff, JEFFREY ARMSTRONG, participated in Operation Tomodachi, and
21 experienced injury as a result of Defendants' negligent and intentional acts and omissions
22 described herein.

23 17. Plaintiff, MATTHEW AYRES, was born December 4, 1987 and is currently a
24 resident of the Commonwealth of Pennsylvania. At the time of Operation Tomodachi, he
25 was a Petty Officer Third Class stationed aboard the U.S.S. Chancellorsville, part of the
26 U.S.S. Ronald Reagan Carrier Strike Group. Mr. Ayres served as a Culinary Specialist
27 during Operation Tomodachi, responsible for providing the crew and officers with daily

1 meals, and working on the replenishment team, loading the helicopters with food supplies.
2 He experienced injury as a result of Defendants' negligent and intentional acts and
3 omissions described herein, including but not limited to rashes on his arms and back and
4 severe mental stress over his exposure to dangerous levels of radiation. At the time of
5 Operation Tomodachi, Mr. Ayres was married and continues to be married to Amanda
6 Ayres. Mr. and Mrs. Ayres were caused to suffer, and will continue to suffer in the future,
7 loss of consortium, affection, and conjugal fellowship, all to the detriment of their marital
8 relationship.

9 18. Plaintiff, DANIEL BARBIERO, was born February 26, 1982, and is currently a
10 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
11 Officer First Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval
12 Base San Diego in San Diego, California. Mr. Barbiero served as an Aircraft Director on
13 the flight deck during Operation Tomodachi, responsible for the safe and expeditious
14 launching and movement of aircrafts and helicopters on the flight deck conducting
15 surveillance and humanitarian relief missions. He experienced injury as a result of
16 Defendants' negligent and intentional acts and omissions described herein, including but
17 not limited to the removal of a benign melanoma fatty deposit, and fear and anxiety over
18 the extent of his radiation exposure. Mr. Barbiero is married to Brenda Barbiero and they
19 have one son. The Barbieros have suffered reproductive issues, and worry about the health
20 of their future children. As a result of the wrongful and negligent acts of the Defendants,
21 Mr. and Mrs. Barbiero were caused to suffer, and will continue to suffer in the future, loss
22 of consortium, affection, and conjugal fellowship, all to the detriment of their marital
23 relationship.

24 19. Plaintiff, MONTY BARHAM, JR., was born June 7, 1983, and is currently a
25 resident of the State of Nevada. At the time of Operation Tomodachi, he was a Petty
26 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
27 Naval Base San Diego in San Diego, California. Mr. Barham served as an Engineman

1 during Operation Tomodachi, responsible for working on the hydraulics in aircrafts and
2 small boats going on missions. He experienced injury as a result of Defendants' negligent
3 and intentional acts and omissions described herein, including but not limited to weight
4 fluctuations, hematuria, and frequent migraines.

5 20. Plaintiff, JESSICA BARLOW, was born April 17, 1982 and is currently a resident
6 of the State of Washington. At the time of Operation Tomodachi, she was a Petty Officer
7 Second Class in the Navy attached to the U.S.S. Ronald Reagan, whose homeport was
8 Naval Base San Diego in San Diego, California. Ms. Barlow served as an Aviation
9 Boatswain's Mate Fuels (ABF) during Operation Tomodachi, responsible for operating
10 organizational maintenance on aviation fueling and lubricating oil systems and maintaining
11 fuel quality surveillance and control in aviation fuel systems on the flight deck. She
12 experienced serious injury as a result of Defendants' negligent and intentional acts and
13 omissions described herein, including but not limited to severe irritable bowel syndrome,
14 a uterine polyp requiring surgery for its removal and women's health issues. As a result of
15 these injuries, Ms. Barlow is required to take pain medication for the rest of her life.

16 21. Plaintiff, BEATRICE BARTHELEMY, was born January 28, 1975 and is currently
17 a resident of the State of California. At the time of Operation Tomodachi, she was a Petty
18 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
19 Naval Base San Diego in San Diego, California. Ms. Barthelemy served as an Operations
20 Specialist during Operation Tomodachi, responsible for a variety of tactical tasks,
21 including tracking and analyzing important reports to maintain an accurate tactical picture,
22 updating navigational readiness charts, making recommendations regarding tactical and
23 combat procedures and providing humanitarian assistance. She has experienced injury as
24 a result of Defendants' negligent and intentional acts and omissions described herein,
25 including but not limited to pseudo-seizures that prevent her from participating in certain
26 daily activities such as driving and other illnesses, which have required multiple surgeries.

1 22. Plaintiff, BRENDEN BESKOW, is a resident of the State of Mississippi. Mr.
2 Beskow is the son of Teresa Ready and Jesse Ready, deceased. At the time of Operation
3 Tomodachi, Mr. Beskow lived with Jesse and Teresa Ready in Yokosuka, Japan, where
4 Mr. Ready was stationed. Mr. Beskow was thus exposed to radiation from the FNPP.

5 23. Plaintiff, JENNIFER BOYLE, was born October 14, 1985 and is currently a resident
6 of the State of Washington. At the time of Operation Tomodachi, she was a Seaman in the
7 Navy attached to the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
8 in San Diego, California. Ms. Boyle served as an Undesignated Seaman during Operation
9 Tomodachi, assigned to the flight deck. She experienced injury as a result of Defendants'
10 negligent and intentional acts and omissions described herein, including but not limited to
11 a diagnosis of triple negative breast cancer, for which she has undergone rigorous
12 chemotherapy, radiation treatments and bilateral mastectomies. She has axillary webbing
13 in her arm and across her chest where her lymph nodes were removed, which causes
14 extreme pain and limited movement, requiring extensive physical therapy. Every six
15 months she requires costly new lymphedema sleeves. Ms. Boyle also suffers reproductive
16 issues, mental anguish and emotional distress.

17 24. Plaintiff, LOGAN BLACK, was born May 6, 1990, and is currently a resident of
18 the State of California. At the time of Operation Tomodachi, he was a Sergeant with the
19 United States Marine Corps stationed aboard the U.S.S. Ronald Reagan, whose homeport
20 was Naval Base San Diego in San Diego, California. Mr. Black served as a F-18 Corrosion
21 Control Mechanic during Operation Tomodachi, responsible for removing corrosion from
22 various components on aircrafts, daily aircraft decontamination and loading helicopters
23 with food and supplies for humanitarian missions. He experienced injury as a result of
24 Defendants' negligent and intentional acts and omissions described herein, including but
25 not limited to headaches, breathing difficulties and shortness of breath, fluid sacs and
26 sebaceous cysts requiring surgical removal.

1 25. Plaintiff, SHANEE BROWN, was born April 17, 1990, and is currently a resident
2 of the State of Nevada. At the time of Operation Tomodachi, she was a Petty Officer
3 Second Class stationed at Naval Air Facility Atsugi in the Kanagawa Prefecture, Japan.
4 Ms. Brown served as a plane captain during Operation Tomodachi, responsible for washing
5 all helicopters, performing fuel-sampling procedures on helicopters, and minor
6 maintenance. She experienced injury as a result of Defendants' negligent and intentional
7 acts and omissions described herein, including women's health issues, reproductive issues,
8 post-traumatic stress disorder, depression and anxiety.

9 26. Plaintiff, JOHNATHAN BURBACH, participated in Operation Tomodachi and
10 experienced injury as a result of Defendants' negligent and intentional acts and omissions
11 described herein.

12 27. Plaintiff, ADRIANA CABARCAS, was born July 7, 1977 and is currently a
13 resident of the State of California. At the time of Operation Tomodachi, she was a Chief
14 Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose home port was Naval Base
15 San Diego in San Diego, California. Ms. Cabarcas served as a Logistics Chief during
16 Operation Tomodachi, responsible for supplies aboard the flight deck, processing all
17 contaminated filters, and handling other contaminated parts and equipment from the
18 helicopters. She worked 12-hour shifts aboard the flight deck and tested positive for
19 radiation contamination over 20 times while aboard the ship. She experienced injury as a
20 result of Defendants' negligent and intentional acts and omissions described herein,
21 including but not limited to sudden onset of reproductive issues and ongoing migraines.
22 Ms. Cabarcas is married to Jose Cabarcas. Mr. and Mrs. Cabarcas were caused to suffer,
23 and will continue to suffer in the future, loss of consortium, affection, and conjugal
24 fellowship, all to the detriment of their marital relationship.

25 28. Plaintiff, DEREK CAMBRIDGE, was born September 30, 1986 and is currently a
26 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
27 Officer Third Class, stationed aboard the U.S.S. Ronald Reagan, whose home port was

1 Naval Base San Diego in San Diego, California. He served as a Ship's Serviceman,
2 responsible for loading and unloading the helicopters on the flight deck that were delivering
3 aid and supplies on land. He experienced injury as a result of Defendants' negligent and
4 intentional acts and omissions described herein, including but not limited to a painful cyst,
5 infection of the pancreas, and depression and anxiety. At the time of Operation Tomodachi,
6 Mr. Cambridge was married and continues to be married to Anna Cambridge. They have
7 had three children, all of whom were conceived and born after Operation Tomodachi. Their
8 first two children have developmental delays. As a result of the wrongful and negligent
9 acts of the Defendants, Mr. and Mrs. Cambridge were caused to suffer, and will continue
10 to suffer in the future, loss of consortium, affection, and conjugal fellowship, all to the
11 detriment of their marital relationship.

12 29. Plaintiff, DERRICK CAMBRIDGE, on behalf and for his minor son, D.C., is
13 currently a resident of the State of California. D.C. was born January 4, 2013, after his
14 father participated in Operation Tomodachi. Due to his father's exposure to radiation, D.C.
15 has experienced developmental delays and requires special education.

16 30. Plaintiff, DERRICK CAMBRIDGE, on behalf and for his minor son, D.C., is
17 currently a resident of the State of California. D.C. was born March 24, 2015, after his
18 father participated in Operation Tomodachi. Due to his father's exposure to radiation, D.C.
19 has experienced developmental delays.

20 31. Plaintiff, CAMRY CAMPBELL, participated in Operation Tomodachi, and
21 experienced injury as a result of Defendants' negligent and intentional acts and omissions
22 described herein.

23 32. Plaintiff, ALEXANDRA RENEE CAMPOS, was born November 1, 1988 and is
24 currently a resident of the State of Texas. At the time of Operation Tomodachi, she was a
25 Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
26 Naval Base San Diego in San Diego, California. Ms. Campos served as a Culinary
27 Specialist during Operation Tomodachi, responsible for providing the crew and officers

1 with daily meals. She experienced injury as a result of Defendants' negligent and
2 intentional acts and omissions described herein, including but not limited to depression,
3 anxiety, inability to focus, and women's health issues. Ms. Campos is married to Carlos
4 Campos and they have three children. As a result of the wrongful and negligent acts of the
5 Defendants, Mr. and Mrs. Campos were caused to suffer, and will continue to suffer in the
6 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
7 marital relationship.

8 33. Plaintiff, CHRISTOPHER CARR, was born January 29, 1989 and is currently a
9 resident of the State of Illinois. At the time of Operation Tomodachi, he was a Seaman
10 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
11 in San Diego, California. Mr. Carr served as a Logistics Specialist during Operation
12 Tomodachi, responsible for assisting in the maintenance of the F-18 jets and acting as the
13 supply person for his squadron. Throughout Operation Tomodachi, he assisted in watches
14 on the flight deck, as well as handled supplies and aviation parts that were radiated. He
15 experienced injury as a result of Defendants' negligent and intentional acts and omissions
16 described herein, including but not limited to hair loss, severe migraine headaches and
17 spells of dizziness that interfered with his ability to drive and perform his work duties. Mr.
18 Carr was diagnosed with vertigo, and due to this illness was unable to go on his next
19 deployment and was honorably discharged from the Navy in 2016. Mr. Carr is married to
20 Chazz Carr and they have one daughter. As a result of the wrongful and negligent acts of
21 the Defendants, Mr. and Mrs. Carr were caused to suffer, and will continue to suffer in the
22 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
23 marital relationship.

24 34. Plaintiff, AMY M. CHAMBERLAIN, was born November 14, 1988 and is
25 currently a resident of the State of Minnesota. At the time of Operation Tomodachi, she
26 was a Seaman stationed aboard the U.S.S. Ronald Reagan, whose homeport is Naval Base
27 San Diego in San Diego, California, and aboard the U.S.S. Nimitz, whose homeport is

1 Naval Base Kitsap in Washington State. Ms. Campbell served as an Aviation Machinist
2 during Operation Tomodachi. She experienced injury as a result of Defendants' negligent
3 and intentional acts and omissions described herein, including but not limited to
4 reproductive issues, abnormal cell growth, and depression. Ms. Chamberlain was married
5 to Melvin Chamberlain, and they have one daughter, L.C. Mr. Chamberlain also
6 participated in Operation Tomodachi, and died of synovial sarcoma on March 26, 2015 due
7 to his radiation exposure. As a result of the wrongful and negligent acts of the Defendants,
8 Mrs. Chamberlain was caused to suffer, and will continue to suffer in the future, loss of
9 consortium, affection, and conjugal fellowship.

10 35. Plaintiff, CARISSA CLARK, was born February 12, 1992, and is currently a
11 resident of the State of New York. At the time of Operation Tomodachi, she was a Seaman
12 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval base San Diego in
13 San Diego, California. Ms. Clark served as an Aviation Boatswain's Mate during
14 Operation Tomodachi, responsible for maintenance operations on the flight deck, loading
15 helicopters with supplies for humanitarian aid, flight deck decontamination, and standing
16 watch for external hatches. She experienced injury as a result of Defendants' negligent
17 and intentional acts and omissions described herein, including but not limited to back pain,
18 narrowing of the spine, bulging discs and deterioration of joints in back, anxiety and post-
19 traumatic stress disorder, daily headaches and migraines, heartburn, hyperthyroidism,
20 bradycardia heart rhythm, dizziness upon standing, and insomnia.

21 36. Plaintiff, JAIME CLAVITO, was born September 13, 1979, and is currently a
22 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
23 Officer Second Class stationed at Naval Air Facilities Atsugi in Japan. Ms. Clavito served
24 as an Executive Assistant during Operation Tomodachi, responsible for administrative
25 duties to support the Helicopter Anti-Submarine Squadron (HS-14) providing
26 humanitarian assistance and disaster relief. During Operation Tomodachi, she and the HS-
27 14 Squadron relocated to the Misawa Air Base to administer relief to those nearby affected

1 areas. She experienced injury as a result of Defendants' negligent and intentional acts and
2 omissions described herein, including but not limited to rashes, hemorrhoids, nosebleeds,
3 and depression.

4 37. Plaintiff, JESTINE CLAYTON, was born January 20, 1975, and is currently a
5 resident of the State of California. At the time of Operation Tomodachi, she was a Petty
6 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
7 Naval Base San Diego in San Diego, California. Mrs. Clayton served as a Corrections
8 Officer and Security Personnel during Operation Tomodachi, responsible for securing
9 detainees in the brig, ensuring personnel did not go outside the skin of the ship when
10 unauthorized, securing hatches, and directing personnel to decontamination stations before
11 being authorized for reentry into the ship. She experienced injury as a result of Defendants'
12 negligent and intentional acts and omissions described herein, including but not limited to
13 severe mental and emotional distress, anxiety disorder and mental health issues. Mrs.
14 Clayton is married to Darren Clayton. As a result of the wrongful and negligent acts of the
15 Defendants, Mr. and Mrs. Clayton were caused to suffer, and will continue to suffer in the
16 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
17 marital relationship.

18 38. Plaintiff, ASHLEY COCHRAN, participated in Operation Tomodachi and
19 experienced injury as a result of Defendants' negligent and intentional acts and omissions
20 described herein.

21 39. Plaintiff, CHRISTOPHER COLEMAN, was born July 26, 1988 and is currently a
22 resident of the State of Texas. At the time of Operation Tomodachi, he was a Seaman
23 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
24 in San Diego, California. Mr. Coleman served as a Logistics Specialist during Operation
25 Tomodachi, responsible for the maintenance of aviation parts and supplies for his
26 squadron. He experienced injury as a result of Defendants' negligent and intentional acts
27

1 and omissions described herein, including but not limited to inflammation of the colon,
2 severe stomach pain, hematochezia, and irritable bowel syndrome.

3 40. Plaintiff, JEFF COOK, was born May 5, 1978 and is currently a resident of the
4 State of Tennessee. At the time of Operation Tomodachi, he was a Petty Officer First Class
5 with the VFA-147 unit attached to the U.S.S. Ronald Reagan, whose homeport was Naval
6 Base San Diego in San Diego, California. Mr. Cook served as a logistics specialist and
7 storeroom keeper during Operation Tomodachi, responsible for turning in the radioactive
8 components of all the F-18 aircrafts and swapping them for clean components. He
9 experienced injury as a result of Defendants' negligent and intentional acts and omissions
10 described herein, including but not limited to frequent migraines, Chiari malformations in
11 his brain, sleep apnea, epididymitis, depression, anxiety, and asthma. Mr. Cook is married
12 to Amber Cook, and together they have two children. As a result of the wrongful and
13 negligent acts of the Defendants, Mr. and Mrs. Cook were caused to suffer, and will
14 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
15 to the detriment of their marital relationship.

16 41. Plaintiff, PATRICK CRESPO, was born July 9, 1976 and is currently a resident of
17 the State of Hawaii. At the time of Operation Tomodachi, he was a Petty Officer First
18 Class stationed aboard the U.S.S. Ronald Reagan, whose homeport is Naval Base San
19 Diego in San Diego, California. Mr. Crespo served as a Work Center Supervisor during
20 Operation Tomodachi, responsible for operating detectors to check for radiation on
21 supplies and equipment and sending contaminated equipment to be cleaned. He
22 experienced injury as a result of Defendants' negligent and intentional acts and omissions
23 described herein, including but not limited to respiratory issues and joint pain. Mr. Crespo
24 is married to Lui-ann Crespo, and they have two children. As a result of the wrongful and
25 negligent acts of the Defendants, Mr. and Mrs. Crespo were caused to suffer, and will
26 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
27 to the detriment of their marital relationship.

1 42. Plaintiff, BRIAN CROSS, participated in Operation Tomodachi, and experienced
2 injury as a result of Defendants' negligent and intentional acts and omissions described
3 herein.

4 43. Plaintiff, MICHAEL CROSS, was born May 13, 1983, and is currently a resident
5 of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer Second
6 Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
7 Diego in San Diego, California. Mr. Cross served as an Aviation Boatswain's Mate during
8 Operation Tomodachi, responsible for assisting the decontamination team to scan the flight
9 deck for radiated areas and then clean those radiated areas. He experienced injury as a
10 result of Defendants' negligent and intentional acts and omissions described herein,
11 including but not limited to anxiety and fear over the unknown extent of his radiation
12 exposure.

13 44. Plaintiff, JOSHUA CUNNINGHAM, was born December 6, 1986, and is currently
14 a resident of the State of Texas. At the time of Operation Tomodachi, he was a Seaman
15 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
16 in San Diego, California. Mr. Cunningham served as an Aviation Boatswain's Mate
17 (Aircraft Handling) during Operation Tomodachi, responsible for moving aircrafts and
18 supplies on board, and conducting hatch watches during the contamination period. He
19 experienced injury as a result of Defendants' negligent and intentional acts and omissions
20 described herein, including but not limited to severe anxiety attacks, blurry vision and
21 numbing sensations, acid reflux issues, and mental anguish over his dangerous radiation
22 exposure.

23 45. Plaintiff, DAKOTA DAVIS, was born October 17, 1989 and is currently a resident
24 of the State of Hawaii. At the time of Operation Tomodachi, he was a Seaman Apprentice
25 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
26 in San Diego, California. Mr. Davis left from San Diego, California, where he lived at the
27 time, to meet the ship, and continued on the U.S.S. Reagan to Bremerton dry dock in
28

1 Washington. Mr. Davis was undesignated during Operation Tomodachi, but his duties
2 included maintenance work on the ship, chipping paint, grinding rust, repainting the ship
3 and general cleanup and decontamination of the ship after deployment. He experienced
4 injury as a result of Defendants' negligent and intentional acts and omissions described
5 herein, including but not limited to migraines, depressive anxiety disorder and Crohn's
6 disease, for which he has no family history. As a result of the Crohn's disease, Mr. Davis
7 has undergone a fistula repair, an ileocectomy, steroid treatment and ongoing
8 chemotherapy treatment.

9 46. Plaintiff, GERALD H. DAVIS, was born August 8, 1963 and is currently a resident
10 of the State of California. At the time of Operation Tomodachi, he was a Petty Officer
11 Second Class stationed at Naval Air Facility Atsugi. Mr. Davis served as a Logistics
12 Specialist during Operation Tomodachi, responsible for handling radiated materials,
13 repairing certain parts coming off the planes, ships and helicopters, frisking parts for
14 radiation levels and recording the levels, and repackaging parts to send back to the United
15 States for disposal, repair, or replacement. He experienced injury as a result of Defendants'
16 negligent and intentional acts and omissions described herein, including but not limited to
17 elevated stress levels, weight fluctuation, migraines, and anxiety and fear over his radiation
18 exposure. Mr. Davis is married to Wilhelmina Davis. Mr. and Mrs. Davis were caused to
19 suffer, and will continue to suffer in the future, loss of consortium, affection, and conjugal
20 fellowship, all to the detriment of their marital relationship.

21 47. Plaintiff, KATARINA DAVISON, was born July 24, 1991 and is currently a
22 resident of the State of Iowa. At the time of Operation Tomodachi, she was a Seaman
23 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
24 in San Diego, California. Ms. Davison served as a Logistics Specialist during Operation
25 Tomodachi, responsible for receiving, scanning, and sorting radiated parts from aircrafts
26 on the ship, separating the parts into categories of high, moderate, and low levels of
27 radiation. She experienced injury as a result of Defendants' negligent and intentional acts

1 and omissions described herein, including but not limited to reproductive health issues,
2 thyroid issues, weight fluctuations, large boils that resulted in scarring, cherry angiomas,
3 and physical pain from injuries.

4 48. Plaintiff, ADAM DAWSON, was born November 13, 1984 and is currently a
5 resident of the State of Indiana. At the time of Operation Tomodachi, he was a Corporal
6 stationed in Okinawa, Japan. Mr. Irving served as an Anti-Armor Missleman during
7 Operation Tomodachi, responsible for breaking up destroyed homes so engineers could
8 haul away the debris and conducting clean-up on the ground from the destruction. He
9 experienced injury as a result of Defendants' negligent and intentional acts and omissions
10 described herein, including but not limited to testicular cancer metastasized to the colon.

11 49. Plaintiff, GADIEL DEL ORBE, was born December 11, 1986 and is currently a
12 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
13 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
14 Naval Base San Diego in San Diego, California. Mr. Orbe served as an Aviation Boatswain
15 Handler during Operation Tomodachi, responsible for directing the launch of aircrafts on
16 the flight deck and loading helicopters with food to deliver to land. He experienced injury
17 as a result of Defendants' negligent and intentional acts and omissions described herein,
18 including but not limited to hyperthyroidism.

19 50. Plaintiff, ESTATE OF DONALD H. DELLINGER, brings this action on behalf of
20 itself and on behalf of Donald Dellinger. Mr. Dellinger participated in Operation
21 Tomodachi, and experienced injury as a result of Defendants' negligent and intentional
22 acts and omissions described herein, including his untimely death.

23 51. Plaintiff, OLIVIA DIMAS, was born November 6, 1987 and is currently a resident
24 of the State of Florida. At the time of Operation Tomodachi, she was a Petty Officer
25 Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
26 San Diego in San Diego, California. Ms. Dimas served as an Aviation Boatswain Mate
27 during Operation Tomodachi, responsible for directing aircraft on the flight deck. She

1 experienced injury as a result of Defendants' negligent and intentional acts and omissions
2 described herein, including but not limited to kidney failure, mass on her liver, eye shape
3 distortion, lower back problems, mental health issues, and left wrist pain requiring surgery.

4 52. Plaintiff, MATTHEW DONALDSON, was born February 13, 1990 and is
5 currently a resident of the State of Colorado. At the time of Operation Tomodachi, he was
6 stationed aboard the U.S.S. Chancellorsville, part of the U.S.S. Ronald Reagan Carrier
7 Strike Group. Mr. Donaldson served as a Seaman during Operation Tomodachi,
8 responsible for general watches on the flight deck and lookouts at the head of the ship. He
9 experienced injury as a result of Defendants' negligent and intentional acts and omissions
10 described herein, including but not limited to depression and anxiety.

11 53. Plaintiff, SHARONDA DOUGLAS, was born August 1, 1987 and is currently a
12 resident of the State of California. At the time of Operation Tomodachi, she was a Petty
13 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose home port was
14 Naval Base San Diego in San Diego, California. Ms. Douglas served as a Logistics
15 Specialist during Operation Tomodachi, responsible for inspecting parts from jets on the
16 flight deck, scanning parts for radiation levels, sending some parts to be repaired and
17 calling-in when new parts were necessary. She experienced injury as a result of
18 Defendants' negligent and intentional acts and omissions described herein, including but
19 not limited to Grave's disease and irregular thyroid levels.

20 54. Plaintiff, DANIEL DRESSLER, was born December 16, 1985 and is currently a
21 resident of the State of California. At the time of Operation Tomodachi, he was a Seaman
22 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
23 in San Diego, California. Mr. Dressler served as a Ship Serviceman during Operation
24 Tomodachi, responsible for ensuring supplies on the ship such as food, water, snacks,
25 toiletries, and magazines for morale were fully stocked. He experienced injury as a result
26 of Defendants' negligent and intentional acts and omissions described herein, including
27 but not limited to ADHD and depression.

1 55. Plaintiff, COREY DREW-BELL, was born June 7, 1990 and is currently a resident
2 of the State of California. At the time of Operation Tomodachi, he was a Lance Corporal
3 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
4 in San Diego, California. Mr. Drew-Bell served as a Radio Operator during Operation
5 Tomodachi, responsible for assisting with the embarkation, using hovercraft boats to load
6 and unload gear on ship to off the flight deck. He experienced injury as a result of
7 Defendants' negligent and intentional acts and omissions described herein, including but
8 not limited to difficulty breathing and severe chest strains.

9 56. Plaintiff, LAWRENCE EDWARDS, was born September 27, 1988, and is
10 currently a resident of the State of Connecticut. At the time of Operation Tomodachi, he
11 was a Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose
12 homeport was Naval Base San Diego in San Diego, California. Mr. Edwards experienced
13 injury as a result of Defendants' negligent and intentional acts and omissions described
14 herein, including but not limited to abnormal weight fluctuations.

15 57. Plaintiff, EDWARD ELUERE, was born October 8, 1987, and is currently a
16 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, he was
17 a Petty Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport
18 was Naval Base San Diego in San Diego, California. Mr. Eluere served as a Radioman
19 Information Systems Technician during Operation Tomodachi, responsible for performing
20 duties with the decontamination team for six hours daily and hatch door watches. He
21 experienced injury as a result of Defendants' negligent and intentional acts and omissions
22 described herein, including but not limited to cholecystitis leading to the removal of
23 gallstones and continued pain, severe atopic dermatitis, IgA nephropathy, post-traumatic
24 stress disorder, severe anxiety disorder, hypertension, sleep apnea, fatigue, eyesight issues
25 due to enlarged optic nerve, recurring respiratory infections, temporomandibular joint
26 syndrome, and knee and joint pain causing decreased mobility due to cartilage wearing
27 away. Mr. Eluere is married to Mrs. Britini M. Eluere, and together they have two children.

1 As a result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Eluere were
2 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
3 conjugal fellowship, all to the detriment of their marital relationship.

4 58. Plaintiff, RAMON ENCISO, JR., was stationed during Operation Tomodachi
5 aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego in San
6 Diego, California. Mr. Enciso served as an undesignated airman during Operation
7 Tomodachi, responsible for working inside the ventilation systems on ship, checking for
8 radiation, and cleaning the contaminated areas. He experienced injury as a result of
9 Defendants' negligent and intentional acts and omissions described herein.

10 59. Plaintiff, ERIC I. EPPS, was stationed during Operation Tomodachi aboard the
11 U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego in San Diego,
12 California. Mr. Epps experienced injury as a result of Defendants' negligent and
13 intentional acts and omissions described herein, including but not limited to neurological
14 and mental health issues.

15 60. Plaintiff, BRIAN EUBANKS, was born May 31, 1989 and is currently a resident
16 of the State of Nebraska. At the time of Operation Tomodachi, he was a Petty Officer
17 Third Class stationed at Naval Base Coronado in San Diego, California. Mr. Eubanks
18 served as an Aviation Electrician's Mate during Operation Tomodachi, responsible for
19 setting up a decontamination cleaning site for contaminated and faulty parts from Japan to
20 be sent for processing and for decontaminating, repairing, and disposing of the radiated
21 parts and equipment coming directly off the ships based in Japan. He experienced injury
22 as a result of Defendants' negligent and intentional acts and omissions described herein,
23 including but not limited to bladder cancer, frequent urination, headaches, pelvic area pain,
24 difficulty breathing, and anxiety and depression over his deteriorating health. Mr. Eubanks
25 is married to Kristen Eubanks. Mr. and Mrs. Eubanks were caused to suffer, and will
26 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
27 to the detriment of their marital relationship.

1 61. Plaintiff, JASON FERGUSON, was born May 20, 1980 and is currently a resident
2 of the State of Florida. At the time of Operation Tomodachi, he was a Lead Petty Officer
3 for the Air Crew Survival Equipment Shop, stationed in Japan and assisting aboard the
4 U.S.S. George Washington. Mr. Ferguson was responsible for the air crew and pilot flight
5 equipment, including inspecting the contaminated gear when it was returned to the shop.
6 Mr. Ferguson flew throughout radiation-affected areas of Japan to distribute supplies. He
7 experienced injury as a result of Defendants' negligent and intentional acts and omissions
8 described herein, including but not limited to fear over his radiation exposure. Mr.
9 Ferguson is married to Michelle Ferguson and they have one son. As a result of the
10 wrongful and negligent acts of the Defendants, Mr. and Mrs. Ferguson were caused to
11 suffer, and will continue to suffer in the future, loss of consortium, affection, and conjugal
12 fellowship, all to the detriment of their marital relationship.

13 62. Plaintiff, JUSTINE FRALEY, was born May 25, 1988 is currently a resident of the
14 State of California. At the time of Operation Tomodachi, she was a Petty Officer Third
15 Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
16 Diego in San Diego, California. Ms. Fraley served as an Aviation Structural Mechanic
17 during Operation Tomodachi, responsible for mechanical work on aircraft aboard the
18 U.S.S. Reagan. She experienced injury as a result of Defendants' negligent and intentional
19 acts and omissions described herein, including but not limited to hypothyroidism.

20 63. Plaintiff, MARLON FRANCIS, was born October 12, 1982, and is currently a
21 resident of the State of Georgia. At the time of Operation Tomodachi, he was a Petty
22 Officer Second Class stationed aboard the U.S.S. Essex, whose homeport was Naval Base
23 San Diego. Mr. Francis served as an Electrician and Engineering Watch Supervisor during
24 Operation Tomodachi, responsible for working on the radiation team that surveyed
25 radiation exposure levels on the ship. He experienced injury as a result of Defendants'
26 negligent and intentional acts and omissions described herein, including but not limited to
27 post-traumatic stress disorder, thyroid issues, continuous sinus drainage issues, ongoing
28

1 hematochezia, and high levels of radiation following Operation Tomodachi. Mr. Francis
2 is also a father of three children.

3 64. Plaintiff, RUTH FREEMAN, was born March 9, 1991 and is currently a resident
4 of the State of California. At the time of Operation Tomodachi, she was a Petty Officer
5 Second Class stationed at Misawa Air Force Base. Mrs. Freeman served as an IT Specialist
6 during Operation Tomodachi, responsible for assisting in on the ground cleanup efforts in
7 Misawa, Japan after the city was hit by the tsunami. She experienced serious injury as a
8 result of Defendants' negligent and intentional acts and omissions described herein,
9 including but not limited to thyroid cancer requiring removal of thyroid and ninety-six
10 lymph nodes, severe migraines, nerve damage, anemia, depression, reproductive health
11 issues and damaged salivary glands.

12 65. Plaintiff, STEVEN GARDNER, was born January 19, 1989, and is currently a
13 resident of the State of Florida. At the time of Operation Tomodachi, he was a Seaman
14 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
15 in San Diego, California. Mr. Gardner served as a Plane Captain for an F18 squadron
16 during Operation Tomodachi, responsible for washing and decontaminating the airplanes
17 on the flight deck after they returned from missions. He experienced injury as a result of
18 Defendants' negligent and intentional acts and omissions described herein, including but
19 not limited to severe muscle spasms, left shoulder and back pain, chronic headaches, and
20 mental and emotional stress. He is married to Anna Garner and they have one son. As a
21 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Eluere were
22 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
23 conjugal fellowship, all to the detriment of their marital relationship.

24 66. Plaintiff, LISSET GARNER, is currently a resident of the State of Missouri. At
25 the time of Operation Tomodachi, she was stationed aboard the U.S.S. Ronald Reagan
26 whose homeport was Naval Base San Diego in San Diego, California. Mrs. Garner served
27 as an aircraft handler on the flight deck during Operation Tomodachi. She experienced
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1 injury as a result of Defendants' negligent and intentional acts and omissions described
2 herein, including but not limited to reproductive issues. Mrs. Garner is married to Zacary
3 Garner. Mr. and Mrs. Garner were caused to suffer, and will continue to suffer in the
4 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
5 marital relationship.

6 67. Plaintiff, DEREK KEITH GAY, was born November 7, 1988 and is currently a
7 resident of the State of North Carolina. At the time of Operation Tomodachi, he was a
8 Petty Officer Second Class stationed aboard the U.S.S. Cowpens, whose homeport was
9 Naval Base San Diego in San Diego, California. Mr. Gay served as a Fire Controlman
10 during Operation Tomodachi, responsible for operating and maintaining combat and
11 weapons direction systems, missile systems and gun fire control systems, and scanning
12 equipment to detect and record radiation levels. He experienced injury as a result of
13 Defendants' negligent and intentional acts and omissions described herein, including but
14 not limited to eczema and mental and emotional stress over his radiation exposure.

15 68. Plaintiff, JOSHY GEORGE, was born August 6, 1989 and is currently a resident
16 of the State of Texas. At the time of Operation Tomodachi, he was a Seaman stationed
17 aboard the U.S.S Ronald Reagan, whose homeport was Naval Base San Diego in San
18 Diego, California. Mr. George served as an Aviation Machinist's Mate during Operation
19 Tomodachi, responsible for maintenance work on helicopters and loading the helicopters
20 on the flight deck with supplies for humanitarian relief missions. He experienced injury as
21 a result of Defendants' negligent and intentional acts and omissions described herein,
22 including but not limited to post-traumatic stress disorder, loss of appetite, insomnia issues
23 and complete hair loss.

24 69. Plaintiff, RAYMOND GILES, was born July 28, 1987 and is currently a resident
25 of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer Third
26 Class stationed aboard the U.S.S. Essex, whose homeport was Naval Base San Diego in
27 San Diego, California. Mr. Giles served as an Aviation Boatswain's Mate during
28

1 Operation Tomodachi, responsible for supervising movement and securing aircraft and
2 equipment on the flight deck. He experienced injury as a result of Defendants' negligent
3 and intentional acts and omissions described herein, including but not limited to high liver
4 enzymes, glucose level fluctuations, white blood cells prematurely exiting bones,
5 deteriorating cartilage in the knee, stomach issues, irritable bowel syndrome, severe
6 migraines, post-traumatic stress disorder, and difficulty focusing. Mr. Giles is married to
7 Larissa Giles. Mr. and Mrs. Giles were caused to suffer, and will continue to suffer in the
8 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
9 marital relationship.

10 70. Plaintiff, KIRK GODAIR INDIVIDUALLY AND AS THE ADMINISTRATOR
11 OF THE ESTATE OF RUBY PEREZ, is a resident of the State of Texas. Ruby Perez was
12 born February 23, 1989, and prior to her death was a resident of the State of Texas. She
13 was married to Kirk Godair and together they had one daughter. At the time of Operation
14 Tomodachi, she was a Petty Officer Second Class stationed aboard U.S.S. Ronald Reagan,
15 whose homeport was Naval Base San Diego in San Diego, California. Ms. Perez
16 experienced injury as a result of Defendants' negligent and intentional acts and omissions
17 described herein, including ovarian cancer, which resulted in her death on December 7,
18 2016.

19 71. Plaintiff, KIRK GODAIR, on behalf and for his minor daughter, C.G. is a resident
20 of the State of Texas. C.G. is the minor daughter of Kirk Godair and Ruby Perez, who died
21 of ovarian cancer after participating in Operation Tomodachi during her military service.

22 72. Plaintiff, RODOLFO GUERRA, was born January 5, 1991, and is currently a
23 resident of the State of Texas. At the time of Operation Tomodachi, he was a Seaman
24 Apprentice stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
25 San Diego in San Diego, California. Mr. Guerra served as a deck seaman during Operation
26 Tomodachi, responsible for assisting seaman on the flight deck and standing watch on deck
27 in four hour shifts. He experienced injury as a result of Defendants' negligent and

1 intentional acts and omissions described herein, including but not limited to hair loss,
2 migraines, acid reflux issues with occasional vomiting, and fear and anxiety due to his
3 radiation exposure. Mr. Guerra is married to Roxanne Palacios. As a result of the
4 wrongful and negligent acts of the Defendants, Mr. Guerra and Mrs. Palacios were caused
5 to suffer, and will continue to suffer in the future, loss of consortium, affection, and
6 conjugal fellowship, all to the detriment of their marital relationship.

7 73. Plaintiff, TYMESHIA GUIDRY, was born October 3, 1991 and is currently a
8 resident of the State of California. At the time of Operation Tomodachi, she was a Seaman
9 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
10 in San Diego, California. Ms. Guidry served as a Boatswain's Mate during Operation
11 Tomodachi, responsible for cleaning and chipping off paint in contaminated areas and
12 standing watch in shifts on the flight deck. She experienced injury as a result of
13 Defendants' negligent and intentional acts and omissions described herein, including but
14 not limited to depression and anxiety, fibromyalgia, irritable bowel syndrome, and
15 reproductive issues.

16 74. Plaintiff, CECILIA GUTIERREZ, was born May 27, 1970, and is currently a
17 resident of the State of Michigan. At the time of Operation Tomodachi, she was a
18 contracted civilian stationed aboard the U.S.N.S. Pecos. Ms. Gutierrez served as an
19 Ordinary Seaman during Operation Tomodachi. She experienced injury as a result of
20 Defendants' negligent and intentional acts and omissions described herein, including but
21 not limited to thyroid nodules, Hashimoto thyroiditis, fatty liver disease and muscular
22 skeletal dysfunction.

23 75. Plaintiff, CYRINTHIA HAMBLEY, was born March 22, 1972 and is currently a
24 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, she was
25 a Department of Defense contractor stationed aboard the U.S.S. Curtis Wilbur, where she
26 was responsible for providing training to the crew. She experienced injury as a result of
27 Defendants' negligent and intentional acts and omissions described herein, including but
28

1 not limited to reproductive health issues, heightened general anxiety disorder, deteriorating
2 eyesight and extreme weight loss. Ms. Hambley is married to Corey Hambley and they
3 have two children together. As a result of the wrongful and negligent acts of the
4 Defendants, Mr. and Mrs. Hambley were caused to suffer, and will continue to suffer in
5 the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
6 their marital relationship.

7 76. Plaintiff, HALDANE HAMILTON, was born September 15, 1986, and is currently
8 a resident of the State of California. At the time of Operation Tomodachi, he was a Seaman
9 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
10 in San Diego, California. Mr. Hamilton served as a Deck Seaman and Gunner's Mate
11 during Operation Tomodachi, responsible for conducting external standing watches,
12 loading packages on the flight deck, and assisting the photo flight team and
13 decontamination efforts. He experienced injury as a result of Defendants' negligent and
14 intentional acts and omissions described herein.

15 77. Plaintiff, NATHAN HANSEN, was born March 28, 1980, and is currently a
16 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
17 Officer First Class stationed aboard the U.S.S. George Washington, whose homeport was
18 Naval Station Norfolk in Norfolk, Virginia. Mr. Hansen served as an Aviation Mechanic
19 during Operation Tomodachi, responsible for aeronautical welding and aircraft
20 maintenance on the flight deck, and also worked as a quality assurance representative. He
21 experienced injury as a result of Defendants' negligent and intentional acts and omissions
22 described herein, including but not limited to stomach pains, gastrointestinal problems,
23 bloating, acid reflux, mental stress from dangerous radiation exposure, muscle stiffness,
24 pain in joints, and depression and anxiety.

25 78. Plaintiff, COREY HART, was born January 23, 1989 and is currently a resident of
26 the State of Texas. At the time of Operation Tomodachi, he was a Seaman stationed aboard
27 the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego in San Diego,
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1 California. Mr. Hart served as an Aviation Ordnanceman during Operation Tomodachi,
2 responsible for maintaining and repairing the aircrafts' mechanical and electrical armament
3 and ordnance systems. He experienced injury as a result of Defendants' negligent and
4 intentional acts and omissions described herein, including but not limited to stomach
5 ulcers, hematochezia, gall stones, and kidney stones. Mr. Hart is married to Courtney Hart.
6 Mr. and Mrs. Hart were caused to suffer, and will continue to suffer in the future, loss of
7 consortium, affection, and conjugal fellowship, all to the detriment of their marital
8 relationship.

9 79. Plaintiff, MICHAEL HARVEY, was born November 8, 1975 and is currently a
10 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, he was
11 a Lieutenant Commander stationed aboard the U.S.S. Ronald Reagan, whose homeport was
12 Naval Base San Diego in San Diego, California. Mr. Harvey served as an Aviation and
13 Weapons Systems Safety Officer during Operation Tomodachi, responsible for
14 commanding his squadron, observing all flight operations on deck, and doing
15 reconnaissance flight missions to obtain video footage of the lay of the land to assist in the
16 humanitarian efforts. He experienced injury as a result of Defendants' negligent and
17 intentional acts and omissions described herein, including but not limited to mental and
18 emotional distress over his exposure to dangerous radiation and the potential for negative
19 health consequences that may result from that exposure.

20 80. Plaintiff, JOSEPH K. HENRY, was born January 1, 1985 and is currently a resident
21 of the State of Texas. Shortly following Operation Tomodachi, he was a Mineman Second
22 Class stationed in Okinawa, Japan. Mr. Henry provided maintenance of supplies and
23 equipment that were used on the base. He experienced injury as a result of Defendants'
24 negligent and intentional acts and omissions described herein, including but not limited to
25 fear and anxiety regarding his health due to his exposure to radiation.

26 81. Plaintiff, DARREN HENSON, was born November 12, 1989, and is currently a
27 resident of the State of South Carolina. At the time of Operation Tomodachi, he was a
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1 Corporal for the U.S. Marine Corps stationed aboard the U.S.S. Ronald Regan, whose
2 homeport was Naval Base San Diego in San Diego, California. Mr. Henson served as an
3 Aircraft Mechanic during Operation Tomodachi, responsible for aircraft inspections,
4 maintenance, services and decontamination washes on the flight deck for up to ten hours
5 daily. He experienced injury as a result of Defendants' negligent and intentional acts and
6 omissions described herein, including but not limited to back spasms, foot numbness, male
7 health issues, and hypothyroidism.

8 82. Plaintiff, MARTY B. HILL, was born June 1, 1992 and is currently a resident of
9 the State of California. At the time of Operation Tomodachi, he was a Petty Officer Third
10 Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
11 Diego in San Diego, California. Mr. Hill served as a Machinist Mate in the Reactor
12 Department during Operation Tomodachi, responsible for the overseeing the battle
13 dressing stations for pilots and sailors coming aboard the flight deck, acting as the main
14 machinery watchman, and frisking personnel as they entered and left the ship. He was also
15 responsible for confiscating and bagging radiation-contaminated equipment. He
16 experienced injury as a result of Defendants' negligent and intentional acts and omissions
17 described herein, including but not limited to insomnia, night terrors, depression and
18 anxiety, symptoms of post-traumatic stress disorder, and bodily pains.

19 83. Plaintiff, MARTIN HITSON, was born April 27, 1969 and is currently a resident
20 of the State of California. At the time of Operation Tomodachi, he was a Chief Warrant
21 Officer Two stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
22 San Diego in San Diego, California. Mr. Hitson served as an Airborne/Crash and Salvage
23 Officer during Operation Tomodachi working in the flight deck fire and rescue department,
24 responsible for flight deck operations during launch and recovery of aircraft. He
25 experienced injury as a result of Defendants' negligent and intentional acts and omissions
26 described herein, including but not limited to hypothyroidism, skin rashes and anxiety. Mr.
27 Hitson is married to Paula Hitson, and they have three children. As a result of the wrongful
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1 and negligent acts of the Defendants, Mr. and Mrs. Hitson were caused to suffer, and will
2 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
3 to the detriment of their marital relationship.

4 84. Plaintiff, MITCHELL HODGES, was born April 25, 1985 and is currently a
5 resident of the State of Michigan. At the time of Operation Tomodachi, he was a Seaman
6 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
7 in San Diego, California. Mr. Hodges served as plane captain, Aviation Ordnanceman, on
8 the flight deck during Operation Tomodachi. He experienced injury as a result of
9 Defendants' negligent and intentional acts and omissions described herein, including but
10 not limited to random nose bleeds, painful swollen lymph nodes, weight issues, symptoms
11 of post-traumatic stress disorder, depression and anxiety, and male health issues requiring
12 lifelong therapy.

13 85. Plaintiff, NICHOLAS HOLLAND, was born November 19, 1989 and is currently a
14 resident of the State of North Carolina. At the time of Operation Tomodachi, he was a
15 Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
16 Naval Base San Diego in San Diego, California. Mr. Holland served as a Logistics
17 Specialist during Operation Tomodachi, responsible for identifying, ordering, stocking and
18 issuing repair parts. He experienced injury as a result of Defendants' negligent and
19 intentional acts and omissions described herein, including but not limited to severe chest
20 and skin irritation resulting in scar tissue and bilateral tinnitus.

21 86. Plaintiff, WILLIAM HOLT, was born April 30, 1975, and is currently a resident of
22 the Commonwealth of Virginia. At the time of Operation Tomodachi, he was a Senior
23 Chief Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose homeport was
24 Naval Base San Diego in San Diego, California. Mr. Holt served as a Logistics Storekeeper
25 during Operation Tomodachi, responsible for coordinating supply drops on the flight deck
26 and closing all ventilation on the ship during transit through the radiation plume. He
27 experienced injury as a result of Defendants' negligent and intentional acts and omissions

1 described herein, including but not limited to male health problems. Mr. Holt is married
2 to Shakira Holt. As a result of the wrongful and negligent acts of the Defendants, Mr. and
3 Mrs. Holt were caused to suffer, and will continue to suffer in the future, loss of consortium,
4 affection, and conjugal fellowship, all to the detriment of their marital relationship.

5 87. Plaintiff, JOHN WESLEY HYATT, participated in Operation Tomodachi, and
6 experienced injury as a result of Defendants' negligent and intentional acts and omissions
7 described herein, including but not limited to sickle cell adenocarcinoma of the stomach.

8 88. Plaintiff, KEVIN JACOBSON, was born May 18, 1989 and is currently a resident
9 of the State of Washington. At the time of Operation Tomodachi, he was a Lance Corporal
10 stationed at United States Marine Corps logistics base, Camp Kinser in Okinawa, Japan.
11 Mr. Jacobson served as a Data Network Specialist for Combat Logistics Regiment 35.
12 During Operation Tomodachi, he was flown into Sendai, Japan, where he was responsible
13 for providing communications and leadership support for the Marine Expeditionary Units
14 on the ground clearing out mud and debris outside the Sendai International Airport. He
15 experienced injury as a result of Defendants' negligent and intentional acts and omissions
16 described herein, including but not limited to reproductive issues and back and joint pain.
17 Mr. Jacobson is married to Rachel-Elle Jacobson and they have had reproductive issues,
18 which have resulted in mental and emotional distress. In addition, as a result of the
19 wrongful and negligent acts of the Defendants, Mr. and Mrs. Jacobson were caused to
20 suffer, and will continue to suffer in the future, loss of consortium, affection, and conjugal
21 fellowship, all to the detriment of their marital relationship.

22 89. Plaintiff, JUSTIN JAEHNIG, participated in Operation Tomodachi, and
23 experienced injury as a result of Defendants' negligent and intentional acts and omissions
24 described herein.

25 90. Plaintiff, MATTHEW JENKINS, was born January 19, 1983 and is currently a
26 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
27 Officer Second Class stationed aboard the U.S.S. Stockdale, whose homeport was Naval
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1 base San Diego in San Diego, California. Mr. Jenkins served as an Aviation Ordnanceman
2 during Operation Tomodachi, responsible for servicing, inspecting, and handling of
3 weapons and ammunition carried on naval aircrafts, mainly working on helicopters on the
4 ship's flight deck. He experienced injury as a result of Defendants' negligent and
5 intentional acts and omissions described herein, including but not limited to pancreatic
6 cancer, resulting in the removal the head of his pancreas, part of his liver and a large tumor
7 on his pancreas. Following surgery, he underwent chemotherapy, lost 65 pounds, and has
8 been diagnosed with diabetes. Mr. Jenkins is married to Jackie Jenkins. Mr. and Mrs.
9 Jenkins were caused to suffer, and will continue to suffer in the future, loss of consortium,
10 affection, and conjugal fellowship, all to the detriment of their marital relationship.

11 91. Plaintiff, GREGGORY JORDAN, was born November 22, 1962 and is currently a
12 resident of the State of Michigan. At the time of Operation Tomodachi, he was a Petty
13 Officer Second Class stationed at Naval Air Facilities Atsugi. Mr. Jordan served as an
14 Electronics Technician during Operation Tomodachi, responsible for parts adjudication
15 and working on the decontamination team. He experienced injury as a result of
16 Defendants' negligent and intentional acts and omissions described herein, including but
17 not limited to prostate cancer and sleep apnea.

18 92. Plaintiff, RODERICK JESSAMY, was born July 19, 1972, and is currently a
19 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, he was
20 a Chief Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose homeport was
21 Naval Base San Diego in San Diego, California. Mr. Jessamy served as a Hazmat Officer
22 during Operation Tomodachi, responsible for overseeing helicopter operations on the flight
23 deck for 8-10 hours per day, and loading supplies and food onto helicopters for
24 humanitarian aid. He experienced injury as a result of Defendants' negligent and
25 intentional acts and omissions described herein, including but not limited to severe
26 headaches, dizziness, and lingering nasal and thoracic symptoms. Mr. Jessamy is married
27 to Trish Jessamy. As a result of the wrongful and negligent acts of the Defendants, Mr.

1 and Mrs. Jessamy were caused to suffer, and will continue to suffer in the future, loss of
2 consortium, affection, and conjugal fellowship, all to the detriment of their marital
3 relationship.

4 93. Plaintiff, JUSTIN KENWORTHY, was born September 18, 1986 and is currently
5 a resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, he was
6 a Petty Officer First Class with the VAQ-139 unit attached to the U.S.S. Ronald Reagan,
7 whose homeport was Naval Base San Diego in San Diego, California. Mr. Kenworthy
8 served as an Aviation Structural Mechanic during Operation Tomodachi, responsible for
9 maintaining all aircraft main and auxiliary hydraulic power systems, actuating subsystems
10 and landing gear. He experienced injury as a result of Defendants' negligent and
11 intentional acts and omissions described herein. Mr. Kenworthy is married to Brittany
12 Kenworthy. Mr. and Mrs. Kenworthy were caused to suffer, and will continue to suffer in
13 the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
14 their marital relationship.

15 94. Plaintiff, MATTHEW KNAUST, was born October 23, 1986, and is currently a
16 resident of the State of California. At the time of Operation Tomodachi, he was a Sergeant
17 in the United States Marine Corps stationed aboard the U.S.S. Ronald Reagan, whose
18 homeport was Naval Base San Diego in San Diego, California. Mr. Knaust served as a
19 F/A-18 Ordnance Technician during Operation Tomodachi, responsible for safety
20 inspections, ordnance loading, aircraft maintenance and decontamination of living
21 quarters. He experienced injury as a result of Defendants' negligent and intentional acts
22 and omissions described herein, including but not limited to myxoid liposarcoma cancer,
23 removal of a large malignant mass, obstructive sleep apnea, and depression. As a result of
24 the thirty rounds of radiation therapy Mr. Knaust received, he has incurred hair loss, and
25 skin burning. Mr. Knaust is married to Kari Knaust, and they have had reproductive issues.
26 As a result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Knaust were
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1 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
2 conjugal fellowship, all to the detriment of their marital relationship.

3 95. Plaintiff, ANDREW KOEPKE, is currently a resident of the State of California.
4 He participated in Operation Tomodachi, and experienced injury as a result of Defendants'
5 negligent and intentional acts and omissions described herein.

6 96. Plaintiff, NICHOLAS KOVACHEV, was born December 23, 1976. At the time of
7 Operation Tomodachi, he was a Lieutenant stationed aboard the U.S.S. Ronald Reagan,
8 whose homeport was Naval Base San Diego in San Diego, California. Mr. Kovachev
9 served as an Assistant Materials, Hazmat and Material Control Officer during Operation
10 Tomodachi, responsible for preparing and loading relief materials for transfer to and from
11 Japan and other ships in the Carrier Strike Group. Mr. Kovachev was in close proximity
12 to the helicopters flown into Fukushima and the materials they brought back from
13 contaminated areas. He experienced injury as a result of Defendants' negligent and
14 intentional acts and omissions described herein, including but not limited to rapid
15 unexplained weight loss, hematochezia, kidney pains and irregular heart rhythms.

16 97. Plaintiff, RYAN KUNIN, was born August 9, 1985, and is currently a resident of
17 the State of California. At the time of Operation Tomodachi, he was a Petty Officer Third
18 Class stationed aboard the U.S.S. Mustin, whose homeport was United States Fleet
19 Activities Yokosuka. Mr. Kunin served as a Naval Aircrewmen (Tactical Helicopter)
20 attached to HS-14 helicopter command during Operation Tomodachi, responsible for
21 conducting search and rescue operations and distributing food, clothes and blankets in and
22 out of contaminated zones. He experienced injury as a result of Defendants' negligent and
23 intentional acts and omissions described herein, including but not limited to severe anxiety,
24 worsening eyesight and aching joints.

25 98. Plaintiff, RENE LANDEROS, was born May 8, 1988, and is currently a resident
26 of the State of California. At the time of Operation Tomodachi, he was a Petty Officer
27 Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
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1 San Diego in San Diego, California. Mr. Landeros served as a Damage Controlman during
2 Operation Tomodachi, responsible for cleaning and replacing HEPA filters throughout the
3 ship, and assisting the decontamination team on the flight deck by monitoring radiation
4 levels of pilots and handling radioactive material. He experienced injury as a result of
5 Defendants' negligent and intentional acts and omissions described herein, including but
6 not limited to a brain tumor requiring surgical removal, and mental and emotional stress.
7 Mr. Landeros is married to Celina Landeros. As a result of the wrongful and negligent acts
8 of the Defendants, Mr. and Mrs. Landeros were caused to suffer, and will continue to suffer
9 in the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
10 their marital relationship.

11 99. Plaintiff, MICHAEL LELAND, was born October 21, 1986, and is currently a
12 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
13 Officer First Class stationed aboard the U.S.S. Tortuga, whose homeport was Joint
14 Expeditionary Base Little Creek in Little Creek, Virginia. Mr. Leland served as an
15 Aviation Electronics Technician during Operation Tomodachi, responsible for acting as
16 the flight deck/flight line troubleshooter for launch and recovery operations, maintenance
17 on 2 Mh-53E helicopters between flights, fireguard during helicopter launches and
18 shutdowns, and loading pallets of supplies on the helicopters for humanitarian missions on
19 the flight deck of the U.S.S. Tortuga and on the ground at the Naval Air Facility Misawa in
20 Misawa, Japan. He experienced injury as a result of Defendants' negligent and intentional
21 acts and omissions described herein including but not limited to mental stress over the
22 potential lifelong effects from his radiation exposure.

23 100. Plaintiff, MELISSA MARIE LESTER, was born July 4, 1988 and is
24 currently a resident of the State of California. At the time of Operation Tomodachi, she
25 was stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
26 Diego in San Diego, California. She experienced injury as a result of Defendants'

1 negligent and intentional acts and omissions described herein, including but not limited to
2 mental health issues, sleep paralysis and women's health issues.

3 101. Plaintiff, LAWRENCE MATTHEW LEVAN, was born March 29, 1989 and
4 is currently a resident of the State of Texas. At the time of Operation Tomodachi, he was
5 a Seaman stationed aboard the U.S.S Ronald Reagan, whose homeport was Naval Base
6 San Diego in San Diego, California. Mr. Levan served as an Aviation Ordnanceman during
7 Operation Tomodachi, responsible for conducting hatch watches, detecting radiated areas
8 in various parts of the ship and assisting to decontaminate radiated areas. He experienced
9 injury as a result of Defendants' negligent and intentional acts and omissions described
10 herein, including chronic headaches, hematochezia, and asthma requiring prescription
11 medication and use of an inhaler.

12 102. Plaintiff, JOSEPH LEWIS, was born December 12, 1988 and is currently a
13 resident of the State of Nevada. At the time of Operation Tomodachi, he was stationed
14 aboard the U.S.S Ronald Reagan, whose homeport was Naval Base San Diego in San
15 Diego, California. Mr. Lewis served as an Aviation Ordnanceman during Operation
16 Tomodachi. He experienced injury as a result of Defendants' negligent and intentional
17 acts and omissions described herein. Mr. Lewis is married to Jazmene Lewis, and they
18 have three children together. As a result of the wrongful and negligent acts of the
19 Defendants, Mr. and Mrs. Lewis were caused to suffer, and will continue to suffer in the
20 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
21 marital relationship.

22 103. Plaintiff, SCOTT LIENG, was born on June 2, 1980 and is currently a
23 resident of the Commonwealth of Pennsylvania. At the time of Operation Tomodachi, he
24 was a Lieutenant stationed aboard the U.S.S Ronald Reagan, whose homeport was Naval
25 Base San Diego in San Diego, California. Mr. Lieng served as the Material Division
26 Officer for the Supply Department during Operation Tomodachi, responsible for loading
27 supplies (water, food and clothing) for Operation Tomodachi. He and his team worked
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1 closely with the helicopters running deliveries to the Japanese on the beach. He
2 experienced injury as a result of Defendants' negligent and intentional acts and omissions
3 described herein, including but not limited to hematochezia and gastrointestinal issues.

4 104. Plaintiff, ARNULFO LIMON, was born November 28, 1965 and is currently
5 a resident of the State of California. At the time of Operation Tomodachi, he was a Chief
6 Warrant Officer 4 stationed aboard the U.S.S Ronald Reagan, whose homeport was Naval
7 Base San Diego in San Diego, California. Mr. Limon served as a Food Service Officer
8 during Operation Tomodachi, responsible for providing food to locals and bringing
9 supplies to the flight deck to be loaded onto helicopters for distribution on land. He
10 experienced injury as a result of Defendants' negligent and intentional acts and omissions
11 described herein, including but not limited to skin rashes, lumps and unexplained weight
12 gain. Mr. Limon is married to Jennifer Limon, and they have two children together. As a
13 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Limon were
14 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
15 conjugal fellowship, all to the detriment of their marital relationship.

16 105. Plaintiff, ADRIAN LUCINA, was born July 8, 1977, and is currently a
17 resident of the State of California. At the time of Operation Tomodachi, he was a Senior
18 Chief Petty Officer stationed aboard the U.S.S Curtis Wilbur, whose homeport was Naval
19 Base Yokosuka. Mr. Lucina served as a trainer and gas turbine technician during Operation
20 Tomodachi, responsible for training other officers, conducting operations in the engine
21 room and auxiliary spaces and inspecting engineering equipment. He experienced injury
22 as a result of Defendants' negligent and intentional acts and omissions described herein,
23 including abdominal pain, chest pains, removal of gall bladder, and concern over long term
24 health issues. Mr. Lucina is married to Jane Llagas Kurata. As a result of the wrongful
25 and negligent acts of the Defendants, Mr. Lucina and Mrs. Kurata were caused to suffer,
26 and will continue to suffer in the future, loss of consortium, affection, and conjugal
27 fellowship, all to the detriment of their marital relationship.

1 106. Plaintiff, ANNETTE LUCKEY, individually and as Administrator of the
2 ESTATE OF DANYELLE LUCKEY, is a resident of the State of California. Danyelle
3 Luckey is the deceased daughter of Derrick and Annette Luckey. Ms. Luckey was born
4 May 18, 1993, and died on October 10, 2016. Prior to her death, she was a resident of the
5 State of California. Danyelle served as a Personal Specialist, stationed aboard the U.S.S
6 Ronald Reagan, whose homeport is Naval Base San Diego in San Diego, California. Ms.
7 Luckey died at age twenty-three of sepsis, and autopsy reports revealed a high
8 concentration of heavy metals.

9 107. Plaintiff, DERRICK LUCKEY, is the father of Danyelle Luckey, deceased.
10 He is currently a resident of the State of California.

11 108. Plaintiff, EDWIN MAHER, was born February 2, 1989, and is currently a
12 resident of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer
13 Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
14 San Diego in San Diego, California. Mr. Maher served as a Machinist's Mate during
15 Operation Tomodachi, responsible for assisting the nuclear machinists in the shaft alley
16 and engine room of the ship and assisting with the decontamination efforts. He experienced
17 injury as a result of Defendants' negligent and intentional acts and omissions described
18 herein, including but not limited to debilitating migraines and irritable bowel syndrome.
19 Mr. Maher is married to Ashley Maher. As a result of the wrongful and negligent acts of
20 the Defendants, Mr. and Mrs. Maher were caused to suffer, and will continue to suffer in
21 the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
22 their marital relationship.

23 109. Plaintiff, JORDAN MANN, was born February 10, 1984 and is currently a
24 resident of State of Texas. At the time of Operation Tomodachi, he was stationed at the
25 Misawa Air Base. Mr. Mann served as a Senior Airman during Operation Tomodachi,
26 responsible for maintaining and cleaning aircraft, accommodating people visiting the base,
27 setting up cots for Japanese civilians temporarily housed at the base and supervising other

1 Airmen. He experienced injury as a result of Defendants' negligent and intentional acts
2 and omissions described herein, including but not limited to testicular cancer, migraines,
3 back pain and herniated disc. Mr. Mann is married to Ashley Chitty, and they have three
4 children. As a result of the wrongful and negligent acts of the Defendants, Mr. Mann and
5 Ms. Chitty were caused to suffer, and will continue to suffer in the future, loss of
6 consortium, affection, and conjugal fellowship, all to the detriment of their marital
7 relationship.

8 110. Plaintiff, FRANCISCO E. MARIGUNDON, JR., was born June 18, 1969 and
9 is currently a resident of the State of California. At the time of Operation Tomodachi, he
10 was a Senior Chief Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose
11 homeport was Naval Base San Diego in San Diego, California. Mr. Marigundon served as
12 the leading Culinary Specialist during Operation Tomodachi, responsible for the food
13 service for the entire ship, including supervising the proper operation of the Food Service
14 Division and Wardroom Operation, which required that he spend substantial time on the
15 hanger bay and flight deck. He also helped prepare food and put in in pallets to be
16 distributed to the tsunami victims on shore. He experienced injury as a result of
17 Defendants' negligent and intentional acts and omissions described herein, including but
18 not limited to high blood pressure, gout, abnormal heart rhythm and allergies. Mr.
19 Marigundon is married to Rosalie Marigundon, and they have two children together. As a
20 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Marigundon were
21 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
22 conjugal fellowship, all to the detriment of their marital relationship.

23 111. Plaintiff, FRANCIS MARLON, was born October 12, 1982, and is currently
24 a resident of the State of Georgia. At the time of Operation Tomodachi, he was a Petty
25 Officer Second Class stationed aboard the U.S.S. Essex, whose homeport was Naval Base
26 San Diego in San Diego, California. Mr. Marlon served as an Engineering Duty Officer
27 and Electrician during Operation Tomodachi, responsible for surveying radiation levels on
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1 the ship, monitoring the electrical switchboard, maintaining decontamination, conducting
2 daily walk-throughs to ensure only essential personnel were allowed outside of the skin of
3 the ship. He experienced injury as a result of Defendants' negligent and intentional acts
4 and omissions described herein, including but not limited to thyroid problems,
5 hematochezia, sinus drainage issues and post-traumatic stress disorder.

6 112. Plaintiff, CHAD MARTINS, was born December 19, 1987 and is currently a
7 resident of the State of California. At the time of Operation Tomodachi, he was an Airman
8 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
9 in San Diego, California. Mr. Martins served as an Aviation Machinist Mate during
10 Operation Tomodachi, responsible for loading helicopters on the flight deck with rations
11 and clothes. He experienced injury as a result of Defendants' negligent and intentional acts
12 and omissions described herein, including but not limited to chest pains, shortness of
13 breath, syncope episodes and ventricular tachycardia. Mr. Martins has undergone three
14 heart surgeries attempting to correct the condition, which have been unsuccessful. He has
15 suffered severe mental and emotional distress from undergoing heart surgery at the age of
16 twenty-nine. Mr. Martins is married to Amy Martins. As a result of the wrongful and
17 negligent acts of the Defendants, Mr. and Mrs. Martins were caused to suffer, and will
18 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
19 to the detriment of their marital relationship.

20 113. Plaintiff, JANETH MASINDE, individually and as the Administrator of the
21 ESTATE OF BRENDA DOWNING, is the mother of Brenda Downing, who served in
22 Operation Tomodachi. During Operation Tomodachi, Ms. Downing experienced injury as
23 a result of Defendants' negligent and intentional acts and omissions described herein,
24 including her death.

25 114. Plaintiff, TRAVIS MCKNIGHT, was born April 11, 1981 and is currently a
26 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
27 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was

1 Naval Base San Diego in San Diego, California. Mr. McKnight served as an Aviation
2 Boatswain's Mate during Operation Tomodachi, responsible for preparations on the flight
3 deck for incoming aircraft and washing down the flight deck. He experienced injury as a
4 result of Defendants' negligent and intentional acts and omissions described herein,
5 including but not limited to intestinal problems, enlarged spleen, abnormal pancreatic
6 enzymes and weakened joints. Mr. McKnight is married to Andrea McKnight, and they
7 have two children. As a result of the wrongful and negligent acts of the Defendants, Mr.
8 and Mrs. McKnight were caused to suffer, and will continue to suffer in the future, loss of
9 consortium, affection, and conjugal fellowship, all to the detriment of their marital
10 relationship.

11 115. Plaintiff, EDWARD MELLO, was born July 14, 1953 and is currently a
12 resident of the State of Washington. At the time of Operation Tomodachi, he was a United
13 States Department of Defense Scientist, stationed aboard the USNS Bridge, part of the
14 U.S.S. Ronald Reagan Strike Force, whose homeport was Naval Base Kitsap in Bremerton,
15 Washington. Mr. Mello served as a Radiological Control Technician during Operation
16 Tomodachi, responsible for monitoring airborne contamination to determine any changes
17 in the contamination spread and helping decontaminate radiated helicopters returning from
18 rescue missions. He experienced injury as a result of Defendants' negligent and intentional
19 acts and omissions described herein, including fatigue, idiopathic atrial fibrillation, and
20 documented radiation exposure.

21 116. Plaintiff, RACHEL MENDEZ, is the mother of Ruby Perez, who died from
22 ovarian cancer that was caused by her exposure to radiation during Operation Tomodachi.
23 Ms. Mendez is currently a resident of the State of Texas.

24 117. Plaintiff, ANAIS MENDOZA-GASTELUM, was born April 11, 1990, and is
25 currently a resident of the State of Texas. At the time of Operation Tomodachi, she was a
26 Petty Officer Third Class with the VAQ 139 Squadron attached to the U.S.S. Ronald
27 Reagan, whose homeport was Naval Base San Diego in San Diego, California. Ms.

1 Gastelum served as an Aviation Ordnanceman during Operation Tomodachi, responsible
2 for maintenance on aircraft weapons and weapon systems, along with handling aircraft
3 equipment. She experienced injury as a result of Defendants' negligent and intentional
4 acts and omissions described herein, including but not limited reproductive issues,
5 alopecia, rashes, and headaches. Mrs. Gastelum is married to Blas Gastelum, and they
6 have a child together. Mr. and Mrs. Gastelum were caused to suffer, and will continue to
7 suffer in the future, loss of consortium, affection, and conjugal fellowship, all to the
8 detriment of their marital relationship.

9 118. Plaintiff, ROBERT MEYER, was born July 26, 1986 and is currently a
10 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
11 Officer First Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval
12 Base San Diego in San Diego, California. Mr. Meyer served as an Aviation Support
13 Equipment Technician during Operation Tomodachi, responsible for serving as primary
14 decontamination technician. He experienced injury as a result of Defendants' negligent
15 and intentional acts and omissions described herein, including but not limited to sleep
16 problems, memory loss, and fear and anxiety over his radiation exposure.

17 119. Plaintiff, JEREMY MICHAUD, was born November 8, 1989, and is currently
18 a resident of the State of Connecticut. At the time of Operation Tomodachi, he was a
19 Seaman stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
20 Diego in San Diego, California. Mr. Michaud served as an Aviation Boatswainmate
21 Handler in the V-1 division during Operation Tomodachi, responsible for working on the
22 flight deck handling chocks and chains, driving tractors to park the aircraft and handling
23 aircraft coming on and off the ship for aid missions to Japan, and stocking aircraft with
24 pallets of food, water and other materials for delivery to the Japanese. He experienced
25 injury as a result of Defendants' negligent and intentional acts and omissions described
26 herein, including but not limited to chronic migraines and weight fluctuations. Mr.
27 Michaud is married to Emily Michaud. As a result of the wrongful and negligent acts of

1 the Defendants, Mr. and Mrs. Michaud were caused to suffer, and will continue to suffer
2 in the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
3 their marital relationship.

4 120. Plaintiff, ZACHARY MILLER, was born August 2, 1989 and is currently a
5 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
6 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
7 Naval Base San Diego in San Diego, California. Mr. Miller served as a technician during
8 Operation Tomodachi, responsible for loading helicopters with food and supplies for
9 humanitarian missions. He experienced injury as a result of Defendants' negligent and
10 intentional acts and omissions described herein, including but not limited to anxiety,
11 depression, and symptoms of post-traumatic stress disorder. Mr. Miller is married to
12 Rebecca Miller. Mr. and Mrs. Miller were caused to suffer, and will continue to suffer in
13 the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
14 their marital relationship.

15 121. Plaintiff, BRANDON MONTGOMERY, was born June 13, 1982 and is
16 currently a resident of the State of Arizona. At the time of Operation Tomodachi, he was
17 a Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport
18 was Naval Base San Diego in San Diego, California. Mr. Montgomery served as a
19 Disbursing and Quality Assurance Officer in the Supply Division during Operation
20 Tomodachi, responsible for overseeing disbursing operations onboard the ship. He
21 experienced injury as a result of Defendants' negligent and intentional acts and omissions
22 described herein, including but not limited elbow issues requiring surgery, costochondritis,
23 pain in chest, depression, insomnia, and severe night sweats.

24 122. Plaintiff, HERBERT MOORE, was born December 3, 1981 and is currently
25 a resident of the State of Minnesota. At the time of Operation Tomodachi, he was a Petty
26 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
27 Naval Base San Diego in San Diego, California. Mr. Moore served as a Machinist's Mate

1 during Operation Tomodachi, responsible for working in the ship's propulsion unit and
2 assisting decontamination efforts by scrubbing down radiated areas. He experienced injury
3 as a result of Defendants' negligent and intentional acts and omissions described herein,
4 including but not limited to multiple sclerosis, chronic fatigue, abnormal memory loss,
5 slurred speech, headaches, balance problems and dizzy spells.

6 123. Plaintiff, ESMERALDA MORALES, was born January 11, 1987 and is
7 currently a resident of the State of California. At the time of Operation Tomodachi, she
8 was a Seaman stationed aboard U.S.S. Ronald Reagan, whose homeport was Naval Base
9 San Diego in San Diego, California. Ms. Morales served as an Undesignated Seaman V-4
10 Fuels during Operation Tomodachi, responsible for assisting the electrician mates and
11 occasionally assisting with the humanitarian efforts on the flight deck. She experienced
12 injury as a result of Defendants' negligent and intentional acts and omissions described
13 herein, including but not limited to chronic migraines, depression, anxiety, and symptoms
14 of post-traumatic stress disorder.

15 124. Plaintiff, JOSEPH MULDER, was born May 20, 1973 and is currently a
16 resident of the State of Florida. At the time of Operation Tomodachi, he was a Senior Chief
17 Petty Officer stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
18 San Diego in San Diego, California. Mr. Mulder served in the Supply Aviation Support
19 Division during Operation Tomodachi, responsible for supervising work parties on the
20 flight deck, repairing and decontaminating parts brought down to supply division, and
21 measuring the levels of radiation of items going on and off aircrafts. He experienced injury
22 as a result of Defendants' negligent and intentional acts and omissions described herein,
23 including but not limited to sleep apnea, increased thyroid levels, bulging herniated disc,
24 shoulder and right arm pain, back and spinal arthritis and cartilage deterioration resulting
25 in extensive rounds of injections and surgery. Mr. Mulder is married to Dianna Mulder.
26 Mr. and Mrs. Mulder were caused to suffer, and will continue to suffer in the future, loss
27

1 of consortium, affection, and conjugal fellowship, all to the detriment of their marital
2 relationship.

3 125. Plaintiff, JONATHAN MULDOWNEY, is currently a resident of State of
4 Georgia. At the time of Operation Tomodachi, he was stationed aboard the U.S.S. George
5 Washington. Mr. Muldowney served as a Flight Deck Director with the Air department
6 during Operation Tomodachi, responsible for dismantling the flagstaff and coordinating
7 flight deck scrubs to remove as much radiation as possible from exposed equipment. Mr.
8 Muldowney spent most of his time on the flight deck, handled materials from that had high
9 levels of radiation, and had his clothing confiscated due to high levels of radiation. He
10 experienced injury as a result of Defendants' negligent and intentional acts and omissions
11 described herein, including but not limited to an aggressive form of ulcerative colitis,
12 requiring the removal of his entire colon, extreme weight lost, a reduced quality of life and
13 six additional surgeries.

14 126. Plaintiff, CHARLES R. MURPHY, was born May 22, 1988 and is currently
15 a resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, he was
16 a Petty Officer Second Class stationed aboard the U.S.S. Mustin, whose homeport was
17 United States Fleet Activities Yokosuka. Mr. Murphy served as an Operation Specialist
18 during Operation Tomodachi, responsible for checking and repairing communication
19 systems, and assisted in drawing the outlines and boundaries of zones for relief efforts to
20 stay within. He experienced injury as a result of Defendants' negligent and intentional acts
21 and omissions described herein, including but not limited to anxiety issues. Mr. Murphy
22 is married to Lucia Murphy. Mr. and Mrs. Murphy were caused to suffer, and will continue
23 to suffer in the future, loss of consortium, affection, and conjugal fellowship, all to the
24 detriment of their marital relationship.

25 127. Plaintiff, EION NELSON, was born June 15, 1989 and is currently a resident
26 of State of Oregon. At the time of Operation Tomodachi, he was a Lance Corporal attached
27 to Combat Logistics Regiment 35 in Sendai, Japan. Mr. Nelson served as Support Wide
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1 Area Network Satellite Communications Operator during Operation Tomodachi,
2 responsible for setting up primary communications with backside support for the operation
3 on behalf of the Marine element, removing debris to help recreate a functioning airport,
4 sifting through debris for personal effects to return to proper owners, reporting bodies
5 discovered to local police for identification and notification of next of kin, and cleaning
6 out a technical high school so students could return to classes. He experienced injury as a
7 result of Defendants' negligent and intentional acts and omissions described herein,
8 including but not limited to swollen veins, fibromyalgia, lupus, gastroparesis and
9 degenerative disc disease.

10 128. Plaintiff, GARRETT NELSON, was born May 2, 1991, and is currently a
11 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
12 Officer Second Class stationed aboard the U.S.S. Shiloh, whose homeport was Naval Base
13 Yokosuka. Mr. Nelson served as a Boatswain's Mate during Operation Tomodachi,
14 responsible for landing helicopters for 6 weeks, coxswain duties, painting the ship and
15 performing maintenance of the topside of the ship. He experienced injury as a result of
16 Defendants' negligent and intentional acts and omissions described herein, including but
17 not limited to insomnia, sleep apnea, and mental and emotional stress. Mr. Nelson is
18 currently married to Keila Nelson. As a result of the wrongful and negligent acts of the
19 Defendants, Mr. and Mrs. Nelson were caused to suffer, and will continue to suffer in the
20 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
21 marital relationship.

22 129. Plaintiff, ROBERT OCHOA, was born December 31, 1978 and is currently a
23 resident of State of California. At the time of Operation Tomodachi, he was a Petty Officer
24 Second Class stationed aboard the U.S.S. Mustin. Mr. Ochoa served as an Electricians
25 Mate during Operation Tomodachi, responsible for preparing and repairing the rafts that
26 helicopters would land on as they were coming on and off the ship for missions. He also
27 served on the human remains recovery team, assisting in the search and recovery of bodies

1 in the debris-filled water in order to send them back to shore in caskets for proper burials.
2 He experienced injury as a result of Defendants' negligent and intentional acts and
3 omissions described herein, including nightmares, aggravated joint issues, and mental
4 health issues.

5 130. Plaintiff, GLENN OFORI, was born September 23, 1978 and is currently a
6 resident of the State of Maryland. At the time of Operation Tomodachi, he was a Chief
7 Petty Officer stationed at Yokosura and attached to the U.S.S. George Washington. Mr.
8 Ofori served as a personnel officer and transportation officer during Operation Tomodachi,
9 responsible for coordinating the evacuation of dependents. He experienced injury as a
10 result of Defendants' negligent and intentional acts and omissions described herein,
11 including but not limited to skin conditions, sleeplessness, and knee problems.

12 131. Plaintiff, LUKE OPYD, was born July 21, 1987 and is currently a resident of
13 the State of New York. At the time of Operation Tomodachi, he was a Seaman stationed
14 aboard the U.S.S. McCampbell. The U.S.S. McCampbell was the first US Navy vessel on
15 station off northeastern Honshu, Japan to assist with relief efforts after the earthquake and
16 deliver food and supplies directly to survivors, then aided in at-sea rescue efforts with
17 Japanese authorities. Mr. Opyd served as an Aviation Electricians Mate during Operation
18 Tomodachi, responsible for ensuring the transport of supplies from the ship to the people
19 on the ground by organizing the necessary supplies in the hanger and loading the supplies
20 on the helicopter to do drop-offs. He experienced injury as a result of Defendants'
21 negligent and intentional acts and omissions described herein, including but not limited to
22 post-traumatic stress disorder, depression and anxiety over his radiation exposure, sleep
23 apnea, and other sleep disorders. Mr. Opyd is married to Myra Opyd, who has been
24 impacted by his sleeping trouble and his mental health. As a result of the wrongful and
25 negligent acts of the Defendants, Mr. and Mrs. Opyd were caused to suffer, and will
26 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
27 to the detriment of their marital relationship.

1 132. Plaintiff, TIM PALMER, was born May 28, 1990 and is currently a resident
2 of the State of New York. At the time of Operation Tomodachi, he was stationed aboard
3 the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego in San Diego,
4 California. Mr. Palmer experienced injury as a result of Defendants' negligent and
5 intentional acts and omissions described herein, including but not limited to bleeding in his
6 gastrointestinal tract and an acromioclavicular separation that required removal of part of
7 his collar bone. Mr. Palmer is married to Rachal Palmer and they have a child together.
8 As a result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Palmer were
9 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
10 conjugal fellowship, all to the detriment of their marital relationship.

11 133. Plaintiff, JAYSEN PATAO, was born November 13, 1989 and is currently a
12 resident of the State of Hawaii. At the time of Operation Tomodachi, he was a Seaman
13 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
14 in San Diego, California. Mr. Patao served as an Information Systems Technician during
15 Operation Tomodachi, responsible for operating and maintaining global satellite
16 telecommunications systems and serving as administrator on mainframe computers and
17 local networks. He experienced injury as a result of Defendants' negligent and intentional
18 acts and omissions described herein, including but not limited to atrophy in his right hand,
19 deteriorating and thinning of his spinal cord, and mental stress over his exposure to
20 radiation.

21 134. Plaintiff, NATHAN PENA, was born May 30, 1991 and is currently a resident
22 of the State of Washington. At the time of Operation Tomodachi, he was a Seaman
23 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
24 in San Diego, California. Mr. Pena served as an Airman during Operation Tomodachi,
25 responsible for maintaining aviation support equipment and compartments, standing
26 security watches, assisting the decontamination work party on the flight deck by cleaning
27 equipment and helping officers with protective gear, and assisting in the lock-down of the

1 ship. He experienced injury as a result of Defendants' negligent and intentional acts and
2 omissions described herein, including but not limited to mental and emotional stress over
3 his known radiation exposure. Mr. Pena is married to Sonia Pena. Mr. and Mrs. Pena were
4 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
5 conjugal fellowship, all to the detriment of their marital relationship.

6 135. Plaintiff, JOSHUA PEOPLES, was born August 29, 1990 and is currently a
7 resident of the State of Florida. At the time of Operation Tomodachi, he was a Seaman
8 stationed aboard the U.S.S. Chancellorsville, part of the U.S.S. Ronald Reagan Carrier
9 Strike Group. During Operation Tomodachi, Mr. Peoples's duties changed daily, but
10 included distributing supplies and serving as lookout. He experienced injury as a result of
11 Defendants' negligent and intentional acts and omissions described herein, including but
12 not limited to gross hematuria, two cystoscopies, issues with his left knee requiring
13 physical therapy, memory loss, mood swings, post-traumatic stress disorder, reproductive
14 issues, restless leg syndrome, dead toe nails and cellulitis. Mr. Peoples is married to Katie
15 Peoples. As a result of the wrongful and negligent acts of the Defendants, Mr. and Mrs.
16 Peoples were caused to suffer, and will continue to suffer in the future, loss of consortium,
17 affection, and conjugal fellowship, all to the detriment of their marital relationship.

18 136. Plaintiff, ALEJANDRO PEREZ, was born October 24, 1981 and is currently
19 a resident of the State of Texas. At the time of Operation Tomodachi, he was a Chief Petty
20 Officer stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
21 Diego in San Diego, California. Mr. Perez served as an Aviation Boatswain's Mate during
22 Operation Tomodachi. He experienced injury as a result of Defendants' negligent and
23 intentional acts and omissions described herein, including but not limited to throat pain,
24 enlarged tonsils, onset of allergies, and reproductive issues. Mr. Perez is married to Monica
25 Perez, who has been directly impacted by the aforementioned injuries. As a result of the
26 wrongful and negligent acts of the Defendants, Mr. and Mrs. Perez were caused to suffer,
27

1 and will continue to suffer in the future, loss of consortium, affection, and conjugal
2 fellowship, all to the detriment of their marital relationship.

3 137. Plaintiff, TRANG PHAM, was born January 1, 1968, and is currently a
4 resident of the State of Georgia. At the time of Operation Tomodachi, she was a Petty
5 Officer Second Class assigned to the Aircraft Intermediate Maintenance Detachment
6 stationed at Naval Air Facility Atsugi. Ms. Pham served as a Logistics Specialist during
7 Operation Tomodachi, responsible for packaging frisked radiation aircraft and shipping
8 parts to be repaired. She experienced injury as a result of Defendants' negligent and
9 intentional acts and omissions described herein.

10 138. Plaintiff, CHANRATHANA PHUN, was born March 6, 1988 and is currently
11 a resident of the State of Washington. At the time of Operation Tomodachi, he was a
12 Seaman Apprentice stationed aboard the U.S.S. Mustin, whose homeport was United States
13 Fleet Activities Yokosuka. Mr. Phun served as a Gas Turbon Systems Electrician during
14 Operation Tomodachi, responsible for scanning and recording radiation levels on the ship's
15 air filters. He experienced injury as a result of Defendants' negligent and intentional acts
16 and omissions described herein, including but not limited to mental and emotional stress
17 over his radiation exposure. Mr. Phun is married to Laura Phun. Mr. and Mrs. Phun were
18 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
19 conjugal fellowship, all to the detriment of their marital relationship.

20 139. Plaintiff, TIMOTHY PIERCE, was born May 27, 1988 and is currently a
21 resident of the State of Oregon. At the time of Operation Tomodachi, he was a Petty
22 Officer Second Class with the VAQ-13 unit attached to the U.S.S. Ronald Reagan, whose
23 homeport was Naval Base San Diego in San Diego, California. Mr. Pierce served as an
24 Aviation Maintenance Administrationman during Operation Tomodachi, responsible for
25 recording and maintaining aircraft logs and reports. He experienced injury as a result of
26 Defendants' negligent and intentional acts and omissions described herein, including but
27 not limited to frequent migraines. Mr. Pierce is married to Desiree Pierce. Mr. and Mrs.

1 Pierce were caused to suffer, and will continue to suffer in the future, loss of consortium,
2 affection, and conjugal fellowship, all to the detriment of their marital relationship.

3 140. Plaintiff, CHELSEA QUINTOG, was stationed during Operation Tomodachi,
4 aboard the U.S.S. Reagan, whose homeport was Naval Base San Diego in San Diego,
5 California. Ms. Quintog experienced injury as a result of Defendants' negligent and
6 intentional acts and omissions described herein.

7 141. Plaintiff, CLINTON RAMSIARE, participated in Operation Tomodachi, and
8 experienced injury as a result of Defendants' negligent and intentional acts and omissions
9 described herein.

10 142. Plaintiff, BRIAN RAWLINS, was born November 20, 1988 and is currently
11 a resident of the State of New York. At the time of Operation Tomodachi, he was a Petty
12 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
13 Naval Base San Diego in San Diego, California. Mr. Rawlins served as a Fire Control and
14 Radar Technician during Operation Tomodachi, responsible for inspecting hatches and
15 hanger doors for radiation. He experienced injury as a result of Defendants' negligent and
16 intentional acts and omissions described herein, including but not limited to severe fatigue,
17 sharp bodily pains in his chest, neck and shoulders, and painful swollen lymph nodes.

18 143. Plaintiff, CYRUS REA, was born August 2, 1974 and is currently a resident
19 of the State of Washington. At the time of Operation Tomodachi, he was a Petty Officer
20 Second Class stationed aboard the U.S.S. Mustin, whose homeport was United States Fleet
21 Activities Yokosuka. Mr. Rea served as a Gas Turbon Mechanic during Operation
22 Tomodachi, responsible for cleaning and decontaminating the engines, served on the
23 human remains recovery team, and was sent on the ground to Sendai, Japan to assist in
24 relief efforts. He experienced injury as a result of Defendants' negligent and intentional
25 acts and omissions described herein, including but not limited to mental stress over his
26 radiation exposure.

1 144. Plaintiff, TERESA READY, individually and as administrator of the
2 ESTATE OF JESSE READY, is a resident of the State of Mississippi. At the time of
3 Operation Tomodachi, Ms. Ready was married to Jesse Ready. During Operation
4 Tomodachi, she and her two children lived with her husband in Yokosuka, Japan. Mr.
5 Ready was a Lieutenant stationed aboard the U.S.S. Shiloh, part of the U.S.S. Ronald
6 Reagan Carrier Strike Group. During Operation Tomodachi, Mr. Ready worked as a
7 System Test Officer, responsible for search and rescue mission, pulling deceased bodies
8 out of the water gong up to Sendai, Japan. He experienced injury as a result of Defendants'
9 negligent and intentional acts and omissions described herein, including tumors located in
10 his throat and brain. He was diagnosed with lymphoma, which resulted in his death on
11 January 11, 2016. Ms. Ready was exposed to radiation as a result of living with her
12 husband in Japan at the time of Operation Tomodachi.

13 145. Plaintiff, TERESA READY, on behalf of and for her minor daughter, A.R., is
14 a resident of the State of Mississippi. A.R. is the minor daughter of Teresa Ready and Jesse
15 Ready, deceased. At the time of Operation Tomodachi, A.R. lived with Jesse and Teresa
16 Ready in Yokosuka, Japan, where Mr. Ready was stationed. A.R. was thus exposed to
17 radiation from the FNPP.

18 146. Plaintiff, JACOB REED, was born August 15, 1990 and is currently a resident
19 of the State of Oregon. At the time of Operation Tomodachi, he was a Petty Officer Third
20 Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
21 Diego, in San Diego California. Mr. Reed served as an Interior Communications
22 Electrician during Operation Tomodachi, responsible for performing maintenance on
23 interior communication systems, data conversion and distribution systems, and aviation
24 monitoring. He also conducted hatch watches on doors leading to the exterior of the ship,
25 for six to eight hours every night. He experienced injury as a result of Defendants'
26 negligent and intentional acts and omissions described herein, including but not limited to
27 severe anxiety.

1 147. Plaintiff, BALTHAZAR REFORSADO, is currently a resident of the State of
2 Washington. At the time of Operation Tomodachi, he was stationed aboard the U.S.S.
3 Ronald Reagan, whose homeport was Naval Base San Diego, in San Diego California. He
4 experienced injury as a result of Defendants' negligent and intentional acts and omissions
5 described herein.

6 148. Plaintiff, CAMERON REID, was born April 20, 1990 and is currently a
7 resident of the State of California. At the time of Operation Tomodachi, he was a Lance
8 Corporal assigned to the 31st Expeditionary Marine Unit stationed aboard the U.S.S. Essex,
9 whose homeport was Naval Base San Diego in San Diego, California. Mr. Reid served as
10 an Intel Analyst during Operation Tomodachi, responsible for assisting in the cleanup
11 efforts and decontamination work parties on the flight deck. He experienced injury as a
12 result of Defendants' negligent and intentional acts and omissions described herein,
13 including but not limited to chronic migraines, anxiety, post-traumatic stress disorder, and
14 psoriasis. Mr. Reid is married to Alaura Reid. Mr. and Mrs. Reid were caused to suffer,
15 and will continue to suffer in the future, loss of consortium, affection, and conjugal
16 fellowship, all to the detriment of their marital relationship.

17 149. Plaintiff, ANGELINA REYNA, was born April 2, 1989 and is currently a
18 resident of the State of Nevada. At the time of Operation Tomodachi, she was a Petty
19 Officer Second Class stationed aboard the U.S.S. Curtis Wilber. Ms. Reyna served as a
20 Fire Controlman during Operation Tomodachi, responsible for topside observation and
21 guns, management of a maritime GPS, and maintenance of the ship's weapons. She
22 experienced injury as a result of Defendants' negligent and intentional acts and omissions
23 described herein, including but not limited to fibromyalgia, joint problems, severe
24 headaches and reproductive issues.

25 150. Plaintiff, QUENTIN RICHARDSON, was born December 25, 1986 and is
26 currently a resident of the Commonwealth of Virginia. At the time of Operation
27 Tomodachi, he was a Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan,
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1 whose homeport was Naval Base San Diego in San Diego, California. Mr. Richardson
2 served as a Cook during Operation Tomodachi, responsible for preparing food for the crew
3 and delivering lunches to Sailors in other locations. He experienced injury as a result of
4 Defendants' negligent and intentional acts and omissions described herein, including but
5 not limited to migraines, hair loss and hematochezia.

6 151. Plaintiff, WILLIAM E. RIGBY, was born July 22, 1989 and is currently a
7 resident of the State of New York. At the time of Operation Tomodachi, he was a Petty
8 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
9 Naval Base San Diego in San Diego, California. Mr. Rigby served as a Nuclear Electrician
10 during Operation Tomodachi, responsible for maintenance of support equipment on the
11 ship to ensure operation of engines and throttle control. He experienced injury as a result
12 of Defendants' negligent and intentional acts and omissions described herein.

13 152. Plaintiff, DEVIN RITCHEY, was born April 7, 1987 and is currently a
14 resident of the State of Texas. At the time of Operation Tomodachi, he was a Petty Officer
15 Third Class stationed at the Naval Air Facility Atsugi in Atsugi, Japan and was assigned to
16 the U.S.S. George Washington, whose homeport was Norfolk Naval Base in Norfolk,
17 Virginia. Mr. Ritchey served as an Aviation Machinist's Mate during Operation
18 Tomodachi, responsible for operation, maintenance and repairs of helicopters used in the
19 relief efforts. He experienced injury as a result of Defendants' negligent and intentional
20 acts and omissions described herein, including but not limited to anxiety, trouble sleeping,
21 digestion issues and headaches. Mr. Ritchey is married to Brittney Wachner and they have
22 one daughter. As a result of the wrongful and negligent acts of the Defendants, Mr. Ritchey
23 and Ms. Wachner were caused to suffer, and will continue to suffer in the future, loss of
24 consortium, affection, and conjugal fellowship, all to the detriment of their marital
25 relationship.

26 153. Plaintiff, PEDRO RODRIGUEZ, participated in Operation Tomodachi, and
27 experienced injury as a result of Defendants' negligent and intentional acts and omissions

1 described herein. Mr. Rodriguez is married to Susan Rodriguez. Mr. and Mrs. Rodriguez
2 were caused to suffer, and will continue to suffer in the future, loss of consortium, affection,
3 and conjugal fellowship, all to the detriment of their marital relationship.

4 154. Plaintiff, CESAR SALGADO, was born August 13, 1988 and is currently a
5 resident of the State of Florida. At the time of Operation Tomodachi, he was a Culinary
6 Specialist stationed at the United States Fleet Activities Naval Base in Yokosuka, Japan
7 from July 2010 to March 2015. He experienced injury as a result of Defendants' negligent
8 and intentional acts and omissions described herein, including but not limited to renal cell
9 carcinoma requiring partial nephrectomy surgery to remove the cancerous tumor. He
10 requires check-ups every six months to ensure the cancer has not returned. Mr. Salgado is
11 married to Lydia Salgado and they have two children together. Mr. and Mrs. Salgado were
12 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
13 conjugal fellowship, all to the detriment of their marital relationship.

14 155. Plaintiff, TYLER SATTERWHITE, was born August 29, 1987 and is
15 currently a resident of the State of North Carolina. At the time of Operation Tomodachi,
16 he was a Petty Officer Second Class stationed aboard the U.S.S. Cowpens, whose homeport
17 was Naval Base San Diego in San Diego, California. Mr. Satterwhite served as a Fire
18 Controlman during Operation Tomodachi, responsible for operating and repairing missile
19 systems, working with the counter piracy and anti-terrorism team, and packing and loading
20 boxes onto carrier ships for humanitarian relief. He experienced injury as a result of
21 Defendants' negligent and intentional acts and omissions described herein, including but
22 not limited to femoroacetabular impingement in both hips, and mental and emotional stress
23 from his exposure to radiation.

24 156. Plaintiff, TIFFANY SCHAD, was born August 18, 1964 and is currently a
25 resident of the Commonwealth of Virginia. At the time of Operation Tomodachi, she was
26 a Captain assigned to the 7th Fleet aboard the U.S.S. Ronald Reagan, whose homeport was
27 Naval Base San Diego in San Diego, California. Ms. Schad served as a Supply Captain

1 during Operation Tomodachi, responsible for the supervision and operation of the
2 humanitarian effort for the Supply Department involving the loading of food, water,
3 blankets and other relief supplies from the ship to the helicopters to the shore sites. Ms.
4 Schad experienced injury as a result of Defendants' negligent and intentional acts and
5 omissions described herein.

6 157. Plaintiff, BRETT SCHMIDT, was born October 20, 1988 and is currently a
7 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
8 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
9 Naval Base San Diego in San Diego, California. Mr. Schmidt served as an Information
10 Systems Technician during Operation Tomodachi, responsible for working twelve-hour
11 shift watches in security, in charge of maintaining boundaries between contaminated crew
12 members and clean, non-contaminated spaces on the ship. He experienced injury as a result
13 of Defendants' negligent and intentional acts and omissions described herein, including
14 but not limited to anxiety over his radiation exposure, back pain, headaches, lack of focus,
15 trouble sleeping, vision issues, and psoriasis. He is married to Inez Schmidt, and they have
16 two daughters. Mr. and Mrs. Schmidt were caused to suffer, and will continue to suffer in
17 the future, loss of consortium, affection, and conjugal fellowship, all to the detriment of
18 their marital relationship.

19 158. Plaintiff, MICHELLE SCOTT, was born July 3, 1990 and is currently a
20 resident of the State of California. At the time of Operation Tomodachi, she was a Petty
21 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
22 Naval Base San Diego in San Diego, California. Ms. Scott served as an Operation
23 Specialist during Operation Tomodachi, responsible for the operation of radar, navigation,
24 and communications equipment aboard the ship. She experienced injury as a result of
25 Defendants' negligent and intentional acts and omissions described herein.

26 159. Plaintiff, JOSHUA SEGREE, was born January 5, 1990 and is currently a
27 resident of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer

1 Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
2 San Diego in San Diego, California. Mr. Segree served as an Electrician's Mate during
3 Operation Tomodachi, responsible for electrical receptacles throughout the ship, as well as
4 the repair, cleaning, and maintenance of the ventilation systems after they had been
5 contaminated during the radiation plume. He also worked on the various load centers
6 throughout the ship, which exposed him to all the designated contamination areas. He
7 experienced injury as a result of Defendants' negligent and intentional acts and omissions
8 described herein, including but not limited to severe abdominal pain, digestive issues,
9 stabbing pains in his chest, stomach, and back, coughing up blood, spells of severe nausea,
10 and hot flashes. Mr. Segree is a loving father to his two minor children, M.S. and H.S. His
11 infant son, H.S., was born prematurely and with breathing problems due to his lungs not
12 expanding properly.

13 160. Plaintiff, JOSHUA SEGREE, on behalf and for his infant son, H.S. is
14 currently a resident of the State of Florida. H.S. was born in 2017, after his father
15 participated in Operation Tomodachi. Due to his father's exposure to radiation, H.S. was
16 born prematurely and with breathing problems, due to his lungs not expanding properly.

17 161. Plaintiff, ERIC SEIBERT, was born April 6, 1989 and is currently a resident
18 of Dedeo, in the United States territory of Guam. At the time of Operation Tomodachi, he
19 was a Lance Corporal stationed at Marine Corps Air Station Iwakuni. Mr. Seibert served
20 as an Electrician during Operation Tomodachi, responsible for operating necessary
21 generators and serving on the first responder team to go into Sendai, Japan, after the
22 disaster. He experienced injury as a result of Defendants' negligent and intentional acts
23 and omissions described herein, including but not limited to difficulty sleeping, asthma,
24 fibromyalgia, stomach and gastrointestinal issues, and chronic migraines. Mr. Seibert is
25 married to Charlene Seibert. Mr. and Mrs. Seibert were caused to suffer, and will continue
26 to suffer in the future, loss of consortium, affection, and conjugal fellowship, all to the
27 detriment of their marital relationship.

1 162. Plaintiff, JERRID SEVART, was born July 14, 1983 and is currently a
2 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
3 Officer Second Class attached to the FRIA Radiation Decontamination Team First
4 responders based out of Atsugi, Japan. Mr. Sevart served as a Data Analyst for the
5 detachment group during Operation Tomodachi, responsible for cleaning radioactive
6 aircraft equipment. He experienced injury as a result of Defendants' negligent and
7 intentional acts and omissions described herein, including but not limited to muscle
8 spasms, skin problems, severe headaches, nosebleeds, and coughing up blood.

9 163. Plaintiff, QUINCY SHEPHERD, was born January 22, 1987 and is currently
10 a resident of the State of Arkansas. At the time of Operation Tomodachi, he was stationed
11 aboard the U.S.S. Ronald Reagan, whose homeport was Naval base San Diego in San
12 Diego, California. He experienced injury as a result of Defendants' negligent and
13 intentional acts and omissions described herein, including but not limited to shortness of
14 breath, headaches, depression and anxiety, and mental health problems.

15 164. Plaintiff, CARL SLAUBAUGH, was born September 21, 1972 and is
16 currently a resident of the State of Texas. At the time of Operation Tomodachi, he was a
17 Petty Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport
18 was Naval Base San Diego in San Diego, California. Mr. Slaubaugh served as a Logistics
19 Specialist during Operation Tomodachi, responsible for custody of the tool room and
20 maintenance of tools used to repair aircraft. He experienced injury as a result of
21 Defendants' negligent and intentional acts and omissions described herein, including but
22 not limited to headaches, swollen extremities, gastrointestinal problems and chronic cough.

23 165. Plaintiff, AARON SMITH, participated in Operation Tomodachi, and
24 experienced injury as a result of Defendants' negligent and intentional acts and omissions
25 described herein.

26 166. Plaintiff, GREGORY SMITH, was born December 21, 1969 and is currently
27 a resident of the State of Louisiana. At the time of Operation Tomodachi, he was a
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1 Specialist in the United States Army stationed at Camp Zama, Japan. Mr. Smith served as
2 a Military Food Inspection Specialist for the United States Army and Navy during
3 Operation Tomodachi, responsible for conducting radiation detection services and
4 inspecting all food and food deliveries for radiation contamination at Camp Zama in Zama,
5 Japan, Sagamihara Housing in Sagamihara Japan, Naval Air Facility Atsugi in Atsugi,
6 Japan, and the Sagami General Depot in Sagami, Japan. He experienced injury as a result
7 of Defendants' negligent and intentional acts and omissions described herein, including
8 but not limited to memory loss, headaches, and diagnosed with papillary thyroid cancer,
9 with growths in his head, requiring the surgical removal of his thyroid.

10 167. Plaintiff, JUSTIN SMITH, is currently a resident of the State of Texas. He
11 participated in Operation Tomodachi, and experienced injury as a result of Defendants'
12 negligent and intentional acts and omissions described herein.

13 168. Plaintiff, MELLONY SNYDER, was born August 14, 1978 and is currently
14 a resident of the State of Texas. At the time of Operation Tomodachi, she was a Petty
15 Officer Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
16 Naval Base San Diego in San Diego, California. Ms. Snyder served as an Anti-
17 Surface/Subsurface Tactical Air Controller during Operation Tomodachi, responsible for
18 assisting in daily search and rescue operations from sea combat, standing six hour watches
19 to receive search and rescue reports from the pilots of P-3 Orions, F-18s and helicopters,
20 and providing search pattern instructions from inside sea combat. She experienced injury
21 as a result of Defendants' negligent and intentional acts and omissions described herein,
22 including but not limited to a tumor on her left thyroid, requiring the removal of her left
23 thyroid, and follicular thyroid carcinoma. She will require a complete thyroidectomy in
24 the future and radioiodine therapy for treatment of thyroid cancer.

25 169. Plaintiff, SHENNY SOLIS, was born August 10, 1990 and is currently a
26 resident of the State of California. At the time of Operation Tomodachi, she was a Petty
27 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was

1 Naval Base San Diego in San Diego, California. Ms. Solis served as an Aviation
2 Boatswain's Mate during Operation Tomodachi, responsible for providing maintenance on
3 launch and recovery equipment. She experienced injury as a result of Defendants'
4 negligent and intentional acts and omissions described herein, including but not limited to
5 a cyst on her right vocal cord and hair loss.

6 170. Plaintiff, CRYSTAL SOUDER, was born August 10, 1988 and is currently a
7 resident of the State of California. At the time of Operation Tomodachi, she was a Seaman
8 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
9 in San Diego, California. Mrs. Souder served as a Boatswain's Mate during Operation
10 Tomodachi, responsible for conducting standing watches outside and ship preservation of
11 the flight deck. She experienced injury as a result of Defendants' negligent and intentional
12 acts and omissions described herein, including but not limited to women's health issues,
13 the removal of her appendix, headaches, ringing in her ears, blurry vision, anemia, weigh
14 fluctuation, and gastrointestinal system fissures. Mrs. Souder is married to James Souder,
15 a fellow Sailor at the time of Operation Tomodachi, and they have a son together. As a
16 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Souder were
17 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
18 conjugal fellowship, all to the detriment of their marital relationship.

19 171. Plaintiff, JAMES SOUDER, was born August 10, 1988 and is currently a
20 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
21 Officer First Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval
22 Base San Diego in San Diego, California. Mr. Souder served as an Operations Specialist
23 during Operation Tomodachi, responsible for conducting contamination door watches,
24 handling classified materials, tactical air control and material maintenance management.
25 He experienced injury as a result of Defendants' negligent and intentional acts and
26 omissions described herein, including but not limited to radiation sickness, consistent
27 nausea, acid reflux, frequent headaches, hematochezia, and regular exhaustion. Mr. Souder

1 is married to Crystal Souder and they have a son together. As a result of the wrongful and
2 negligent acts of the Defendants, Mr. and Mrs. Souder were caused to suffer, and will
3 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
4 to the detriment of their marital relationship.

5 172. Plaintiff, KYLE SPURLOCK, was born October 19, 1989 and is currently a
6 resident of the State of Kansas. At the time of Operation Tomodachi, he was a Seaman
7 stationed at the Naval Air Facility Misawa in Misawa, Japan. Mr. Spurlock served as an
8 Aviation Ordnanceman assigned to the HS-14, Helicopter Anti-Submarine Squadron 14,
9 during Operation Tomodachi, responsible for humanitarian flights over the affected areas
10 of Japan to conduct search and rescue operations and disaster relief. He experienced injury
11 as a result of Defendants' negligent and intentional acts and omissions described herein,
12 including but not limited to headaches, reproductive issues, and numbness in fingers and
13 lips.

14 173. Plaintiff, JUSTIN STEINMETZ, was born August 9, 1985, and is currently a
15 resident of the State of Washington. At the time of Operation Tomodachi, he was a Seaman
16 Recruit stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San
17 Diego in San Diego, California. Mr. Steinmetz served as an Aviation Boatswain's Mate
18 during Operation Tomodachi, responsible for supervising, spotting and securing aircrafts
19 and equipment for launches and landings, and helping to load the helicopters with food
20 supplies after the flight deck was deemed radiated. Mr. Steinmetz worked about fourteen
21 hours on the flight deck per day during Operation Tomodachi. He experienced injury as a
22 result of Defendants' negligent and intentional acts and omissions described herein,
23 including but not limited to trouble sleeping and severe anxiety.

24 174. Plaintiff, AMANDA STEMEN, was born December 17, 1984 and is
25 currently a resident of the State of the Ohio. She is married to Mr. Ronald Stemen, a Petty
26 Officer Second Class with the VAW-13 attached to the U.S.S. Ronald Reagan during
27 Operation Tomodachi. Ronald Steman was diagnosed with testicular cancer, requiring
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1 surgery. As result, he and Mrs. Stemen can no longer have natural born children without
2 the assistance of very costly reproductive technology. As a result of the wrongful and
3 negligent acts of the Defendants, Mr. and Mrs. Stemen were caused to suffer, and will
4 continue to suffer in the future, loss of consortium, affection, and conjugal fellowship, all
5 to the detriment of their marital relationship.

6 175. Plaintiff, RONALD STEMEN, was born October 14, 1986 and is currently a
7 resident of the State of Ohio. At the time of Operation Tomodachi, he was a Petty Officer
8 Second Class with the VAW-13 attached to the U.S.S. Ronald Reagan, whose homeport
9 was Naval Base San Diego in San Diego, California. Mr. Stemen served as an Aviation
10 Machinist's Mate during Operation Tomodachi, responsible for the final pre-flight
11 checking of the aircrafts deploying for airborne relief missions. He experienced injury as
12 a result of Defendants' negligent and intentional acts and omissions described herein,
13 including but not limited to severe anxiety, sensitivity to light, testicular cancer requiring
14 surgery, pain due to his cancer, reproductive issues, and removal of his appendix. Mr.
15 Stemen is married to Amanda Stemen. As a result of his injuries, Mr. and Mrs. Stemen
16 have lost the ability to have any natural born children together without the assistance of
17 expensive reproductive technology. As a result of the wrongful and negligent acts of the
18 Defendants, Mr. and Mrs. Stemen were caused to suffer, and will continue to suffer in the
19 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
20 marital relationship.

21 176. Plaintiff, LOWELL STEWART, was born July 31, 1986 and is currently a
22 resident of the State of Texas. At the time of Operation Tomodachi, he was a Petty Officer
23 Third Class in the United States Navy. In 2012, he was stationed aboard the U.S.S. Ronald
24 Reagan, whose homeport was Naval Base San Diego in San Diego, California. After
25 Operation Tomodachi, the U.S.S. Ronald Reagan was sent to Naval Base Kitsap in
26 Bremerton, Washington for overhaul. During this time, Mr. Stewart originally served as a
27 Nuclear Decontamination Technician, responsible for cleaning and scraping the one-inch

1 thick radiation-active paint off the island of the ship, then repainting the island for its next
2 deployment. He experienced injury as a result of Defendants' negligent and intentional
3 acts and omissions described herein, including but not limited to nose bleeds, complete loss
4 of all of his hair, chest pains, chronic headaches, chronic fatigue, eight deteriorated discs
5 and curvature of his spine, weight issues, severe digestive problems, depression and
6 anxiety. Mr. Stewart is married to Venita Stewart, and together they have a son. As a
7 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Stewart were
8 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
9 conjugal fellowship, all to the detriment of their marital relationship.

10 177. Plaintiff, DANIEL STROHL, participated in Operation Tomodachi, and
11 experienced injury as a result of Defendants' negligent and intentional acts and omissions
12 described herein.

13 178. Plaintiff, JOSE SUERO, was born September 13, 1989 and is currently a
14 resident of the State of Arizona. At the time of Operation Tomodachi, he was a Seaman
15 stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base San Diego
16 in San Diego, California. Mr. Suero served as an Aviation Boatswain's Mate during
17 Operation Tomodachi, responsible for assisting in the launch of helicopters providing relief
18 missions and delivering aid on land and conducting standing watches for hatches and doors
19 being monitored for radiation. He experienced injury as a result of Defendants' negligent
20 and intentional acts and omissions described herein, including but not limited to
21 pancreatitis, appendicitis, removal of appendix, removal of gall bladder, hemorrhoids, high
22 blood pressure, bone pain and fragility, and depression. After Operation Tomodachi, Mr.
23 Suero conceived a son, Y.S., who was born with asthma and has serious skin conditions.

24 179. Plaintiff, MARK SURTEL, was born October 5, 1988 and is currently a
25 resident of the State of Ohio. At the time of Operation Tomodachi, he was a Lance
26 Corporal with the 31st Marine Expeditionary Unit attached to the U.S.S. Harpers Ferry,
27 whose homeport was United States Fleet Activities Sasebo. Mr. Surtel served as an
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1 Intelligence Analyst during Operation Tomodachi, responsible for gathering intelligence,
2 writing intelligence briefs, and assembling pallets and cargo nets for supplies to load on
3 the helicopters on the flight deck. He experienced injury as a result of Defendants'
4 negligent and intentional acts and omissions described herein, including but not limited to
5 chronic migraines and anxiety. Mr. Surtel is married to Erika Surtel. Mr. and Mrs. Surtel
6 were caused to suffer, and will continue to suffer in the future, loss of consortium, affection,
7 and conjugal fellowship, all to the detriment of their marital relationship.

8 180. Plaintiff, NICHOLAS SWANN, was born April 29, 1985 and is currently a
9 resident of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer
10 Second Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval Base
11 San Diego in San Diego, California. Mr. Swann served as an Operations Specialist during
12 Operation Tomodachi, responsible for operations and security ECP, and external door
13 watches for a combination of ten hours a day. He experienced injury as a result of
14 Defendants' negligent and intentional acts and omissions described herein.

15 181. Plaintiff, BYRON SY, was born February 28, 1982, and is currently a resident
16 of the State of Nevada. At the time of Operation Tomodachi, he was a Staff Sergeant, Petty
17 Officer Second Class, for the United States Air Force stationed at Yokota Air Base in
18 Tokyo, Japan. Mr. Sy served as a Wing HQ Protocol Officer during Operation Tomodachi,
19 responsible for operating on the flight line, where he interacted with the aircrafts and
20 helicopters that were running operations in Sendai and Fukushima. He experienced injury
21 as a result of Defendants' negligent and intentional acts and omissions described herein,
22 including but not limited to post-traumatic stress disorder, sleep apnea, acid reflux, chronic
23 sinusitis, and plantar fasciitis. Mr. Sy is married to Janelle Sy and they have two children.
24 As a result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Sy were
25 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
26 conjugal fellowship, all to the detriment of their marital relationship.

1 182. Plaintiff, ALEXANDER TIDD, was born September 2, 1986, and is currently
2 a resident of the State of California. At the time of Operation Tomodachi, he was a Petty
3 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
4 Naval Base San Diego in San Diego, California. Mr. Tidd served as a Mass
5 Communication Specialist during Operation Tomodachi, responsible for serving as the
6 ship's photographer. He experienced injury as a result of Defendants' negligent and
7 intentional acts and omissions described herein, including but not limited to dizzy spells,
8 fatigue, and short-term memory problems.

9 183. Plaintiff, LOUIS TORRES, was born September 28, 1948 and is currently a
10 resident of the State of California. At the time of Operation Tomodachi, he was a
11 Department of Defense civilian contracted with the United States Navy, assigned to the
12 U.S.N.S. Bridge, whose homeport was Naval Base Kitsap in Bremerton, Washington. Mr.
13 Torres served as a Third Assistant Engineer during Operation Tomodachi, responsible for
14 working in the ship's propulsion plant. He experienced injury as a result of Defendants'
15 negligent and intentional acts and omissions described herein, including but not limited to
16 cataract in his left eye requiring surgery, severe double vision (diplopia), limited movement
17 in right eye, depression and anxiety, dizziness and disorientation, and myasthenia gravis,
18 an autoimmune disease that weakens muscles under voluntary control, making it difficult
19 to do regular chores and daily activities. As a result of his eye conditions and autoimmune
20 disorders, Mr. Torres can no longer drive an automobile or pursue any hobbies that require
21 the use of his hands due to loss of strength and tiring of his arms, hands and fingers.
22 Because of his illnesses, he has decreased earning capacity that has caused financial
23 hardship. Mr. Torres is married to Ines Torres, and together they have five children. As a
24 result of the wrongful and negligent acts of the Defendants, Mr. and Mrs. Torres were
25 caused to suffer, and will continue to suffer in the future, loss of consortium, affection, and
26 conjugal fellowship, all to the detriment of their marital relationship.

1 184. Plaintiff, CASEY TUCKER, was born June 27, 1985 and is currently a
2 resident of the State of Oregon. At the time of Operation Tomodachi, he was a Petty
3 Officer First Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was Naval
4 Base San Diego in San Diego, California. Mr. Tucker served as a SSES Information
5 Systems Technician during Operation Tomodachi, responsible for cleaning out the
6 contaminated air filters. He experienced injury as a result of Defendants' negligent and
7 intentional acts and omissions described herein, including but not limited to post-traumatic
8 stress disorder.

9 185. Plaintiff, RANDY VALENTIN, participated in Operation Tomodachi, and
10 experienced injury as a result of Defendants' negligent and intentional acts and omissions
11 described herein.

12 186. Plaintiff, GABRIEL VASQUEZ, was born September 7, 1989 and is currently
13 a resident of the State of California. At the time of Operation Tomodachi, he was a Seaman
14 stationed aboard the U.S.S Ronald Reagan, whose homeport was Naval Base San Diego in
15 San Diego, California. Mr. Vasquez served as a Logistics Specialist during Operation
16 Tomodachi, responsible for tracking, ordering, shipping and expediting all supplies
17 including aviation parts and anything needed to keep the ship and its crew functioning. He
18 experienced injury as a result of Defendants' negligent and intentional acts and omissions
19 described herein, including hip and toe injuries, trouble sleeping, and headaches.

20 187. Plaintiff, SHAWN VELASQUEZ, was born June 5, 1978 and is currently a
21 resident of the State of California. At the time of Operation Tomodachi, he was a Petty
22 Officer Second Class stationed at Fleet Activities Okinawa Naval Base in Okinawa, Japan.
23 Mr. Velasquez served as an IMRL Program Manager during Operation Tomodachi,
24 responsible for conducting search and reconnaissance missions flying over Fukushima.
25 Mr. Velasquez also served as a Tool Room Supervisor, responsible for tracking the daily
26 use of tools used on helicopters and planes after they returned from missions. After every
27 mission, the used tools and rags returned to the tool room for inventory check, many of

1 which returned radiated. He experienced injury as a result of Defendants' negligent and
2 intentional acts and omissions described herein, including but not limited to extreme
3 fatigue, hematochezia, stomach pains, and mental stress. Mr. Velasquez is married to
4 Midien Velasquez, and they have experienced reproductive issues. As a result of the
5 wrongful and negligent acts of the Defendants, Mr. and Mrs. Velasquez were caused to
6 suffer, and will continue to suffer in the future, loss of consortium, affection, and conjugal
7 fellowship, all to the detriment of their marital relationship.

8 188. Plaintiff, ROBERT VENABLE, is currently a resident of the Commonwealth
9 of Kentucky. He participated in Operation Tomodachi, and experienced injury as a result
10 of Defendants' negligent and intentional acts and omissions described herein.

11 189. Plaintiff, DONALD VOORHEES, was born November 2, 1948 and is
12 currently a resident of the State of Washington. At the time of Operation Tomodachi, he
13 was a Department of Defense civilian contracted with the United States Navy stationed
14 aboard the U.S.N.S. Bridge, whose homeport was Naval Base Kitsap in Bremerton,
15 Washington. Mr. Voorhees served as a Seaman ABW in the Military Sealift Command
16 Department during Operation Tomodachi, responsible cleaning various ventilation systems
17 on the ship and standing as watchman on the flight deck from March 13, 2011 through
18 March 30, 2011. He experienced injury as a result of Defendants' negligent and intentional
19 acts and omissions described herein, including but not limited to colon cancer, requiring
20 surgical removal.

21 190. Plaintiff, BRITTNEY WACHNER, was born August 11, 1991 and is
22 currently a resident of the State of Texas. At the time of Operation Tomodachi, she was a
23 Petty Officer Third Class assigned to the U.S.S. George Washington, whose homeport was
24 Naval Station Norfolk in Norfolk, Virginia. Ms. Wachner served as an Aviation Structural
25 Mechanic during Operation Tomodachi, responsible for maintaining and repairing utility
26 systems throughout the aircrafts. She also served on the radiation contamination work
27 party, where she was required to scan parts of the airplanes for radiation that are exposed

1 to ambient air, such as air filters and air-conditioning systems. If the parts being scanned
2 reached a certain level of radiation, she would clean the part and re-scan the levels.
3 Alternatively, if the part was highly radiated then she would remove and replace the part.
4 She experienced injury as a result of Defendants' negligent and intentional acts and
5 omissions described herein, including but not limited to thyroid issues, reproductive issues,
6 depression and anxiety. Ms. Wachner is married to Devin Ritchey and they have one
7 daughter. As a result of the wrongful and negligent acts of the Defendants, Mr. Ritchey
8 and Ms. Wachner were caused to suffer, and will continue to suffer in the future, loss of
9 consortium, affection, and conjugal fellowship, all to the detriment of their marital
10 relationship.

11 191. Plaintiff, WILLIAM WALSH, was born May 5, 1978 and is currently a
12 resident of the State of Maryland. At the time of Operation Tomodachi, he was a Petty
13 Officer Second Class stationed aboard the U.S.S. Mustin, whose homeport was Naval Base
14 Yokosuka. Mr. Walsh served as a Naval Aircrewman (Helicopter) during Operation
15 Tomodachi, responsible for conducting operations in and out of contaminated zones. He
16 experienced injury as a result of Defendants' negligent and intentional acts and omissions
17 described herein, including but not limited to mental stress due to his radiation exposure.

18 192. Plaintiff, PATRICK WALTON, was born February 8, 1980, and is currently
19 a resident of the State of Washington. At the time of Operation Tomodachi, he was a Petty
20 Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
21 Naval Base San Diego in San Diego, California. Mr. Walton served as a Ship Serviceman
22 during Operation Tomodachi, responsible for managing and operating the ship's retail and
23 service activities and maintaining the supply inventory. He experienced injury as a result
24 of Defendants' negligent and intentional acts and omissions described herein. Mr. Walton
25 is married to Christina Walton. As a result of the wrongful and negligent acts of the
26 Defendants, Mr. and Mrs. Walton were caused to suffer, and will continue to suffer in the
27

1 future, loss of consortium, affection, and conjugal fellowship, all to the detriment of their
2 marital relationship.

3 193. Plaintiff, BRIDGET WATERS, was stationed at the time of Operation
4 Tomodachi aboard the U.S.S. Essex, whose homeport was Naval Base San Diego in San
5 Diego, California. She experienced injury as a result of Defendants' negligent and
6 intentional acts and omissions described herein, including a brain tumor.

7 194. Plaintiff, KENNETH WETHERED, participated in Operation Tomodachi,
8 and experienced injury as a result of Defendants' negligent and intentional acts and
9 omissions described herein.

10 195. Plaintiff, CAROLYN FELIX WHITE, was born October 16, 1979, and is
11 currently a resident of the State of California. At the time of Operation Tomodachi, she
12 was a Petty Officer First Class stationed aboard the U.S.S Ronald Reagan, whose homeport
13 was Naval Base San Diego in San Diego, California. Ms. Felix White served as an
14 Aviation Machinist Mate during Operation Tomodachi, responsible for performing
15 scheduled and unscheduled maintenance on SH-60F/HH-60H aircrafts on the flight deck
16 that had been flying over Fukushima in direct support of Operation Tomodachi. If the
17 aircrafts were too radiated, she would clean the aircraft prior to carrying out her
18 maintenance duties, acting as HS-4 Power plants Technician and Phase Coordinator. She
19 experienced injury as a result of Defendants' negligent and intentional acts and omissions
20 described herein, including but not limited to headaches, weight issues, fatigue, severe
21 anxiety and post-traumatic stress disorder.

22 196. Plaintiff, TIM WHITE, participated in Operation Tomodachi, and
23 experienced injury as a result of Defendants' negligent and intentional acts and omissions
24 described herein.

25 197. Plaintiff, ELOI WHITEMAN, was born December 1, 1949, and is currently a
26 resident of the State of California. At the time of Operation Tomodachi, he was a civilian-
27 contracted TSA Officer (GS-13), stationed aboard the U.S.S. Ronald Reagan, whose

1 homeport was Naval Base San Diego in San Diego, California. Mr. Whiteman served as a
2 Customer Service Engineer during Operation Tomodachi, responsible for servicing and
3 managing Xerox systems throughout the ship including all areas exposed to the
4 environment. He experienced injury as a result of Defendants' negligent and intentional
5 acts and omissions described herein, including but not limited to shortness of breath
6 resulting in respiratory system failure, dysuria, elevated stress, and sleep problems.

7 198. Plaintiff, JEFFREY A. WILLHOITE, was born March 10, 1990 and is
8 currently a resident of the State of California. At the time of Operation Tomodachi, he was
9 a Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport
10 was Naval Base San Diego in San Diego, California. Mr. Willhoite served as in the
11 Aviation Department during Operation Tomodachi. He experienced injury as a result of
12 Defendants' negligent and intentional acts and omissions described herein, including but
13 not limited to fear and anxiety about his health due to his exposure to radiation.

14 199. Plaintiff, CHRISTOPHER WOODS, participated in Operation Tomodachi,
15 and experienced injury as a result of Defendants' negligent and intentional acts and
16 omissions described herein.

17 200. Plaintiff, DEREK YODER, was born June 11, 1991, and is currently a resident
18 of the State of Florida. At the time of Operation Tomodachi, he was a Petty Officer Third
19 Class stationed aboard the USS Germantown, whose homeport was United States Fleet
20 Activities Sasebo Base in Sasebo, Japan. Mr. Yoder served as a Gunner's Mate during
21 Operation Tomodachi, responsible for assisting in countermeasure wash downs of the ship,
22 serving on the surface search and rescue squad, and working the gun mount on the flight
23 deck. He experienced injury as a result of Defendants' negligent and intentional acts and
24 omissions described herein, including but not limited to severe sleep problems, abnormal
25 weight loss, high blood pressure, thyroid issues and vertigo.

1 201. Plaintiff, BRANDON ZACHARIE, is currently a resident of the State of
2 Texas. He participated in Operation Tomodachi, and experienced injury as a result of
3 Defendants' negligent and intentional acts and omissions described herein.

4 202. Plaintiff, EDWARD ZIMMERMAN, was born September 4, 1986, and is
5 currently a resident of the State of Ohio. At the time of Operation Tomodachi, he was a
6 Petty Officer Third Class stationed aboard the U.S.S. Ronald Reagan, whose homeport was
7 Naval Base San Diego in San Diego, California. Mr. Zimmerman served as a Machinists
8 Mate during Operation Tomodachi, responsible for operating and maintaining steam
9 turbines and reduction gears used for ship propulsion and auxiliary machinery outside of
10 main machinery spaces. He experienced injury as a result of Defendants' negligent and
11 intentional acts and omissions described herein, including depression, reproductive issues,
12 and joint pain.

13 **CLASS PLAINTIFFS**

14 203. All Plaintiffs bring Counts 1-7 pursuant to Rule 23(a) and (b)(2) of the Federal
15 Rules of Civil Procedure, seeking declaratory and injunctive relief on behalf of a
16 PLAINTIFF CLASS of more than 70,000 members of the armed forces, their dependents,
17 and support personnel, who served in a variety of capacities during Operation Tomodachi
18 to provide aid to the people of Japan, and who are and were, at all times mentioned, citizens
19 of the United States of America.

20 204. One or more members of Plaintiffs' Class may sue as representative parties
21 on behalf of the class because all four of the requirements set forth in Fed. R. Civ. P. 23(a)
22 are satisfied:

23 a. *Numerosity*: the 70,000-person class is so numerous that joinder of all
24 members is impracticable. In addition, these individuals are all members of the United
25 States armed forces who participated in the humanitarian mission to aid the people of Japan
26 following the earthquake and tsunami of 2011. Many of them have since parted from the
27 military or would find it difficult to file a lawsuit due to their lack of resources.

1 b. *Commonality*: there are questions of law or fact common to the class,
2 including but not limited to (1) whether Defendant TEPCO was negligent and/or grossly
3 negligent in its operation of the FNPP; (2) whether Defendant GE negligently and
4 defectively designed the Mark 1 Boiling Water Reactors that melted down at the FNPP;
5 (3) whether Defendants should be held strictly liable for Plaintiffs Class's injuries for
6 engaging in an ultrahazardous activity of operating a nuclear power plant; (4) what law is
7 applicable to this case, where American servicemen and women were injured as a result of
8 the negligence of a Massachusetts Company and a Japanese utility; and (5) what damages
9 are appropriate for the necessary, ongoing medical monitoring of Plaintiff Class.

10 c. *Typicality*: the claims or defenses of the Representative Plaintiffs are typical
11 of the claims or defenses of the class. The claims that are common to all named plaintiffs
12 above, Counts 1-7, are also common to the Plaintiff Class. While serving as a part of
13 Operation Tomodachi in 2011, all members of the Plaintiff Class were exposed to radiation
14 that was released from the Fukushima Nuclear Power Plant. Those radioactive releases
15 were caused by the negligence and gross negligence of Defendants TEPCO and GE, as
16 detailed *infra*. As a result of their exposure to harmful radiation, all members of the
17 Plaintiff class have suffered physical and mental injury and will require ongoing medical
18 monitoring for the remainder of their lives to timely detect and treat future illness and
19 injury.

20 d. *Adequacy of Representation*: The named Plaintiffs, their representatives and
21 class counsel will fairly and adequately protect the interests of the class. The interests of
22 the 194 named Plaintiffs are co-extensive with those of the Class. The Class
23 Representatives seek compensation for their radiation exposure during Operation
24 Tomodachi due to the negligence of Defendants, and the resultant injuries they have
25 suffered. The Class Representatives are willing and able to represent the Class fairly and
26 vigorously as they pursue their claims in this action, and have retained counsel who are
27

1 qualified and experienced, capable of conducting this litigation, and able to meet the fiscal
2 and time demands of a class action of this size and complexity.

3 205. Questions of law or fact common to class members predominate over any
4 questions affecting only individual members, and a class action is superior to other
5 available methods for fairly and efficiently adjudicating the controversy. Pursuant to
6 Federal Rule of Civil Procedure 23(b)(1), the prosecution of separate actions by individual
7 Class Members would create a risk of: (A) inconsistent or varying adjudications with
8 respect to individual class members that would establish incompatible standards of conduct
9 for the Defendants; or (B) would substantially impair or impede their ability to protect their
10 interests.

11 206. Class-wide declaratory and injunctive relief are appropriate under Fed. R. of
12 Civ. P. 23(b)(2) because the Defendants have acted or refused to act on grounds generally
13 applicable to the class.

14 DEFENDANTS

15 207. **DEFENDANT TOKYO ELECTRIC POWER COMPANY, INC. aka**
16 **TEPCO**, (hereinafter, "TEPCO"), at all times herein mentioned, was and still is a foreign
17 corporation, organized under the laws of Japan, with its principal place of business situated
18 at 1-1-3 Uchisai wai-Cho, Chiyoda-Ku, in the city of Tokyo, Japan, and with its United
19 States headquarters located at 2121 K Street NW, Suite 910, Washington, D.C. 20037.

20 208. TEPCO is a wholly owned public benefit corporation, charged with the
21 responsibility to provide electric power to persons living in Japan.

22 209. TEPCO is the largest electric utility in Japan and the 4th largest electric utility
23 in the world. TEPCO enjoys billions of dollars in revenue from electricity sales.

24 210. In 2008, TEPCO registered as a business in the District of Columbia, where
25 its business license remains active today. In its registration, it listed as its business address
26 its offices at 2121 K Street in Washington, D.C. In 2003, TEPCO also registered as a
27 California foreign corporation with the California Secretary of State.

1 211. TEPCO conducts business as a foreign Corporation in California. Hence,
2 TEPCO is subject to the jurisdiction of this United States Federal District Court, which is
3 empowered to enforce any judgment against Defendant TEPCO.

4 212. TEPCO wholly owns Eurus Energy America Corporation (hereinafter,
5 “Eurus”), a United States energy company incorporated in Delaware with its principal
6 executive office at 402 West Broadway, Suite 1750, San Diego, California 92101.

7 213. TEPCO’s subsidiary, Eurus, is registered to do business in several states
8 throughout the United States, including Illinois, Iowa, Nebraska, Oregon, Texas,
9 Wisconsin and Wyoming.

10 214. TEPCO’s subsidiary, Eurus, has registered land holdings in several states,
11 including Illinois, Iowa, Nebraska, Oregon, Texas and Wisconsin.

12 215. TEPCO’s subsidiary, Eurus, has registered wind holdings in several states,
13 including Illinois, Iowa, Oregon, Texas and Wyoming.

14 216. TEPCO has also acquired substantial interests in nuclear projects in the United
15 States. TEPCO entered into an agreement, for example, with Nuclear Innovation North
16 America LLC (NINA) to invest in the South Texas Project, in exchange for a 10% equity
17 interest in NINA, amounting to a 9.75% interest in the South Texas Project.

18 217. TEPCO has invested and acquired interests in other companies throughout the
19 United States, including Via Science, a software application company headquartered in
20 Cambridge, Massachusetts.

21 218. TEPCO has also partnered with several United States companies to expand its
22 energy interests and platforms throughout the United States. These include partnerships
23 with Energy Impact Partners, a private equity firm investing in energy throughout the
24 United States; United Wind, a wind energy company based in Brooklyn, New York; and
25 Elemental Accelerator, an energy innovation company headquartered in Honolulu, Hawaii
26 and Palo Alto, California.

1 Plaintiffs are informed that all activity conducted before 2005 was based from GE Nuclear
2 Energy's San Jose headquarters.

3 226. Plaintiff is informed and therefore alleges that while headquartered in San
4 Jose, California, GE Nuclear Energy, entered into multiple contracts for the design,
5 construction and maintenance of the Fukushima Nuclear Power Plant.

6 227. All of the described conduct, acts, and failures to act are attributed to agents
7 and employees under the direction and control, and with the permission, consent and
8 authorization of Defendants GE and TEPCO. Said acts, conduct and failures to act were
9 within the scope of such agency and/or employment, and each of Defendants ratified,
10 endorsed, and agreed to the acts and omissions of the other Defendant. Each of these acts
11 and failures to act is alleged against each Defendant, whether acting individually, jointly,
12 or severally. At all times relevant herein, each Defendant was acting within the course and
13 scope of his or her employment, agreement, and ratification.

14 228. At all times herein mentioned, Defendants TEPCO and GE derived substantial
15 revenue from their activities via goods used or consumed in the United States of America
16 and its several States, including California, through the operation of the FNPP.

17 229. At all times herein mentioned, Defendants TEPCO and GE expected or should
18 reasonably have expected their acts to have consequences in California and elsewhere
19 within the United States of America.

20 230. At all times herein mentioned Defendants TEPCO and GE derived substantial
21 revenue from interstate or international commerce.

22 231. At all times herein mentioned, Defendant TEPCO owned the premises where
23 the FNPP was situated, within the prefecture of Fukushima, Japan.

24 232. At all times herein mentioned, Defendant TEPCO was one of the owners of
25 the FNPP.

26 233. At all times herein mentioned, Defendant TEPCO was a lessee of the FNPP.

1 234. At all times herein mentioned, Defendants TEPCO and GE operated the
2 FNPP.

3 235. At all times herein mentioned, Defendants TEPCO and GE engineered,
4 constructed, maintained, operated, managed and controlled the FNPP.

5 236. At all times herein mentioned, Defendant TEPCO supervised the FNPP.

6 237. On or before March 10, 2011, Defendant TEPCO negligently attempted to
7 perform repairs at the FNPP.

8 238. On or before March 10, 2011, Defendant TEPCO negligently inspected and
9 negligently failed to inspect the FNPP.

10 239. On or before March 10, 2011, the Defendants TEPCO and GE negligently
11 engineered, constructed, maintained, operated, managed and controlled the FNPP.

12 240. More than 40 years ago, Defendants TEPCO and GE negligently designed,
13 engineered constructed, maintained, operated, managed, controlled and built the FNPP.

14 **JURISDICTION**

15 241. This Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The
16 amount in controversy exceeds \$75,000, exclusive of interest and costs.

17 242. Pursuant to 28 U.S.C. §1332(d), this Court has jurisdiction because this is a
18 civil action in which the matter in controversy exceeds the sum or value of \$5,000,000,
19 exclusive of interest and costs, and is a mass and class action in which (A) any plaintiff is
20 a citizen of a State different from any defendant; (B) any plaintiff is a foreign state or a
21 citizen or subject of a foreign state and any defendant is a citizen of a State; or (C) any
22 plaintiff is a citizen of a State and any defendant is a foreign state or a citizen or subject of
23 a foreign state.

24 243. This Court also has jurisdiction over this action pursuant to 28 U.S.C. §1331,
25 and supplemental jurisdiction under 28 U.S.C. §1367(a) to hear Plaintiffs' state law claims.
26 Plaintiffs' claims require that this Court administer rules of decision based on federal law,
27

1 including international treaties such as the London Convention, federal common law and
2 maritime law.

3
4 **STATEMENT OF FACTS**

5 244. On March 11, 2011 at 14:46 Japan Standard Time, a 9.0 magnitude earthquake
6 struck northeast Japan, centered on the sea floor 45 miles east of Tohoku, Japan. As a
7 result, less than an hour later, massive tsunami waves began to hit the

8 245. In response to the earthquake and tsunami, Japan and the United States of
9 America launched “Operation Tomodachi,” a large-scale, cooperative relief effort to
10 provide aid to the people of northeast Japan. “Tomodachi” is the Japanese word for
11 “friend.”

12 246. The U.S.S. Ronald Reagan arrived off the coast of Japan on March 11, 2011.

13 247. U.S.S. Ronald Reagan Carrier Strike Group, which included the U.S.S.
14 Chancelorsville, the U.S.S. Preble and U.S.N.S. Bridge, immediately departed for the
15 Japanese island of Honshu and arrived on March 13, 2011. Seven other naval ships, U.S.
16 Forces Japan and Air Force and Marine units were also immediately deployed as part of
17 Operation Tomodachi.

18 248. Meanwhile, a cooling system failure at the Fukushima Nuclear Power Plant
19 (“FNPP”) resulted in a level-7 nuclear meltdown and the release of radioactive materials
20 into the environment, including the air and water immediately surrounding the plant. The
21 earthquake that hit Japan was several times more powerful than the worst earthquake the
22 nuclear power plant was defectively designed and built to withstand. When the earthquake
23 hit, the nuclear reactors all automatically shut down. Within seconds after the earthquake
24 started, the control rods had been inserted into the core and the nuclear chain reaction
25 stopped. At this point, the cooling system was supposed to carry away the residual heat,
26 about 7% of the full power heat load under normal operating conditions.

1 249. The earthquake destroyed the external power supply of the nuclear reactor,
2 and is referred to as a “loss of offsite power.” For the first hour, the first set of multiple
3 emergency diesel power generators started and provided the electricity that was needed.
4 However, when the tsunami arrived, it flooded the diesel generators, causing them to fail.

5 250. One of the fundamental tenets of nuclear power plant design is “Defense in
6 Depth.” This approach leads engineers to design a plant that can withstand severe
7 catastrophes, even when several systems fail. Defendants failed to design a Defense in
8 Depth system, resulting in a core meltdown. Since the cooling cannot be restored, the core
9 eventually melts. Since hydrogen gas is extremely combustible, when enough hydrogen
10 gas is mixed with air, it reacts with oxygen. If there is enough hydrogen gas, it will react
11 rapidly, producing an explosion. At some point during the venting process enough
12 hydrogen gas built up inside the containment (where there is no air), so when it was vented
13 to the air, an explosion occurred in four of the six reactors—Reactors 1-4. These hydrogen
14 explosions destroyed the top and some of the sides of the reactor buildings.

15 251. TEPCO’S then President Masataka Shimizu, although knowing that his
16 statements were factually untrue, repeatedly assured the public that “[t]here has been no
17 meltdown,” and that the meltdown was an unforeseeable disaster. Both statements were
18 patently false as the meltdowns were in fact already occurring at the very time Mr. Shimizu
19 made those statements and, far from being unforeseeable, the disaster had been repeatedly
20 forewarned by industry critics since 2008.

21 252. This is the worst industrial accident in the history of the world, and is largely
22 due to inherent design flaws, inaccurate risk assumptions, and the failure of every safety
23 system designed to operate in such an event. This tragedy was preventable, but corporate
24 financial goals and engineering hubris put money and power before the lives and health of
25 people, including the Plaintiffs.

1 253. As described in detail below, the meltdown at FNPP was the result of
2 negligence and gross negligence by Defendant TEPCO and GE, beginning long before
3 March 11, 2011 and long before Plaintiffs arrived off the coast of Fukushima prefecture.

4 254. Indeed, Prime Minister Yoshihiko Noda admitted that TEPCO created a man-
5 made disaster, stating that “TEPCO must compensate those affected with sincerity and
6 generosity as well as carry out a thorough reorganization,” and he wants TEPCO to
7 “speedily” pay compensation to victims of the Fukushima nuclear disaster.”

8 **Massive Amounts of Radiation Were Released Into**
9 **the Environment Due to the Meltdown**

10 255. TEPCO’s spokesman, Masayuki Ono, admitted that “up to 300 tons of highly
11 contaminated water from the FNPP site were seeping into the sea and had been leaking
12 radioactive matter since the plant suffered a triple meltdown on 11 March 2011.”

13 256. The areas around the FNPP, including the Pacific Ocean, are contaminated to
14 a point that could not be imagined; no method of mitigation exists. The Fukushima Daiichi
15 site are expected to continue to bleed radiation into the Pacific for 100 years or longer.

16 257. The initial nuclear meltdown from the Fukushima reactors released several
17 radioactive isotopes, such as iodine-131, cesium-134 and cesium-137 and strontium-90.
18 Cesium-137 has a half-life of 30 years and remains in the environment for decades. Nuclear
19 fuel is loaded with noble gases.

20 258. The noble gases, such as xenon or krypton, are called noble because they do
21 not react with anything. All the noble gases were released. The data indicates that the
22 concentration of xenon, a noble gas, in the Chiba prefecture was 400,000 times greater than
23 normal immediately following the accident. The concentration of xenon in Chiba was
24 1,300 Becquerels per cubic meter for eight days, meaning that inside every cubic meter of
25 air over Chiba, there were 1,300 disintegrations emitting radioactivity every second, for
26 eight days and each and every disintegration releases a radiation particle or gamma ray.

1 259. The containments were leaking well before the vents were open. There were
2 four radiation detectors that continued to work after the FNPP disaster. Normal background
3 on these radiation detectors was about 0.04 microsieverts. At 5:00am on March 11, 2011,
4 right after the accident, the radiation in the detectors was 10 times greater than background.
5 At 6:00am, they were 60 times background; at 9:00am 150 times background; at 10:00am,
6 700 times background. People in the vicinity received a yearly dose of radiation in just 12
7 hours.

8 260. Then, the vents were opened. At 3:00pm, the same detectors were measuring
9 30,000 times background. This means that people in the vicinity received a yearly dose of
10 radiation in just ten minutes. Notably, this may not have been the worst. This happens to
11 be where the detector was, but the main plume, for example, was not necessarily near the
12 detector.

13 261. Marco Kaltofen at Worcester Polytech analyzed five (5) soil samples and a
14 piece of pavement from a children's park right next to a school in Tokyo, more than 100
15 miles from the FNPP. Each of the samples exceeded 7,000 Becquerels per kilogram. That
16 measure—7,000 becquerels/kg—qualifies as radioactive waste in the United States.

17 262. The total available cesium at Chernobyl was 290 quadrillion petabecquerels
18 of cesium (290,000,000,000,000 counts per minute of cesium). There was almost three
19 times more cesium available to be released at FNPP BWR 1, 2 and 3. The releases of noble
20 gases at Fukushima were three times the releases of Chernobyl, the containment leak rate
21 was 300% per day, and the decontamination for cesium was zero. Nothing was getting
22 filtered out, or scrubbed out in the suppression pool, recombiners, or vent stack filters.
23 TEPCO has stated that a groundwater sample taken from a well at the FNPP in July 2013
24 contained a record high 5 million becquerels per liter of radioactive strontium-90. The
25 radioactive liquid releases from the FNPP will continue for years into the future. The liquid
26 releases are 10 times the amounts of Chernobyl.

1 263. In a leaked TEPCO report dated June 2011, it was revealed that plutonium-
2 238, -239, -240, and -241 were released “to the air” from the site during the first 100 hours
3 after the earthquake, the total amount of plutonium said to be 120 billion becquerels
4 (120 GBq) and perhaps as much as 50 grams. The same report mentioned a release of
5 7.6 trillion becquerels of neptunium-23 -about 1 milligram), which becomes plutonium-
6 239 as it decays. TEPCO made this report for a press conference on June 6, 2011.
7 Plutonium-239 is particularly long-lived and toxic with a half-life of 24,000 years. It
8 remains hazardous for tens of thousands of years.

9 264. The isotope iodine-131 is easily absorbed by the thyroid. Persons exposed to
10 releases of iodine-131 from any source have a higher risk for developing thyroid cancer or
11 thyroid disease, or both. Iodine-131 has a short half-life at approximately eight days.

12 265. Cesium-137 is also a particular threat because it behaves like potassium and
13 is absorbed by cells throughout the body. Additionally, it has a long, 30-year half-life.
14 Cesium-137 can cause acute radiation sickness, and increases the risk for cancer because
15 of exposure to high-energy gamma radiation. Internal exposure to Cesium-137, through
16 ingestion or inhalation, allows the radioactive material to be distributed in the soft tissues,
17 especially muscle tissue, exposing these tissues to the beta particles and gamma radiation
18 and increasing cancer risk.

19 266. The nuclear community has now created a special rating system for
20 Fukushima– assigning it to a new category, above Chernobyl, as a Number 8 level nuclear
21 disaster. Fukushima is a [m]ulti-source major nuclear accident requiring international
22 assistance and monitoring.

23 267. Surveys and biological monitoring of children and adults exposed at
24 Chernobyl point unambiguously to a steady, rapid and dramatic deterioration of health of
25 all victims of the Chernobyl accident. The exposures experienced at Fukushima could be
26 much worse. According to experts, “[t]here is a near universal acceptance that
27 epidemiological data demonstrates an excess risk of delayed cancer incidence above a dose
28

1 of 0.1 sieverts. All who met with Fukushima’s radioactive fallout are probably to have
2 some problem with the thyroid.”

3 268. Strontium-90 behaves like calcium, and tends to deposit in bone and blood-
4 forming tissue (bone marrow). 20–30% of ingested Strontium-90 is absorbed and deposited
5 in the bone. Internal exposure to Strontium -90 is linked to bone cancer, cancer of the soft
6 tissue near the bone, and leukemia. The risk of cancer increases with increased exposure
7 to Strontium-90.

8 269. On July 11, 2014, Environmental Science & Technology, an authoritative
9 source of information for professionals in a wide range of environmental disciplines,
10 published *The Novel Insights into Fukushima Nuclear Accident from Isotopic Evidence of*
11 *Plutonium Spread along Coastal Rivers*, 48 Environ. Sci. Technol., pp 9334–9340 (2014).
12 The results of this study “indicated the presence of Plutonium (“Pu”) from FNPP, in slight
13 excess compared to the Pu background from global fallout.... These results demonstrate
14 that this radionuclide has been transported relatively long distances (~45 km) from FNPP
15 and has been deposited in rivers, representing a potential source of Pu to the ocean.”

16 270. The radioactive isotopes from the FNPP have already reached North America.
17 Two radioactive cesium isotopes, cesium-134 and cesium-137, have been detected offshore
18 Vancouver, British Columbia.

19 271. Nuclear expert Claudia French was professor emeritus of molecular and cell
20 biology at University of California-Berkeley, worked on the “Manhattan Project” on
21 uranium effects, and established the Biomedical Research Division of the Lawrence
22 Livermore National Laboratory. Dr. French wrote in his 1990 book that “by any reasonable
23 standard of biomedical proof” there is no threshold level (no harmless dose) of ionizing
24 radiation with respect to radiation mutagenesis and carcinogenesis—a conclusion
25 supported in 1995 by a government-funded radiation committee.

26 272. Plaintiffs, most of whom were aboard nearby ships, were trapped in the
27 prevailing wind blowing out to sea, carrying the deadly plume of all these radioactive
28

1 particles. They were unable to avoid the radiation. One Plaintiff explained that, “the ship
2 was still taking in sea water, but obviously, the ship can’t filter out the radiation. Water we
3 all showered with, drank, brushed our teeth, and had our food cooked with...”

4 273. On March 14, 2011, the Navy published: “The U.S. 7th Fleet has temporarily
5 repositioned its ships and aircraft away from the Fukushima Dai-Ichi Nuclear Power Plant
6 after detecting contamination in the air and on its aircraft operating in the area. The source
7 of this airborne radioactivity is a radioactive plume released from the Fukushima Dai-Ichi
8 Nuclear Power Plant. Using sensitive instruments, precautionary measurements of three
9 helicopter air crews returning to USS Ronald Reagan after conducting disaster relief
10 missions near Sendai identified [measureable] levels of radioactivity on 17 air crew
11 members.”

12 **GE’s Nuclear Reactor Design Put Profits Above Safety**

13 274. In 1954, the Atomic Energy Act was amended to permit private sector
14 development of nuclear power and nuclear technology and the Atomic Energy Commission
15 (predecessor to the Nuclear Regulatory Commission) endorsed this new energy
16 technology. That same year, the U.S. Navy launched the USS Nautilus, the first nuclear-
17 powered submarine.

18 275. At that time, GE was at the forefront of nuclear reactor development, but was
19 struggling with the high cost for customers interested in the production of energy making
20 use of nuclear fission. GE Nuclear Energy was based in San Jose, California.

21 276. The cost of building nuclear reactors was of such concern to GE that, from its
22 San Jose, California headquarters, it developed design plans for a cheap reactor, small and
23 with a significantly smaller, and less safe, containment than industry standard. This
24 allowed GE to generate sales, become a major player in the market and make enormous
25 profits at the expense of safety. Displaying GE’s determination to develop that product, in
26 1961 its Chief Executive Officer proclaimed, while working at the San Jose Headquarters
27 of GE Nuclear Energy, “We’re going to ram this nuclear thing through.”

1 277. The uranium core at the center of a nuclear reactor needs a containment
2 structure to prevent deadly radioactive material from reaching the environment. Rather
3 than use a large building to contain radiation, GE's Mark 1 uses a small containment
4 building. Unfortunately, GE's cheap design failed to prevent a meltdown and radioactive
5 release at the FNPP in March 2011.

6 278. From its Nuclear Energy headquarters in California, GE exerted enormous
7 political and economic pressure so that the world would embrace the design and
8 construction of BWR nuclear plants, giving the public and regulators no opportunity to
9 pause and consider the concerns of design skeptics, who warned that the BWR products
10 could not be made safe.

11 279. Also from its Nuclear Energy headquarters in California, GE was soon selling
12 dozens of its defectively-designed BWRs to power companies in the United States, Japan
13 and elsewhere. Included among them was the sale of the Mark 1 nuclear reactor and
14 containment system in or around 1967 to TEPCO from GE Nuclear Energy. GE designed
15 the FNPP and then constructed several of the reactors there, including Units 1 and 3, and
16 designed each of the three reactors that ultimately failed and melted down in March 2011,
17 all while headquartered in San Jose, California.

18 **TEPCO Ignored Longstanding Problems at the FNPP**

19 280. In 2000, Kei Sugaoka, an employee of Defendant GE working at the FNPP
20 pursuant to a contract between GE and TEPCO, while conducting onsite inspections at the
21 plant, was the first to blow the whistle on TEPCO'S data tampering. In a letter to the
22 Japanese government, dated June 28, 2000, he warned that TEPCO continued to operate a
23 severely damaged steam dryer in the plant 10 years after he pointed out the problem. "I
24 always thought it was just a matter of time," he says of the disaster. Mr. Sugaoka later
25 stated that he was not surprised by what happened in 2011: "This is one of those times in
26 my life when I'm not happy I was right." At the time of the warning, which was ignored
27

1 by Defendants, Mr. Sugaoka's employer was GE Nuclear Energy, then based in San Jose,
2 California.

3 281. Problems with the fractured, deteriorating, poorly repaired pipes and cooling
4 system at the FNPP had been pointed out for years. In September 2002, TEPCO admitted
5 covering up data about cracks in critically important circulation pipes. In their analysis of
6 the cover-up, The Citizen's Nuclear Information Centre wrote: "The records that were
7 covered up had to do with cracks in parts of the reactor known as recirculation pipes. These
8 pipes are there to siphon off heat from the reactor. If these pipes were to fracture, it would
9 result in a serious accident in which coolant leaks out."

10 282. Katsunobu Onda, in his 2007 expose, *TEPCO: The Dark Empire*, explained
11 that a government or industry admission "raises suspicions about the safety of every reactor
12 they run. They are using a number of antiquated reactors that have the same systematic
13 problems, the same wear and tear on the piping."

14 283. TEPCO's negligence was uncovered by Mr. Onda's research. Mr. Onda
15 spoke with several engineers who worked at the TEPCO plants. One told him that often
16 piping would not match up to the blueprints. In that case, the only solution was to use heavy
17 machinery to pull the pipes close enough together to weld them shut. Inspection of piping
18 was often cursory and the backs of the pipes, which were hard to reach, were often ignored.
19 Repair jobs were rushed.

20 284. Mr. Onda adds: "When I first visited the Fukushima Power Plant it was a web
21 of pipes. Pipes on the wall, on the ceiling, on the ground. You'd have to walk over them,
22 duck under them-sometimes you'd bump your head on them. The pipes, which regulate the
23 heat of the reactor and carry coolant, are the veins and arteries of a nuclear power plant;
24 the core is the heart. If the pipes burst, vital components don't reach the heart and thus you
25 have a heart attack, in nuclear terms: meltdown. In simpler terms, you can't cool a reactor
26 core if the pipes carrying the coolant and regulating the heat rupture - it doesn't get to the
27 core." This is precisely what happened when the earthquake struck the FNPP.

1 285. TEPCO operators of the FNPP negligently and repeatedly ignored warnings
2 that the complex was at risk of damage from a tsunami of the size that hit north-east Japan
3 in March, negligently dismissing the need for better protection against seawater flooding.
4 TEPCO officials rejected and scoffed at “unrealistic” estimates made in a 2008 internal
5 report that the plant could be threatened by a tsunami of up to 10.2 meters. The tsunami
6 that crippled backup power supplies at the plant on the afternoon of 11 March, leading to
7 the meltdown of three (3) reactors, was more than 14 meters high, yet a tsunami of that
8 height and higher had happened more than once in Japan’s recent history. The meltdown
9 was caused by design and manufacturing defects, which resulted in catastrophic “Loss of
10 Coolant Accidents,” resulting from the reactors’ piping failing, breaking, splitting apart
11 and cracking during the earthquake.

12 286. Tooru Hasuike, a TEPCO employee from 1977 until 2009 and former general
13 safety manager of the Fukushima plant, stated: “The emergency plans for a nuclear disaster
14 at the Fukushima plant had no mention of using seawater to cool the core. To pump
15 seawater into the core is to destroy the reactor. The only reason you'd do that is that no
16 other water or coolant was available.”

17 287. TEPCO had a history of negligently causing other nuclear accidents including,
18 but not limited to, the following:

- 19 a. 1981: almost 300 workers were exposed to excessive levels of radiation after
20 a fuel rod ruptured during repairs at the Tsuruga Nuclear Power Plant.
- 21 b. December 1995: the fast breeder Monju Nuclear Power Plant sodium leak.
22 State-run operator Donen was found to have concealed videotape footage that
23 showed extensive damage to the reactor.
- 24 c. March 1997: the Tokaimura nuclear reprocessing plant fire and explosion,
25 northeast of Tokyo. Thirty-seven workers were exposed to low doses of
26 radiation. Donen later acknowledged it had initially suppressed information
27 about the fire.

- 1 d. In 1999: A fuel loading system malfunctioned at a nuclear plant in the Fukui
2 Prefecture and set off an uncontrolled nuclear reaction and explosions.
- 3 e. September 1999: the critical accident at the Tokai fuel fabrication facility.
4 Hundreds of people were exposed to radiation; three workers received doses
5 above legal limits, two of whom later died.
- 6 f. In 2000: Three Tokyo Electric Power Co. executives were forced to quit after
7 the company in 1989 ordered an employee to edit out footage showing cracks
8 in nuclear plant steam pipes in a video being submitted to regulators.
- 9 g. August 2002: a widespread falsification scandal started, which led to the
10 shutdown of all Tokyo Electric Power Company's 17 nuclear reactors; Tokyo
11 Electric's officials had falsified inspection records and attempted to hide
12 cracks in reactor vessel shrouds in 13 of its 17 units.
- 13 h. In 2002: Two workers were exposed to a small amount of radiation and
14 suffered minor burns during a fire at Onagawa Nuclear Power Station in
15 northern Japan.
- 16 i. In August 2004: four workers were killed after a steam explosion at the
17 Mihama-3 station; the subsequent investigation revealed a serious lack in
18 systematic inspection in Japanese nuclear plants, which led to a massive
19 inspection program.
- 20 j. In 2006: A small amount of radioactive steam was released at the Fukushima
21 Daiichi plant and it escaped the compound.
- 22 k. On July 16, 2007: a severe earthquake (measuring 6.8 on the Richter scale)
23 hit the region where Tokyo Electric's Kashiwazaki-Kariwa Nuclear Power
24 Plant is located and radioactive water spilled into the Sea of Japan; as of
25 March 2009, all of these reactors remain shut down for damage verification
26 and repairs; the plant with seven units was the largest single nuclear power
27 station in the world.

1
2 288. On March 2, 2011, only nine days before the meltdown, the government
3 watchdog, the Nuclear Industrial Safety Agency (NISA), warned TEPCO about its failure
4 to inspect critical pieces of equipment at the plant, including recirculation pumps. TEPCO
5 was ordered to make the inspections and perform repairs if needed.

6 289. NISA found that Defendant TEPCO negligently “failed to correctly develop
7 the most basic safety requirements-such as assessing the probability of damage, preparing
8 for containing collateral damage from such a disaster, and developing evacuation plans.”

9 **TEPCO and GE’s Negligence Led Directly to the Meltdown**

10 290. At 3:42pm on March 11, 2011, when the first tsunami waves hit the FNPP,
11 the plant lost power.

12 291. At 9:51pm, under the chief executive’s orders, the inside of the reactor
13 building was declared a no-entry zone. At around 11 pm, radiation levels for the inside of
14 the turbine building, which was next door to the reactor, reached levels of 0.5 to 1.2 mSv
15 per hour. In other words, the meltdown was already underway. The reactors were already
16 melted or deeply involved in melting down.

17 292. Seawater was not pumped in until hours after a hydrogen explosion occurred,
18 at roughly 8:00 pm on March 11, 2011. Sometime between 4:00 and 6:00 am on March
19 12, 2011 Masao Yoshida, the plant manager, decided it was time to pump seawater into the
20 reactor core. By then, it was already too late.

21 293. Before dawn on March 12, 2011, as the water levels at the reactor began to
22 plummet and the radiation began rising, a TEPCO press release published just past 4:00
23 am stated: “The pressure within the containment vessel is high but stable.” This was
24 willfully false information.

25 ***Defendants’ Failure to Provide Appropriate Power Sources at the FNPP***

26 294. Nuclear power plants must continuously cool their unstable, radioactive fuel.
27 These cooling systems run on electricity, which the plants ordinarily pull from the nation’s

1 power grid. If the grid fails, on-site diesel generators kick on to keep the cooling systems
2 running. If the diesel generators don't kick on, the plant is in danger of melting down. It
3 is therefore a basic rule of nuclear power plant operation that emergency generators should
4 be installed at high elevations or in watertight chambers.

5 295. TEPCO and GE failed to have 12-volt batteries on the premises at FNPP to
6 provide auxiliary power. The Isolation Condenser (IC), which relied on convection and
7 gravity to perform its cooling function, should have helped keep the water level high in
8 Unit 1's core through the crisis. Operators, however, had turned off the system just before
9 the tsunami by closing its valves. Thereafter, the electrical outage prevented the operators
10 from re-opening them to allow for the release of steam and the flow of cooling water.
11 Workers struggled to manually open the valves on the IC system.

12 296. "There's no doubt TEPCO should have applied new designs" throughout
13 Fukushima, says Masatoshi Toyota, 88 years old and a retired top TEPCO executive who
14 helped oversee the building of the reactors. Because TEPCO's first reactor buildings were
15 too small, the generators had to be located somewhere else. Therefore, engineers located
16 them in neighboring structures which housed turbines. The reactor buildings were fortress-
17 like, with thick concrete walls and dual sets of sturdy doors, but the turbine buildings were
18 far less sturdy, especially their doors. "Backup power generators are critical safety
19 equipment, and it should've been a no-brainer to put them inside the reactor buildings,"
20 Mr. Toyota says. "It's a huge disappointment that nobody at TEPCO—including me—
21 was sensitive enough to notice and do something about this discrepancy."

22 297. TEPCO was not prepared with backup power. In the plant's parking lots,
23 workers raised car hoods, grabbed their car batteries, and lugged them back to the control
24 rooms. They found cables in storage rooms and studied diagrams. They were vainly hoping
25 if they could connect the batteries to the instrument panels, they could at least determine
26 the water levels in the pressure vessels.

27 ***Defendants Located Backup Power Supplies Far Offsite, Making Them Inaccessible***

1 298. If a cooling system is intended to operate without power, the operator must
2 ensure that all of its parts can be manipulated without power. TEPCO did have a backup
3 for the emergency generators: power supply trucks outfitted with high-voltage dynamos.
4 That afternoon, emergency managers at TEPCO's Tokyo headquarters sent 11 power
5 supply trucks racing toward Fukushima Daiichi, 250 km. away. They promptly got stuck
6 in traffic. The roads that were not damaged by the earthquake or tsunami were clogged
7 with residents fleeing the disaster sites.

8 299. TEPCO and GE negligently designed, maintained, managed, and prepared the
9 reactor buildings by designing and building them too small to accommodate emergency
10 equipment. Power trucks, generators, and batteries should be kept on or very close to the
11 power plant site. This emergency equipment was not stored close by, but rather more than
12 55 km. away from the plant.

13 300. The containment vessel, which surrounds the pressure vessel, is a crucial line
14 of defense: it is a thick steel hull meant to hold in any tainted materials that have escaped
15 from the inner vessel. At 11:50 p.m., operators in the control room finally connected car
16 batteries to the pressure gauge for the primary containment vessel. But the gauge revealed
17 that the containment vessel had already exceeded its maximum operating pressure,
18 increasing the likelihood that it would leak, crack, or even explode.

19 301. TEPCO and GE should have installed independent and secure battery systems
20 to power crucial instruments during emergencies, but failed to do so. In their initial,
21 improvised response, the fire crew pumped water into the trucks' storage tanks, then drove
22 close to the side of the reactor building and injected the water into the fire protection
23 system's intake lines. It was 5:46 a.m. on March 12, 2011 when the first drops of water
24 sprayed across the molten fuel. Then the workers drove back to the water tanks and began
25 the slow, arduous operation all over again. Eventually workers managed to use the fire
26 engines' hoses to connect the water tanks directly to the intake lines and established a
27

1 steady flow of water. By mid-afternoon, they had injected 80,000 liters of water into the
2 pressure vessel using this makeshift system. But it was too little, too late.

3 ***Defendants' Failures to Properly Vent Reactors***

4 302. TEPCO and GE should also have ensured that catalytic hydrogen re-
5 combiners (power-free devices that turn dangerous hydrogen gas back into steam) were
6 positioned at the tops of reactor buildings where gas would most likely collect.

7 303. At 3:45 a.m., the crew in charge of the venting operation tried to measure the
8 radiation dose inside the reactor building, which had been off limits for 6 hours. The vent
9 crew workers wore protective head-to-toe suits, had face masks connected to air tanks, and
10 took iodine tablets in an attempt to combat against the radiation they would soon encounter.
11 Armed with handheld dosimeters, they opened the air lock, only to find a malevolent white
12 cloud of some "gaseous substance" billowing toward them. Fearing a radiation steam bath,
13 they slammed the door shut. They did not get their reading, but they had a good indication
14 that things had already gone seriously wrong inside the reactor.

15 304. Defendants also failed to install power-free filters on vent lines to remove
16 radioactive materials and allow for venting that would not harm nearby residents and
17 persons providing emergency aid. The failure of Reactor 1 made efforts to stabilize the
18 other reactors exponentially more difficult, because workers then had to labor in a
19 radioactive hot zone littered with debris. In addition, when work crews returned to the
20 power truck sometime after the explosion, they couldn't get the power flowing. As a result,
21 the meltdown continued.

22 **Subsequent Investigations Found Negligence and Gross Negligence by TEPCO**

23 305. A ten-member Japanese Parliamentary Panel, The Fukushima Nuclear
24 Accident Independent Investigation Commission, was convened to investigate the nuclear
25 meltdown at the FNPP. On Thursday, July 5, 2012, the Commission released a report
26 following a six-month investigation involving more than 900 hours of hearings, and
27 interviews with more than 1,100 people.

1 306. The Commission’s report concluded that TEPCO was negligent in creating
2 the meltdown that “occurred 5 hours after the earthquake.” Unaware of either the
3 meltdown or any radioactive release, the Plaintiff responders arrived off the coast of
4 Fukushima during the afternoon of March 12, 2011 to carry out their mission of providing
5 humanitarian aid to the victims of the earthquake and tsunami disaster. At no time did this
6 mission include, nor expand into, a response to a meltdown or a nuclear emergency. Rather,
7 Plaintiffs were carrying out their orders of providing humanitarian aid by delivering clean
8 water, blankets, food, and other relief to the inhabitants of Fukushima affected by the
9 earthquake and resultant tsunami.

10 307. The Commission determined that TEPCO had negligently failed to take
11 adequate precautions, despite evidence that the area was susceptible to powerful
12 earthquakes and tsunamis. The Commission concluded that “the accident was clearly
13 ‘man-made’” and that “the root causes were the organizational and regulatory systems that
14 supported faulty rationales for decisions and actions...” The Commission further found
15 that TEPCO showed a negligent “disregard for global [safety] trends and a disregard for
16 public safety.”

17 308. The Commission’s chairman, Kiyoshi Kurokawa, a professor emeritus at
18 Tokyo University, also wrote a scathing introduction to the report, which stated that the
19 cultural traits displayed by TEPCO management had caused the disaster.

20 309. The Commission outlines TEPCO’S “errors and willful negligence” at the
21 FNPP before the earthquake and tsunami on March 11, 2011, bluntly stating that TEPCO
22 negligently created a “man-made disaster.” The Commission found that plant operators at
23 the FNPP “weren’t prepared for nuclear accident,” that TEPCO had failed to properly
24 prepare for the earthquake and tsunami, and that “the direct causes of the accident were all
25 foreseeable prior to March 11, 2011.” One related concern was the “lack of training and
26 knowledge of the TEPCO workers at the facility [which] reduced the effectiveness of the
27 response to the situation at a critical time.”

1 310. Former Prime Minister Naoto Kan of Japan disclosed that TEPCO and the
2 nuclear safety agency had hidden key details from him in the days after March 11, 2011,
3 adding that he had been as open as possible with the public, based on the information he
4 had been given. Mr. Kan said he feared further meltdowns that could result in the
5 evacuation of Tokyo, a metropolitan area of more than 30 million people. Deserting the
6 capital, he added, would have brought the government to a standstill and led to “a collapse
7 of the nation's ability to function.”

8 311. The Commission’s report details “assessments of the aftermath of Fukushima
9 [that] tell a story of confusion at the site, and a lack of communication between TEPCO
10 and safety officials.” TEPCO’s managers were ineffective in “preventing or limiting the
11 consequential damage” at Fukushima Daiichi.

12 312. TEPCO has since publicly admitted that it “was not fully prepared for the
13 nuclear disaster.” TEPCO’s final report on the disaster said it “did not have sufficient
14 measures to prevent the accident. TEPCO’s final report also acknowledged criticism that
15 TEPCO took too long to disclose critical information.

16 313. Naomi Hirose, president of TEPCO, made further admissions about the
17 company’s negligence in statements made to the press:

18 After I became president [in 2012], we formed a nuclear safety review committee. We
19 focused mainly on what we could do, what we could learn. We had a lot of data by
20 then. Three other reports, one from the Diet [Japan's parliament], one from government.
21 We had a lot of information. TEPCO’s own report, too. We concluded that we should
22 have avoided that catastrophic accident, and we could have. We could see what we
23 should have done. Preventative measures included fitting waterproof seals on all the
24 doors in the reactor building, or placing an electricity-generating turbine on the facility's
25 roof, where the water might not have reached it. In addition, wrong assumptions were
26 made.

27 **Significant Design Defects Plague the Mark 1 Boiling Water Reactors**

1 314. The Fukushima Daiichi nuclear power plant consists of six reactors. All six
 2 reactors were designed by Defendant GE, a United States company. Defendant GE
 3 negligently and defectively designed, engineered and constructed the Mark 1 Boiling
 4 Water Reactors (“BWR”), creating several manufacturing and design defects in these
 5 reactors. Units 1 through 5 are based on the flawed Mark 1 design by GE, which caused
 6 the 2011 meltdown at the FNPP.

7 315. The FNPP Reactors 1-3 came into commercial operation from 1971-75.
 8 Reactor power is 460 MWe for unit 1, 784 MWe for units 2-5, and 1100 MWe for unit 6.
 9 The fuel assemblies are about 4 m long, and there are 400 fuel rods in unit 1; 548 in units
 10 2-5; and 764 in unit 6. Each assembly has 60 fuel rods containing the uranium oxide fuel
 11 within zirconium alloy cladding. Reactor 3 has a partial core of mixed-oxide (MOX) fuel
 12 (32 MOX assemblies, 516 LEU). They all operate normally at 286°C at core outlet under
 13 a pressure of 6930 kPa and with 115-130 kPa pressure in dry containment. The four reactors
 14 all began operation in the 1970s. Units 1, 3 and 4 were built by Defendant GE, while Unit
 15 2 was a joint GE-Toshiba project.

| <u>Reactor</u> | <u>Design</u> | <u>Size</u> | <u>Commercial Operation</u> |
|-----------------|-----------------------------|-------------|---------------------------------|
| Fukushima I-1 | General Electric Mark 1 BWR | 439MW | March 1971 |
| Fukushima I –2 | General Electric Mark 1 BWR | 760 MW | July 1974 |
| Fukushima I - 3 | General Electric Mark 1 BWR | 760 MW | March 1976 |
| Fukushima I - 4 | General Electric Mark 1 BWR | 760 MW | Oct. 1978 |
| Fukushima I - 5 | General Electric Mark 1 BWR | 760 MW | April 1978 |
| Fukushima I - 6 | General Electric Mark 2 BWR | 1067 MW | Oct. 1979 |

25 316. Defendants TEPCO and GE have both been involved in maintenance and
 26 servicing of the nuclear power plant during the past decades.

1 317. The BWR produces electricity by boiling water, and spinning a turbine with
2 that steam. The nuclear fuel heats water, the water boils and creates steam, the steam then
3 drives turbines that create the electricity, and the steam is then cooled and condensed back
4 to water, and the water returns to be heated by the nuclear fuel. The reactor operates with
5 the nuclear fuel that is uranium oxide. Uranium oxide is a ceramic with a very high melting
6 point of about 2800 °C. The fuel is manufactured in pellets (cylinders that are about 1 cm
7 tall and 1 cm in diameter). These pellets are then put into a long tube made of Zircaloy (an
8 alloy of zirconium) with a failure temperature of 1200 °C (caused by the auto-catalytic
9 oxidation of water), and sealed tight. This tube is called a fuel rod. These fuel rods are then
10 put together to form assemblies, several hundred of which make up the reactor core. The
11 solid fuel pellet (a ceramic oxide matrix) is the first barrier that retains many of the
12 radioactive fission products produced by the fission process. The Zircaloy casing is the
13 second barrier to release that separates the radioactive fuel from the rest of the reactor. The
14 core is then placed in the pressure vessel. The pressure vessel is a thick steel vessel that
15 operates at a pressure of about 7 MPa²(1000 psi), and is designed to withstand the high
16 pressures that may occur during an accident. The pressure vessel is the third barrier to
17 radioactive material release.

18 318. The entire primary loop of the nuclear reactor-the pressure vessel, pipes, and
19 pumps that contain the coolant (water) are housed in the containment structure. This
20 structure is the fourth barrier to radioactive material release. The containment structure is
21

22
23 ² Megapascal (MPa) is a metric pressure unit and equals to 1,000,000 force of newton per
24 square meter which is known as a Pascal. Pound-per-square-inch (abbreviated as PSI) is a
25 unit of pressure, which measures the quantity of pressure per square inch of area. It is
26 defined as the pressure of a force of 1 pound applied homogeneously above an area of 1
27 square inch. Pound or pound force per square inch (psi, pfsi, lb/in², or lbf/in²) is a
28 commonly used British plus American unit of measurement for pressure. (1 psi = 6,894.76
Pascal).

1 a hermetically (air tight) sealed, very thick structure made of steel and concrete. This
2 structure is designed, built and tested for one single purpose: To contain, indefinitely, a
3 complete core meltdown. To aid in this purpose, a large, thick concrete structure is poured
4 around the containment structure and is referred to as the secondary containment. Both the
5 main containment structure and the secondary containment structure are housed in the
6 reactor building. The reactor building is an outer shell that is supposed to keep the weather
7 out, but nothing in. (this is the part that was damaged in the explosions).

8 319. The uranium fuel generates heat by neutron-induced nuclear fission. Uranium
9 atoms are split into lighter atoms (aka fission products). This fission process generates heat
10 and more neutrons (one of the particles that forms an atom). When one of these neutrons
11 hits another uranium atom, that atom can split, generating more neutrons and so on. That
12 is called the nuclear chain reaction. During normal, full-power operation, the neutron
13 population in a core is stable (remains the same) and the reactor is in a critical state. There
14 is a multitude of fission products that are produced in a reactor, including cesium and
15 iodine. Others decay more slowly, like some cesium, iodine, strontium, and argon.

16 ***Design Defects Made Containment Difficult or Impossible***

17 320. One design and manufacturing defect of the Mark 1 BWRs is that the
18 containment vessel, which is supposed to contain radioactive material, was designed,
19 manufactured and built too small for its purpose.

20 321. The Torus is the doughnut shaped structure at the bottom of the containment.
21 The defectively designed Torus—a water-filled vessel encircling the primary containment
22 vessel that is used to prevent reactor water from slamming directly into the reactor core—
23 could potentially jump off the floor when reactor water rushes back from the steam
24 turbines. Thus, the Torus prevents reactor water from rushing from the steam turbines
25 directly into the reactor core under high pressure.

26 322. The reactor water returning from the steam turbines has a much lower
27 temperature than the steam leaving at the top of the reactor, and this much cooler water

1 could cause thermal damage and actual cracking of the reactor fuel rods if it were to
2 impinge directly onto the reactor core. In addition, the Mark 1 containment vessel is
3 insufficient to contain radioactive leaks by allowing radioactive materials to leak into the
4 ground water and into the Pacific Ocean. This reactor was designed to contain these
5 radioactive materials, and it has failed to do that. This is a fatal design defect.

6 323. Defendants were aware of the problem. The first attempt to ameliorate this
7 defect by Defendants in 1976 was to attach large straps to hold the Torus down against
8 inevitable uplift forces.

9 324. In 1989, due to the likelihood of hydrogen generation, Defendants attempted
10 a second Band-Aid fix. They installed vents on the side of the containment vessel to
11 prevent over-pressurization. This installation was another negligent and defective design
12 and construction since the purpose of the containment is to contain radiation releases in the
13 event of an accident, yet these vents allow for the release of such radiation. Additionally,
14 once open, it is unlikely that they can be closed. These vents failed catastrophically three
15 times at Fukushima Daiichi.

16 325. The second design and manufacturing defect of the Mark 1 Boiling Water
17 Reactors is that their control rods³ enter through holes in the floor of the reactor vessel,
18 presenting a myriad of opportunities for melted core materials to leak directly onto the
19 containment floor. This is exactly what happened at Fukushima Daiichi. The BWR design
20 is uniquely prone to melt through because it is built in a containment that is already
21 inadequate by being too small to contain normal reactive forces.

22
23
24
25 ³ Control rods are used for rapid changes to the reactor power (e.g. shutdown and startup).
26 They maintain the desired state of fission reactions within a nuclear reactor. They constitute
27 a real-time control of the fission process, which is crucial for both keeping the fission chain
28 reaction active and preventing it from accelerating beyond control.

1 326. A third design and manufacturing defect of the Mark 1 Boiling Water Reactor
2 is the positioning of the spent fuel pools at the top of the reactor buildings. The reactor
3 buildings have their fuel pools more than 100 feet in the air, exposing them and releasing
4 radioactive material directly into the atmosphere.

5 327. Three reactor buildings blew up at Fukushima. As a result of the hydrogen
6 explosions, there was no more available containment, directly exposing the spent fuel rods
7 and making them highly susceptible to an explosion. This scenario was especially
8 dangerous in the case of Reactor 4, as it contained fuel rods equivalent to those of all the
9 other reactors combined.

10 ***The Safety Release Valve Design Defect Caused a Chain of Meltdowns***

11 328. At the FNPP there was a “the chain of meltdowns,” with Hydrogen explosions
12 at Reactors 1 and 3, and then in 2 and 4, one after another. The explosion in Reactor 1
13 occurred on Saturday, March 12, 2011 at 3:36pm; the next explosion in Reactor 3 took
14 place on Monday, March 14, 2011 at 11:01am; the third explosion in Reactor 2 was on
15 Tuesday, March 15, 2011 at 6:10am and was followed by the final explosion in reactor 4
16 later that same day, Tuesday, March 15, 2011 at 9:38am. This is the first time in history
17 that a meltdown of multiple reactor cores in succession has occurred.

18 329. A fourth design and manufacturing defect of the Mark 1 BWR that contributed
19 to the chain meltdown was a pipe connecting Reactors 3 and 4. Even though the core had
20 been completely unloaded from Reactor 4, the last explosion was due to a buildup of
21 hydrogen, which entered the Reactor via this joint pipe from Reactor 3.

22 330. A fifth design and manufacturing defect of the Mark 1 BWR was the
23 inoperable safety release (“SR”) valves, each of which failed to open in each of the reactors,
24 largely contributing to “the chain of meltdowns.” The SR valves are used to release steam
25 from a reactor when the cooling system breaks down. There are eight SR valves attached
26 to the outside of each reactor. Every one of them failed. Had even one of these valves
27

1 opened, the internal pressure would have been lowered enough to allow for the necessary
2 and urgent injection of water as a coolant. Instead, each of the 32 SR valves failed to open.

3 331. The SR valves are located in the primary containment vessel that houses the
4 reactor, where no one is allowed access, and therefore they must be opened remotely from
5 the main control room. If the pressure in the containment vessel surges, the pressure inside
6 the SR valve also goes up, which, in effect, prevents the valve from opening. The nitrogen
7 pressure line must be greater than the pressure inside the SR valve in order for it to be able
8 to open the SR valve. Unless the pressure in the nitrogen valve increases, the pressure
9 from above (inside the SR valve) will keep the valve from opening. If the SR valves remain
10 closed, there is no way to prevent a meltdown, and the situation will deteriorate as the
11 meltdown progresses. This is because the temperature will keep surging, and the pressure
12 within the primary containment vessel will also continue to rise. The purported safety
13 mechanism was supposed to prevent a meltdown, and yet it became less effective as the
14 meltdown worsened. Due to the increase of heat from the melting fuel, the higher pressure
15 within the primary containment vessel prevented the SR valves from opening.

16 332. A sixth design and manufacturing defect of the Mark 1 BWR is the failure to
17 design a periodic testing of the SR valves to ensure they would open under different
18 emergent conditions. TEPCO and GE never tested the SR valves under these
19 circumstances. The failure of the SR Valves caused the Drywell and Suppression Chamber
20 pressures to go down to zero, resulting in a massive release of radioactive materials.

21 333. A seventh design and manufacturing defect of the Mark 1 BWRs is the lack
22 of a storage facility for auxiliary electric power, including 12-volt batteries, which are
23 highly portable and weigh as little as 10 kilograms. Ten batteries provide enough power to
24 open an SR valve. In addition to this omission in design by GE, TEPCO failed to prevent
25 a meltdown. Two (2)-volt batteries were delivered rather than the desperately needed 12-
26 volt batteries which had been requested at the onset of the disaster.

1 334. Atsufumi Yoshizawa, TEPCO's senior official in charge of procurement, gave
2 the excuse that he and his team were not able to prioritize the request for 12 volt batteries.
3 He stated: "People responding to the disaster needed all kinds of things, we were trying to
4 juggle all of the requests at the same time trying to get them delivered as quickly as we
5 could, we didn't have time to prioritize. We just tried to grab whatever was on the list
6 regardless of quantity...I believe we were in a situation where screening each request
7 according to priority was very difficult." This failure glaringly displays TEPCO's
8 recklessness in the training, preparation and response to a foreseeable disaster such as a
9 nuclear meltdown. TEPCO's chaotic and ill-designed approach to providing essential
10 materials worsened the disaster. The workers at Fukushima were left without the necessary
11 batteries to prevent a meltdown.

12 335. On March 13, 2011, just after the U.S.S. Reagan and many of the Plaintiffs
13 arrived, the radiation rate at the main gate rose to 281 microSieverts/hour, at which rate the
14 annual exposure rate would be reached in four hours, at this dangerous and inappropriate
15 level. The 12-volt batteries TEPCO had procured were at a stock plant more than 55
16 kilometers away from the plant...there were over 1,000 of them, unavailable when
17 desperately needed. There were also small generators and pumps stranded at the
18 distribution center, but no plan or adequate training existed to ensure their transport to the
19 contaminated plant.

20 ***The Design of the BWR's Isolation Condensers Is Deeply Flawed***

21 336. An eighth design and manufacturing defect of the Mark 1 BWR is the failure
22 to build into the design isolation condensers that operate continuously.⁴ The Reactors were
23

24 ⁴ An isolation condenser is a heat exchanger located above containment in a pool of water
25 open to atmosphere. In operation, decay heat boils steam, which is drawn into the heat
26 exchanger and condensed; then it falls by weight of gravity back into the reactor. This
27 process keeps the cooling water in the reactor, making it unnecessary to use powered feed-
28 water pumps.

1 equipped with two isolation condensers for cooling. They were designed to continue
2 cooling without power, once engaged. Hot steam from the reactor cools and condenses as
3 it passes through a tank of water. At the time of the meltdown, TEPCO workers had been
4 operating the machinery at intervals, turning the machinery on and off, repeatedly. The
5 machinery happened to be in the idle position when the plant lost power. From that point
6 on, Reactor 1 headed into meltdown, about four hours after the earthquake and tsunami.
7 Rapid cooling could damage the reactor, so the workers turned the cooling system on and
8 off at intervals. In the confusion, the operators forgot that they had turned the isolation
9 condensers off before the loss of power.

10 337. When the power went out, the operators in the main control center could not
11 tell if the cooling system was operating or not, since the indicators are lights powered by
12 electricity, with no back up or auxiliary power—another design defect. Operators at the
13 FNPP mistakenly and negligently assumed that the isolation condensers were operating
14 and providing cooling after the power outage. TEPCO communicated falsely to the public
15 that Reactor 1 was safe and that the Isolation Condensers were operating 5.5 hours after
16 the power loss.

17 338. A ninth design and manufacturing defect of the Mark 1 BWRs is the lack of
18 periodic testing of the isolation condensers. Neither Defendant had ever tested the isolation
19 condensers in the 40 years since the FNPP had been in operation. Consequently, none of
20 the operators had ever seen or even been briefed on what kind of steam should be visible
21 when the condensers are turned on. In comparison, at the Nine Mile Point Nuclear Plant
22 in the United States, the Mark 1 reactors are put through a start-up test every four years.

23 339. TEPCO operators twice missed obvious signs that the isolation condensers
24 were not working. First, one hour after the power outage, the water level gauges came
25 back online and it became apparent that the water level had dropped two meters in one
26 hour. The operators in the earthquake-proof room calculated that it was only going to take
27 another hour until the water dropped down to the top of active fuel. Failing to verify that
28

1 the condensers were on, and indeed cooling the reactor without power as they are designed
2 to do was a major design and manufacturing defect in training and preparation for
3 emergency situations as presented. Second, operators observed only “faint” steam coming
4 out of the “pig nose,” the two release valves of the condensers. This phenomenon indicates
5 that the condensers are failing, compared to the blast of a major rush/cloud of steam when
6 they are functioning properly and provide cooling to the reactor. Faint steam emerges two
7 to three hours after the condensers have been turned off. When it appeared after the FNPP,
8 TEPCO operators should have recognized that the condensers had not been working for a
9 full three hours.

10 340. Even if the isolation condensers had been online and functioning, they would
11 not have prevented the meltdowns because there were ruptures in the reactor piping, which
12 was draining all the reactor water out of the reactor vessel. The isolation condensers can
13 only function properly when there is proper water-tight integrity within the reactor piping
14 system; but with leaks in the reactor piping and the operators unable to keep sufficient
15 water in the reactor vessels, the isolation condensers were rendered ineffective.

16 ***GE Egregiously Erred By Failing to Account for the Obvious Tsunami Risks***

17 341. A tenth design and manufacturing defect of the Mark 1 BWRS was that GE
18 reduced the height of the cliff on which the plant was built. Defendants failed to understand
19 and consider this most devastating and egregious oversight. Originally, in 1960, the cliff
20 at Fukushima Daiichi was 35 meters high (about 115 feet), a buffer from the sea. The
21 engineers at GE reduced this natural barrier to 10 meters, making it a 30-foot cliff.

22 342. “Tsunami” is a Japanese word derived from “Tsu” meaning harbor; and
23 “Nami” meaning waves. On a boat at sea one is not aware of a tsunami because the entire
24 ocean rises. However, when a tsunami hits a harbor, it travels at close to the speed of sound
25 and has enormous destructive power. Defendants knew that tsunamis, throughout history,
26 have periodically hit the coast of Japan. In 1896, there was a 40-meter high tsunami. In
27 1923, there was a 13-meter tsunami. In 1933, there was a 28-meter tsunami, the deadliest

1 before the Daiichi tsunami. In 1944, there was a 12-meter tsunami. In 1946, there was
2 another 12-meter tsunami. In 1954 and 1955, 10 years before Fukushima Daiichi was
3 designed, there were 3 tsunamis, and all of them were over 13 meters. Defendants could
4 not claim ignorance of the height of previous tsunamis.

5 343. The tsunami that hit Fukushima Daiichi in 2011 was a middle-of-the-road
6 tsunami compared to those that came in the hundred years before it. Yet, despite that history
7 and knowledge, the tsunami wall originally built by the Defendants was a mere 4 meters,
8 later only slightly raised to 5.7 meters. The 14-meter high tsunami foreseeably
9 overwhelmed the plant's 5.7-meter-high seawall.

10 344. The tsunami water flooded the low-lying rooms in which the emergency
11 generators were housed. The diesel generators were quickly flooded and soon began to
12 fail, their job being taken over by emergency battery-powered systems. When the batteries
13 for the emergency system ran out the next day, on March 12, 2011, the active cooling
14 systems stopped and the reactors began to heat up. The power failure also initiated the
15 failure of many of the vital reactor control instruments.

16 345. These defective design decisions were all made intentionally and negligently.
17 The lowered height of the sea wall was intended to keep the operating costs of the seawater
18 pumps low, to increase bottom line profits. Lowering the bluff was meant to allow the
19 base of the reactors to be constructed on solid bedrock in order to mitigate the threat posed
20 by earthquakes, but resultantly increased the reactors' vulnerability to a tsunami. This
21 catastrophic design defect was easily preventable, since there had clearly been many
22 tsunamis far higher.

23 ***Additional Design Defects Exacerbated the Meltdown***

24 346. An eleventh design and manufacturing defect of the Mark 1 BWRs is that GE
25 designed and placed the emergency power diesel generators in the basement, and without
26 any waterproof container. Consequently, when the tsunami hit, the emergency power
27 diesel generators were flooded. The emergency pumps, also called service water pumps,

1 were placed in a location where they ended up under water. And finally, the diesel tanks
2 were placed in a location where they too were flooded. In addition, the service water pumps
3 had to be at the water, but they were so badly designed that in any tsunami they would be
4 flooded. So essentially it doesn't matter that the diesels were in the basement.

5 347. A twelfth design and manufacturing defect of the Mark 1 BWRs is the absence
6 of a fraud-proof system that oversees inspection and repair reports in order to ensure
7 compliance with safety standards and guidelines. In 2008, the IAEA (International Atomic
8 Energy Agency) warned TEPCO that the FNPP was built using outdated safety guidelines
9 and could be a "serious problem" during a large earthquake.

10 348. On Feb 28, 2011, TEPCO submitted a report to the Japanese Nuclear and
11 Industrial Safety Agency, admitting that the company had previously submitted fake
12 inspection and repair reports. The report revealed that TEPCO failed to inspect more than
13 30 technical components of the six reactors, including power boards for the reactor's
14 temperature control valves, as well as components of the cooling systems such as water
15 pump motors and emergency power diesel generators.

16 349. A thirteenth design and manufacturing defect is the GE's omission of an
17 emergency back-up manual cooling system in order to allow fresh water to be pumped
18 directly into the reactors by fire hoses. TEPCO's workers attempted to inject water from
19 fire trucks into piping leading to the reactor, only to discover, after hours into this failed
20 effort, that 55 percent of the water they injected was being diverted into auxiliary pipes.
21 Consequently, the meltdown raged unabatedly because the injected water never reached
22 the targeted reactor as it was actively melting down. This design defect was also magnified
23 by the failure of TEPCO and GE to provide adequate training at periodic intervals. The
24 workers who were attempting to inject water from the fire trucks had an utter lack of
25 understanding of the piping system, as well as a lack of training. None of the workers had
26 ever practiced any of these emergency procedures.

27 **Defendants Knew of Design Defects, But Were Profit-Driven**

1 350. Defendants knew of the design and manufacturing defects and intentionally,
2 recklessly and negligently failed to take corrective and remedial action for the protection
3 of the public, including Plaintiffs, foreseeable rescuers.

4 351. Mitsuhiro Tanaka, a former engineer with Hitachi (a GE partner), says the
5 company covered up faults in the pressure vessel it produced for Fukushima's Reactor 4.
6 When Tanaka tried to make this information public after the Chernobyl disaster in 1986,
7 the company threatened him, "think of your family." Tanaka says other engineers in Japan
8 were also concerned about the Reactor's safety.

9 352. Defendants knew that the FNPP's GE Mark 1 BWRs were vulnerable to
10 catastrophic accidents due to a flawed reactor containment structure. Defendants have
11 known since the early 1970s that the Mark 1 BWR could likely explode during a meltdown,
12 releasing massive quantities of toxic radiation and radioactive particles, endangering the
13 lives of millions of people and making large areas of land uninhabitable for generations to
14 come.

15 353. GE, whose motto in the 1960s was, "progress is our most important product,"
16 succumbed to the financial attraction of the nuclear energy business. GE's chairman is
17 quoted as saying, in 1961, "we're going to ram this nuclear thing through." By 1965,
18 scientists in the United States recognized that this Mark 1 design had flaws, but GE
19 threatened to go out of business unless the Mark 1 design was continued. One scientist,
20 Dr. David Okrent, openly said he believed this was a threat.

21 354. Engineers at GE resigned because they "didn't have the power to stop GE's
22 faulty design in 1966." Dale G. Bridenbaugh and two of his colleagues at General Electric
23 resigned from their jobs after becoming increasingly convinced that the nuclear reactor
24 design they were reviewing—the Mark 1—was so flawed that it could lead to a devastating
25 accident.

26 355. Questions persisted for decades about the ability of the Mark 1 to handle the
27 immense pressures that would result if the reactor lost cooling power. As early as the
28

1 1970s, its own engineers, including Mr. Bridenbaugh, warned GE about critical flaws in
2 the design of some reactors when they were being built in Fukushima. These are the same
3 flaws in the design of the reactor Mark 1, the same defects which have contributed to the
4 radioactive contamination after the tsunami.

5 356. In addition, GE did not even bother to properly incorporate Japanese anti-
6 seismic standards to the Mark 1 construction. The Mark 1 also included an absolutely
7 unreasonable design element: storing huge quantities of radioactive fuel rods 100 feet up
8 in the air. Mr. Bridenbaugh stated:

9 The problems we identified in 1975 were that, in planning the design of the
10 containment, they did not take into account the dynamic loads that could be
11 experienced with a loss of coolant. The impact loads the containment would receive
12 by this very rapid release of energy could tear the containment apart and create an
uncontrolled release.

13 357. In 1972, Stephen H. Hanauer, then a safety official with the Atomic Energy
14 Commission, recommended that the Mark 1 system be discontinued because it presented
15 unacceptable safety risks. Among the concerns cited was the smaller containment design,
16 which was more susceptible to explosion and rupture from a build-up in hydrogen: the
17 exact situation that unfolded at the Fukushima Daiichi plant. Later that same year, Joseph
18 Hendrie, who would later become chairman of the Nuclear Regulatory Commission, a
19 successor agency to the Atomic Commission, said the idea of a ban on such systems as the
20 Mark 1 was attractive.

21 358. In 1986, Harold Denton, then the NRC's top safety official, told an industry
22 trade group, "the Mark 1 containment, especially being smaller with lower design pressure,
23 in spite of the suppression pool, if you look at the WASH 1400 safety study, you'll find
24 something like a 90% probability of that containment failing."

25 359. GE never made any serious effort to revise the design and tackle the safety
26 flaws of those reactors. Instead, GE willfully chose to ignore these issues. It built five Mark
27 1 reactors at Fukushima Daiichi. Forty years later, on March 11, 2011, four of them failed.

1 360. Interviews with a dozen current and former senior TEPCO engineers,
2 including several who were intimately involved when the fateful design decisions were
3 made in the 1960s and 1970s, reveal that both Defendants had many opportunities over the
4 decades to retrofit the oldest reactors. The engineers blame a combination of complacency
5 and cost-cutting pressures. All the Reactors in the Fukushima plant were based on the GE
6 designs. GE maintained lucrative contracts to service GE reactors in Japan, including with
7 Hitachi.

8 361. To keep the reactor compact and economical, EBASCO (a former GE holding
9 company) made the reactor building too small, said Mr. Toyota, the TEPCO engineer who
10 helped to oversee the construction: “Over the years, a lot of engineers have come up with
11 different ideas to improve safety. But my guess is that they couldn’t come forward and
12 point their ideas out to management because of the high costs associated with back-fitting
13 older reactors with new designs.”

14 362. Another TEPCO engineer who visited the FNPP many times, starting in the
15 1970s, says the cramped reactor buildings barely allowed room to install a valve during
16 routine work. “It was super inefficient,” this engineer says. One of TEPCO’s top engineers,
17 who guided the company’s nuclear division, said: “some of us knew all along and were
18 concerned about the inconsistent placements of diesel generators at Fukushima Daiichi
19 between reactor No. 6 and the older reactors 1 through 5, and their potential vulnerability.”
20 The engineer says that when he was preparing for a regularly scheduled government
21 inspection in 1987, the inconsistent placement of the backup generators “stood out like a
22 sore thumb.”

23 363. In 1990, the U.S. Nuclear Regulatory Commission (NRC) ranked the failure
24 of the emergency electricity generators and subsequent failure of the cooling systems of
25 plants in seismically very active regions as one of the most likely risks. The Japanese
26 Nuclear and Industrial Safety Agency (NISA) cited this report in 2004. According to Jun
27

1 Tateno, a former NISA scientist, TEPCO did not react to these warnings and did not
2 respond with any measures.

3 364. In 1976, Defendants knew that the Mark 1 system had not been designed to
4 withstand the accident it was supposed to contain. In 2011, Reactors 1, 2, and 3 were
5 operating at the time and blew up, spewing radiation worldwide. In the case of Reactor 1,
6 during the loss of coolant, the pressure inside the containment vessels exceeded their design
7 capacity almost up to twice. Radioactive cesium, strontium, iodine, and hot particles
8 including molten uranium, from the four reactors spread through Northern Japan, and the
9 resulting radioactive plume blew across the ocean and was measured around the world.

10 **Defendants Placed the Mark 1 BWRs Into the Stream of Commerce**

11 365. Today, in the United States, there are 23 aging Mark 1 reactors identical to
12 those at Fukushima, including Vermont Yankee on the Connecticut River in Vermont.
13 These plants pose a particular hazard with their over-crowded, high-level nuclear waste
14 spent fuel pools that are not in hardened containment structures, making them vulnerable
15 to natural disasters and terrorist attacks. These highly poisonous nuclear waste materials
16 need to be kept out of the environment for 250,000 years. There are 23 BRW Nuclear
17 Power Plants in the United States and 10 additional around the world, similar in design to
18 those at FNPP.

19 366. The NRC database of nuclear power plants shows that 23 of the 104 nuclear
20 plants in the U.S. are GE boiling-water reactors with GE's Mark 1 systems for containing
21 radioactivity, the same containment system used by the Reactors at the Fukushima Daiichi
22 plant. The locations of the United States GE Mark 1 reactors are:

- 23 1. Browns Ferry 1, Athens, Alabama, operating license since 1973, reactor type
24 GE 4.
- 25 2. Browns Ferry 2, Athens, Alabama, 1974, GE 4
- 26 3. Browns Ferry 3, Athens, Alabama, 1976, GE 4.
- 27 4. Brunswick 1, Southport, North Carolina, 1976, GE 4.

- 1 5. Brunswick 2, Southport, North Carolina, 1974, GE 4.
- 2 6. Cooper, Brownville, Nebraska, 1974, GE 4.
- 3 7. Dresden 2, Morris, Illinois, 1970, GE 3.
- 4 8. Dresden 3, Morris, Illinois, 1971, GE 3.
- 5 9. Duane Arnold, Palo, Iowa, 1974, GE 4.
- 6 10. Fermi 2, Monroe, Michigan, 1985, GE 4.
- 7 11. FitzPatrick, Scriba, New York, 1974, GE 4.
- 8 12. Hatch 1, Baxley, Georgia, 1974, GE 4.
- 9 13. Hatch 2, Baxley, Georgia, 1978, GE 4.
- 10 14. Hope Creek, Hancock's Bridge, New Jersey, 1986, GE 4.
- 11 15. Monticello, Monticello, Minnesota, 1970, GE 3.
- 12 16. Nine Mile Point 1, Scriba, New York, 1969, GE 2.
- 13 17. Oyster Creek, Forked River, New Jersey, 1969, GE 2.
- 14 18. Peach Bottom 2, Delta, Pennsylvania, 1973, GE 4.
- 15 19. Peach Bottom 3, Delta, Pennsylvania, 1974, GE 4.
- 16 20. Pilgrim, Plymouth, Massachusetts, 1972, GE 3.
- 17 21. Quad Cities 1, Cordova, Illinois, 1972, GE 3.
- 18 22. Quad Cities 2, Moline, Illinois, 1972, GE 3.
- 19 23. Vermont Yankee, Vernon, Vermont, 1972, GE 45

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21 **FIRST CAUSE OF ACTION**
22 **(Negligence)**
23 **Against All Defendants**

24 367. Plaintiffs hereby incorporate the allegations contained in the preceding
25 paragraphs as though fully set forth herein.

1 368. California Code of Civil Procedure, Section 1714 provides, in pertinent part,
2 the following: “Everyone is responsible, not only for the result of his or her willful acts,
3 but also for an injury occasioned to another by his or her want of ordinary care or skill in
4 the management of his or her property or person, except so far as the latter has, willfully
5 or by want of ordinary care, brought the injury upon himself or herself.”

6 369. At all times herein mentioned, Defendant TEPCO and its servants, agents
7 and/or employees owed Plaintiffs the same duty of care it owed to those in the vicinity of
8 FNPP by reasonably and safely operating FNPP. Defendant GE and its servants, agents
9 and/or employees, owed Plaintiffs the same duty of care they owed to those in the vicinity
10 of FNPP to reasonably and safely design, maintain, manage and control the BWR at FNPP
11 in a safe and suitable condition, and in good repair.

12 370. Defendants controlled all activities at the FNPP, and therefore are responsible
13 for the enhanced threat of radiation exposure and for causing the damages alleged in this
14 Complaint. The negligent, intentional and tortious conduct of the Defendant TEPCO was
15 aimed at and encompassed the entire area surrounding the FNPP, including the waters, land
16 and air adjacent to the Fukushima FNPP, where the Plaintiffs were employed and
17 operating.

18 371. The facts above make abundantly clear that Defendants TEPCO and GE, and
19 their servants, agents and/or employees, breached the duties owed to people in the vicinity
20 of FNPP and breached the duties owed to Plaintiffs. The breach of the duties owed by
21 Defendants directly resulted in FNPP’s radioactive releases, causing the Plaintiffs to incur
22 severe, life-threatening harm. Specifically, Defendant TEPCO negligently maintained,
23 managed, and controlled FNPP, and these negligent actions and omissions caused direct
24 and proximate harm to Plaintiffs. Defendant GE negligently designed, maintained,
25 managed, and controlled FNPP and these negligent actions and omissions caused direct
26 and proximate harm to Plaintiffs.

1 372. This is further substantiated by the Japanese Independent Commission’s
2 determination that TEPCO was grossly negligent in creating a “man-made disaster” by
3 failing to adequately prepare and respond to a nuclear accident. Such conduct included a
4 failure to inspect and repair vital components of the coolant system, and failing to have
5 emergency backup power sources to measure and monitor temperatures inside the reactors.
6 The Independent Commission concluded that “the direct causes of the accident were all
7 foreseeable prior to March 11, 2011.”

8 373. As a direct and proximate consequence of the negligence of the Defendants,
9 the reactors were damaged, and power to the cooling mechanism of the FNPP was
10 interrupted, resulting in a meltdown of the fuel and reactors themselves, thereby triggering
11 the release of high levels of ionizing radiation, including radioactive cesium.⁶

12 374. Defendant TEPCO knew or should have known that the Plaintiffs would be
13 directly and harmfully impacted by its conduct. In the aftermath of a natural disaster, it is
14 foreseeable that foreign military and aid-workers would be among those in the vicinity. At
15 all relevant times, Defendant TEPCO was actually aware that the U.S. Navy and its
16 personnel would provide rescue and humanitarian relief operations, including performance
17 of their efforts to provide humanitarian assistance during its relief mission to ferry food,
18 blankets and water to the inhabitants of the ravaged city of Sendai, located within the
19 prefecture of Fukushima, Japan, following the earthquake and tsunami on March 11, 2011.

20 375. On March 11, 2011, before the U.S.S. Ronald Reagan and Carrier Strike
21 Group 7 arrived off the coast, Fukushima Reactor 1 blew up. Prior to March 12, 2011,
22 TEPCO knew that the U.S. Navy rescue mission personnel were in danger of being
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25 ⁶ At Fukushima, large releases of radioactivity apparently came from the concrete pools,
26 where spent fuel rods, clad with a special alloy, were placed to cool down after their use in
27 the reactors. These spent fuel rods were extremely hot – up to 2,000 degrees Fahrenheit –
28 and needed a constant circulation of cold water to keep them from burning up.

1 irradiated by the spreading radiation from Reactor 1 at the six-reactor FNPP. At least three
2 other Reactors were in danger of failing, including the spent fuel pool of Reactor 4, which
3 held 1,535 bundles of irradiated fuel. Indeed, Reactor 3 exploded, releasing plumes of
4 hydrogen gases migrating through a shared vent, which destroyed the containment building
5 at Reactor 4, exposing the spent fuel pool to the air. Reactor 2 soon followed suit.

6 376. TEPCO knowingly and falsely announced that most of the fuel rods in Units
7 1, 2, and 3 were intact. They were not intact. This was a false, misleading, consciously
8 negligent act and omission. To the contrary, the fuels in Reactors 1, 2, and 3 had fused
9 into a molten mass and were oozing through the bottom of their destroyed reactors. The
10 radiation produced at the FNPP does not occur naturally. Rather, the radiation releases
11 were admittedly TEPCO's and GE's negligent "man-made disaster," as described *supra*.

12 377. Defendants knew, or should have known, that the system they were using for
13 storing spent fuel rods and for the containment of radiation and utilization of nuclear
14 material at the FNPP was faulty, inadequate and leaking.

15 378. The FNPP was constructed at Fukushima more than 40 years ago. According
16 to a local labor commission, low-skilled workers, illegally recruited in Japan's poorest
17 areas, were used in building the nuclear power plant in the 1960s. The poor quality of
18 construction, as well as structural and design defects, negligent maintenance and personnel
19 negligence eventually triggered the disastrous consequences on March 11, 2011.

20 379. Upon information and belief, Defendants constructed and operated the FNPP
21 with the knowledge that the nuclear fuel had a potential to leak, or in reckless disregard as
22 to whether the FNPP could leak radiation into the environment. When radiation from a
23 reactor is spilled or leaks, it contaminates the environment and poses a serious health threat
24 to humans and other species. The greater the concentration of radiation that escapes from
25 the reactor or fuel rods, the higher the risk to humans, creating an enhanced threat to human
26 health.

1 380. Defendants also knew or should have known that the radiation released at the
2 FNPP is remarkably recalcitrant to natural degradation and, once dispersed into the
3 environment, it is extremely difficult to clean up.

4 381. Defendants' negligence proximately caused widespread contamination of
5 Plaintiffs' environs, including their air and water supply.

6 382. Upon information and belief, Defendant TEPCO failed to timely and
7 adequately test the water to which the Plaintiffs were exposed in order to detect
8 contamination. Upon information and belief, Defendant TEPCO, its agents, servants
9 and/or employees failed to perform proper and adequate testing within the theater of their
10 operation of the radiation levels to which the Plaintiffs and/or their vessels would be
11 exposed, to the Plaintiffs' detriment.

12 383. At all relevant times, Defendants were aware that exposure to even a low dose
13 of radiation creates grave danger to people's health, as scientific studies have long-
14 indicated. Defendant TEPCO was also aware of the importance of accurately reporting
15 actual radiation release levels.

16 384. Nuclear radiation is a known human carcinogen that is linked to many human
17 health problems. The U.S. Environmental Protection Agency classifies it as a human
18 carcinogen. Radiation does not readily break down and does not biodegrade in the ground
19 or water or apparatus exposed to it. Research shows that it will persist in the environment
20 for decades, since it has a half-life in excess of 77 years, far longer than the life expectancy
21 of humans exposed to it.

22 385. According to data existing at that time, and uniquely known to Defendant
23 TEPCO at the time, Plaintiffs' consequent exposure to radiation within their zone of
24 operation indicated that radiation levels had already reached levels exceeding the levels of
25 exposure which the people living the same distance from Chernobyl experienced, and who
26 subsequently developed cancer. Consequently, the potential for the development of cancer
27

1 in the Plaintiffs has also been dangerously heightened, due to the levels of exposure
2 experienced by them during Operation Tomodachi.

3 386. Plaintiffs suffered and continue to suffer the harm, damage and injuries,
4 described herein, as a direct and proximate result of Defendants' negligence. During their
5 lifetimes before March 12, 2011, the Plaintiffs, and each of them, had never been exposed
6 to harmful levels of radiation, including the time they served aboard the U.S.S. Ronald
7 Reagan, aboard other vessels within the strike force, on land or air or sea, or at any other
8 time or place.

9 387. Upon information and belief, based upon currently available data, through
10 their conduct, Defendants rendered Plaintiffs infirm and poisoned their bodies. Plaintiffs,
11 who were healthy servicemen and women prior to their arrival off the coast of Japan in
12 2011, must now endure a lifetime of radiation poisoning and suffering that should have
13 been avoided. Plaintiffs must now fear, as any reasonable person who has been irradiated
14 would, for their future health and the health of their children, born and unborn.

15 388. Upon information and belief, as a further direct and proximate result of
16 Defendants' negligence, Plaintiffs have been and will be required to undergo further
17 medical testing, evaluation and medical procedures, including but not limited to chelation
18 therapy, bone marrow transplants and/or genetic re-programming for leukemia, in an effort
19 to seek cure, and will be required to employ extraordinary means to achieve cure.

20 389. As a further direct and proximate result of Defendants' negligence, Plaintiffs
21 incurred losses and damages for personal injury and property damage, and loss of use and
22 enjoyment of life and their property. Solely as a result of the Defendants' negligence,
23 carelessness and recklessness, Plaintiffs suffered severe and serious personal injuries to
24 mind and body, and further, Plaintiffs were subjected to great physical pain and mental
25 anguish. Some of Plaintiffs' injuries are believed to be permanent in nature and duration,
26 and Plaintiffs will permanently suffer pain, inconvenience and other effects of such
27

1 injuries. Plaintiffs also face additional and irreparable harm to their life expectancy, which
2 has been shortened and cannot be restored to its prior condition.

3 390. Plaintiffs have also suffered economic losses as a result of Defendants'
4 negligence, including but not limited to wage losses, medical expenses and other costs
5 associated with their injury. Plaintiffs have incurred and will continue to incur medical
6 expenses associated with the aforementioned injuries. Plaintiffs will be unable to pursue
7 their usual duties with the same degree of efficiency as prior to this incident, all to
8 Plaintiffs' great damage.

9 391. Due to Defendants' negligence, each of the Plaintiffs is entitled to
10 compensatory damages in a sum to be determined by the jury.

11 Wherefore, Plaintiffs request relief as hereinafter provided.

12
13 **SECOND CAUSE OF ACTION**
14 **(Gross Negligence)**
15 **Against Defendants TEPCO and GE**

16 392. Plaintiffs hereby incorporate the allegations contained in the preceding
17 paragraphs as though fully set forth herein.

18 393. Defendants, through their agents, servants, employees and representative,
19 were grossly negligent in the design, implementation, operation, maintenance and
20 oversight of the FNPP, as described in the preceding paragraphs.

21 394. Defendants knew or should have known about the safety threats presented at
22 the FNPP and the Mark 1 BWRs—they received numerous warnings and reports regarding
23 the potential for the very disaster that occurred. Defendants intentionally and recklessly
24 ignored those reports and warnings, and failed to address the problem. As a result, the
25 Reactors melted down and released massive amounts of radioactive materials into the
26 surrounding areas, directly exposing Plaintiffs to this poisonous matter.

27 395. Plaintiffs suffered and continue to suffer the harm, damage and injuries,
28 described herein, as a direct and proximate result of Defendants' gross negligence.

1 396. Defendants' conduct was willful, wanton, reckless, malicious and/or exhibited
2 a gross indifference to, and a callous disregard for human life, safety and the rights of
3 others, including the rights, life and safety of Plaintiffs. Defendants' actions and omissions
4 were motivated by consideration of profit, financial advantage, monetary gain, economic
5 aggrandizement and/or cost avoidance, to the virtual exclusion of all other considerations.

6 397. As a result of Defendants' conduct, Plaintiffs are entitled to punitive damages
7 as a means of protecting the public by deterring such wanton, callous and intentionally
8 injurious conduct.

9 Wherefore, Plaintiffs request relief as hereinafter provided.

10
11 **THIRD CAUSE OF ACTION**
12 **(Strict Liability—Manufacturing Defect)**
13 **Against Defendant GE**

14 398. Plaintiffs hereby incorporate the allegations contained in the preceding
15 paragraphs as though fully set forth herein.

16 399. Defendant GE manufactured, distributed, and sold the subject defective Mark
17 1 BWRs, an unreasonably dangerous product.

18 400. The BWRs, which malfunctioned, melted down, exploded, and released
19 copious quantities of radiation at the FNPP on March 11, 2011, contained manufacturing
20 defects when each of the subject reactors left the possession of GE.

21 401. As manufacturers, designers, distributors, suppliers, sellers and marketers,
22 Defendant GE breached this duty by manufacturing, distributing, selling and marketing the
23 BWRs with the actual and constructive knowledge that the product posed a high degree of
24 risk to the safety and well-being of all persons within the vicinity of the FNPP, including
25 Plaintiffs.

26 402. Defendant GE had actual and constructive knowledge of the properties of
27 radiation that would ensure that, once released into the environment, such radiation would
28

1 spread further and in concentrations that would cause injury to all persons within the
2 vicinity of the FNPP, including Plaintiffs.

3 403. Defendant GE's conduct was unreasonable under the circumstances. As set
4 forth *supra*, available scientific data, of which GE had actual and constructive knowledge,
5 gives rise to the reasonable inference that the manufacturing defects created foreseeable
6 dangers to all persons within the vicinity of the FNPP, including Plaintiffs.

7 404. The BWRs' manufacturing defects were substantial factors in causing
8 Plaintiffs' injuries, damages, and harm. The BWRs' manufacturing defects proximately
9 caused reasonably foreseeable damages to the Plaintiffs.

10 405. As a further direct and proximate result of Defendant GE's conduct, Plaintiffs
11 incurred losses and damages, as detailed *supra*, for personal injury and property damage,
12 loss of use and enjoyment of life and their property, physical pain and mental anguish,
13 economic losses and future medical expenses.

14 406. Each of the Plaintiffs is entitled to compensatory damages in a sum to be
15 determined by the jury.

16 407. At all times herein mentioned, Defendant GE acted with malice, fraud and
17 oppression, and engaged in despicable conduct that should not be tolerated in a civilized
18 society, displaying a conscious, willful and intentional disregard for the health, safety and
19 welfare of the public, the environment and the Plaintiffs. As a result of Defendant GE's
20 conduct, Plaintiffs are entitled to punitive damages as a means of protecting the public by
21 deterring such wanton, callous and intentionally injurious conduct.

22 Wherefore, Plaintiffs request relief as hereinafter provided.
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FOURTH CAUSE OF ACTION
(Strict Liability—Design Defect)
Against Defendant GE

408. Plaintiffs hereby incorporate the allegations contained in the preceding paragraphs as though fully set forth herein.

409. Defendant GE, during the relevant time period, was the designer, manufacturer, distributor, seller, and creator of the BWRs.

410. Defendant GE had a duty of due care to design and manufacture reasonably safe Nuclear Power BWRs.

411. GE had a duty of care to test the Nuclear Power BWRs to determine the risks posed to all persons within the vicinity of the FNPP, including the Plaintiffs, the environment, water, and the air in the surrounding vicinity. The BWRs did not perform as safely as an ordinary consumer would have expected it to perform when used or misused in an intended or reasonably foreseeable way.

412. Defendant GE had a duty not to put on the market an unsafe and defectively designed product that posed a serious danger to all persons within the vicinity of the FNPP, including the Plaintiffs.

413. GE breached said duties of due care when it manufactured a defectively designed product, namely the BWRs, with actual or constructive knowledge of the defects. Due to the design and manufacturing defects, the FNPP was not reasonably safe or protective of the environment generally or of Plaintiffs' health and well-being.

414. The defective design of the GE's BWRs, as alleged herein, actually and proximately caused reasonably foreseeable damages to the Plaintiffs. The BWRs' failure to perform safely was a substantial factor in causing Plaintiffs harm.

1 415. Defendant GE's conduct in the design, manufacture, and maintenance of the
2 BWRs, a defective or unreasonably dangerous product, makes GE strictly liable to the
3 Plaintiffs.

4 416. Plaintiffs incurred losses and damages, as detailed *supra*, for personal injury
5 and property damage, loss of use and enjoyment of life and their property, physical pain
6 and mental anguish, economic losses and future medical expenses.

7 417. Each of the Plaintiffs is entitled to compensatory damages in a sum to be
8 determined by the jury.

9 Wherefore, Plaintiffs request relief as hereinafter provided.

10
11 **FIFTH CAUSE OF ACTION**
12 **(Strict Liability for Ultrahazardous Activities)**
13 **Against All Defendants**

14 418. Plaintiffs hereby incorporate the allegations contained in the preceding
15 paragraphs as though fully set forth herein.

16 419. Defendants engaged in producing nuclear power at the FNPP, an ultra-
17 hazardous activity.

18 420. As a result, Plaintiffs suffered harm, damages, losses and injuries described
19 *supra*, for which Defendants are responsible because they engaged in producing nuclear
20 power, an ultra-hazardous activity, at FNPP.

21 421. Plaintiffs' harm, injuries, losses and damages are of the kind that should be
22 anticipated as a result of the risk created by exposure to a radiation release such as that
23 from the FNPP.

24 422. Defendants' acts proximately caused harm and damage to the Plaintiffs,
25 including personal injury, property damage, loss of enjoyment of their property and life,
26 the need for periodic examination and treatment, as well as economic losses including loss
27 of earnings, stigma damages, medical costs and other necessary expenditures of time and
28 money. Plaintiffs will continue to incur losses and damage in the future. Based on

1 Plaintiffs' repeated exposure to ionizing radiation, Plaintiffs also have a reasonable fear
2 that said exposure more likely than not increases their risk of developing cancer in the
3 future.

4 423. Each of the Plaintiffs is entitled to compensatory damages in a sum to be
5 determined by the jury.

6 424. Defendants intended to cause or acted with conscious disregard of the
7 probability of causing injury to Plaintiffs, and therefore, are liable for punitive damages.

8 Wherefore, Plaintiffs request relief as hereinafter provided.

9
10 **SIXTH CAUSE OF ACTION**
11 **(Negligence *Per Se*: *Res Ipsa Loquitur*)**
12 **Against All Defendants**

13 425. Plaintiffs hereby incorporate the allegations contained in the preceding
14 paragraphs as though fully set forth herein.

15 426. Plaintiffs' harm was caused by a release of radiation from the FNPP, which
16 only Defendants controlled.

17 427. Plaintiffs' voluntary actions did not cause or contribute to the events which
18 harmed them.

19 428. Plaintiffs' harm, injuries, damages and losses ordinarily would not have
20 happened unless someone was negligent.

21 429. Plaintiffs' injuries, damages, losses and harm are the kind of harm that would
22 be anticipated as a result of the risk created by exposure to a radiation release of the nature
23 and kind that was released at Fukushima.

24 430. Defendants' acts actually and proximately caused Plaintiffs to incur losses and
25 damages, as detailed *supra*, for personal injury and property damage, loss of use and
26 enjoyment of life and their property, physical pain and mental anguish, economic losses
27 and future medical expenses.

1 431. Each of the Plaintiffs is entitled to compensatory damages in a sum to be
2 determined by the jury.

3 Wherefore, Plaintiffs request relief as hereinafter provided.
4

5 **SEVENTH CAUSE OF ACTION**
6 **(Presumption of Negligence *Per Se*)**
7 **Against DEFENDANTS TEPCO and GE**

8 432. Plaintiffs hereby incorporate the allegations contained in the preceding
9 paragraphs as though fully set forth herein.

10 433. Defendants' illegal, intentional, reckless and negligent conduct as herein
11 above alleged, violated several State, Federal, and International laws, regulations, and
12 statutes, which were enacted to protect the public, the communities and the environment,
13 including the class of individuals to which Plaintiffs belong: Good Samaritans, rescue
14 workers, and "Tomodachis" (friends) who provided help to the victims of the Fukushima
15 earthquake and tsunami.

16 434. The 1972 Convention on the Prevention of Marine Pollution by Dumping of
17 Wastes and Other Matter, to which Japan is a signatory, bans the dumping of pollution at
18 sea. The Inter-Governmental Conference on the Convention on the dumping of Wastes at
19 Sea, which met in London in November 1972, adopted this instrument, generally known
20 as the London Convention. The London Convention, one of the first international
21 conventions for the protection of the marine environment from human activities, came into
22 force on August 30, 1975.

23 435. The London Convention contributes to the international control and
24 prevention of marine pollution by prohibiting the dumping of certain hazardous materials.
25 In addition, a special permit is required prior to dumping of a number of other identified
26 materials and a general permit for other wastes or matter.
27
28

1 436. "Dumping" has been defined as the deliberate disposal at sea of wastes or
2 other matter from vessels, aircraft, platforms or other man-made structures, as well as the
3 deliberate disposal of these vessels or platforms themselves. Annexes list wastes which
4 cannot be dumped and others for which a special dumping permit is required.

5 437. Amendments adopted in 1993 (which entered into force in 1994) banned the
6 dumping into sea of low-level radioactive wastes. In addition, the amendments phased out
7 the dumping of industrial wastes by December 31, 1995 and banned the incineration at sea
8 of industrial wastes.

9 438. Defendant TEPCO engaged in intentionally dumping in excess of 11,500 tons
10 of radioactive water into the Pacific Ocean during and following the meltdown of the
11 FNPP.

12 439. Plaintiffs' injuries, damages, losses and harm are of the kind that would be
13 anticipated as a result of the risk created by exposure to a radiation release of the nature
14 and kind that was released at Fukushima.

15 440. Defendants' acts actually and proximately caused Plaintiffs to incur losses and
16 damages, as detailed *supra*, for personal injury and property damage, loss of use and
17 enjoyment of life and their property, physical pain and mental anguish, economic losses
18 and future medical expenses.

19 441. Each of the Plaintiffs is entitled to compensatory damages in a sum to be
20 determined by the jury.

21 Wherefore, Plaintiffs request relief as hereinafter provided.

22
23 **EIGHTH CAUSE OF ACTION**
24 **(Wrongful Death)**
25 **By All Estate Plaintiffs**
26 **Against All Defendants**

27 442. Plaintiffs hereby incorporate the allegations contained in the preceding
28 paragraphs as though fully set forth herein.

1 443. The Estate of Donald Dellinger alleges that Mr. Dellinger was exposed to
2 radiation during Operation Tomodachi, caused by the negligent, willful, wanton and
3 reckless conduct of Defendants described *supra*. His exposure caused his untimely death.

4 444. Defendants owed a duty to Donald Dellinger, and all of those in the immediate
5 area surrounding the FNPP, to ensure the FNPP was safe for the purposes for which it was
6 to be used, was properly operated and maintained, was appropriately designed and would
7 withstand foreseeable natural disasters. Defendants breached its duty to the decedent by,
8 *inter alia*, failing to take such actions.

9 445. Donald Dellinger's death was the direct and proximate result of Defendants'
10 acts and omissions.

11 446. Plaintiff, the Estate of Donald Dellinger, has sustained economic damages,
12 including the loss of funeral and burial expenses, the loss of income that Mr. Dellinger
13 would have earned during his lifetime, and the reasonable value of household services that
14 Mr. Dellinger would have provided. The heirs to the Estate of Donald Dellinger have also
15 lost the financial support, gifts and benefits that Mr. Dellinger would have contributed to
16 them during his life expectancy.

17 447. Plaintiff, the Estate of Donald Dellinger has also suffered the following
18 noneconomic damages:

19 1. The loss of Donald Dellinger's love, companionship, comfort, care,
20 assistance, protection, affection, society, moral support;

21 2. The loss of Donald Dellinger's training, guidance and the loss as a role
22 model for adulthood.

23 448. Defendants' acts and omissions were willful, wanton, and reckless, and Mr.
24 Dellinger died as a result of such conduct. Accordingly, the Estate of Donald Dellinger,
25 also seeks punitive damages against Defendants TEPCO and GE.
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1 449. The Estate of Ruby Perez, by Kirk Godair, as the Administrator of the Estate
2 of Ruby Perez alleges that Ruby Perez was exposed to radiation during Operation
3 Tomodachi, caused by the negligent, willful, wanton and reckless conduct of Defendants
4 described *supra*. Her exposure caused her to develop ovarian cancer, from which she died
5 on December 7, 2016. Ruby Perez is survived by her minor daughter, C.G., and her mother,
6 Rachel Mendez.

7 450. Defendants owed a duty to Ruby Perez, and all of those in the immediate area
8 surrounding the FNPP, to ensure the FNPP was safe for the purposes for which it was to
9 be used, was properly operated and maintained, was appropriately designed and would
10 withstand foreseeable natural disasters. Defendants breached its duty to the decedent by,
11 *inter alia*, failing to take such actions.

12 451. Ruby Perez's death was the direct and proximate result of Defendants' acts
13 and omissions.

14 452. Plaintiff, the Estate of Ruby Perez, has sustained economic damages,
15 including the loss of funeral and burial expenses, the loss of income that MMs. Perez would
16 have earned during her lifetime, and the reasonable value of household services that Ms.
17 Perez would have provided. C.G., Rachel Mendez and any other heirs to the Estate of
18 Ruby Perez have also lost the financial support, gifts and benefits that Ms. Perez would
19 have contributed to them during her life expectancy.

20 453. Plaintiffs, the Estate of Ruby Perez, C.G. and Rachel Mendez have also
21 suffered the following noneconomic damages:

- 22 1. The loss of Ruby Perez's love, companionship, comfort, care, assistance,
23 protection, affection, society, moral support;
- 24 2. The loss of Ruby Perez's training, guidance and the loss as a role model
25 for adulthood.

1 454. Defendants' acts and omissions were willful, wanton, and reckless, and Ms.
2 Perez died as a result of such conduct. Accordingly, Plaintiff Kirk Godair, as the
3 Administrator of the Estate of Ruby Perez, also seeks punitive damages against Defendants
4 TEPCO and GE.

5 455. The Estate of Danyelle Luckey, by Annette Luckey, as the Administrator of
6 the Estate of Danyelle Luckey alleges that Danyelle Luckey was exposed to radiation
7 during Operation Tomodachi, caused by the negligent, willful, wanton and reckless
8 conduct of Defendants described *supra*. Her exposure caused her to develop sepsis, from
9 which she died on October 10, 2016. Danyelle Luckey is survived by her parents, Annette
10 and Derrick Luckey.

11 456. Defendants owed a duty to Danyelle Luckey, and all of those in the immediate
12 area surrounding the FNPP, to ensure the FNPP was safe for the purposes for which it was
13 to be used, was properly operated and maintained, was appropriately designed and would
14 withstand foreseeable natural disasters. Defendants breached its duty to the decedent by,
15 *inter alia*, failing to take such actions.

16 457. Danyelle Luckey's death was the direct and proximate result of Defendants'
17 acts and omissions.

18 458. Plaintiff, the Estate of Danyelle Luckey, has sustained economic damages,
19 including the loss of funeral and burial expenses, the loss of income that Ms. Luckey would
20 have earned during her lifetime, and the reasonable value of household services that
21 Danyelle Luckey would have provided. Annette and Derrick Luckey have also lost the
22 financial support, gifts and benefits that Danyelle Luckey would have contributed to them
23 during her life expectancy.

24 459. Plaintiffs, the Estate of Danyelle Luckey, Annette Luckey and Derrick Luckey
25 have also suffered the following noneconomic damages:
26
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1 465. Plaintiffs, the Estate of Brenda Downing and Janeth Masinde have also
2 suffered the following noneconomic damages:

3 1. The loss of Brenda Downing's love, companionship, comfort, care,
4 assistance, protection, affection, society, moral support;

5 2. The loss of Brenda Downing's training, guidance and the loss as a role
6 model for adulthood.

7 466. Defendants' acts and omissions were willful, wanton, and reckless, and Ms.
8 Downing died as a result of such conduct. Accordingly, Plaintiff Janeth Masinde, as the
9 Administrator of the Estate of Brenda Downing, also seeks punitive damages against
10 Defendants TEPCO and GE.

11 467. The Estate of Jesse Ready, by Teresa Ready, as the Administrator of the Estate
12 of Jesse Ready alleges that Jesse Ready was exposed to radiation during Operation
13 Tomodachi, caused by the negligent, willful, wanton and reckless conduct of Defendants
14 described *supra*. His exposure caused him to develop lymphoma, from which he died
15 January 11, 2016. Jesse Ready is survived by his wife, Teresa Ready, and their two
16 children, Brenden Beskow and A.R.

17 468. Defendants owed a duty to Jesse Ready, and all of those in the immediate area
18 surrounding the FNPP, to ensure the FNPP was safe for the purposes for which it was to
19 be used, was properly operated and maintained, was appropriately designed and would
20 withstand foreseeable natural disasters. Defendants breached its duty to the decedent by,
21 *inter alia*, failing to take such actions.

22 469. Jesse Ready's death was the direct and proximate result of Defendants' acts
23 and omissions.

24 470. Plaintiff, the Estate of Jesse Ready, has sustained economic damages,
25 including the loss of funeral and burial expenses, the loss of income that Mr. Ready would
26 have earned during his lifetime, and the reasonable value of household services that Mr.
27

1 Ready would have provided. Teresa Ready, Brenden Beskow and A.R. have also lost the
2 financial support, gifts and benefits that Mr. Ready would have contributed to them during
3 his life expectancy.

4 471. Plaintiff, the Estate of Jesse Ready has also suffered the following
5 noneconomic damages:

6 1. The loss of Jesse Ready's love, companionship, comfort, care, assistance,
7 protection, affection, society, moral support;

8 2. The loss of Jesse Ready's training, guidance and the loss as a role model
9 for adulthood.

10 472. Defendants' acts and omissions were willful, wanton, and reckless, and Mr.
11 Ready died as a result of such conduct. Accordingly, Plaintiff Teresa Ready, as the
12 Administrator of the Estate of Jesse Ready, also seeks punitive damages against Defendants
13 TEPCO and GE.

14 473. Each of the Plaintiffs is entitled to compensatory and punitive damages in a
15 sum to be determined by the jury.

16 Wherefore, Plaintiffs request relief as hereinafter provided.

17
18 **NINTH CAUSE OF ACTION**

19 **(Survival Action)**

20 **By All Estate Plaintiffs**

21 **Against All Defendants**

22 474. Plaintiffs hereby incorporate the allegations contained in the preceding
23 paragraphs as though fully set forth herein.

24 475. Estate Plaintiffs bring this Survival Action pursuant California Code of Civil
25 Procedure Section 377.30, providing: "A cause of action that survives the death of the
26 person entitled to commence an action or proceeding passes to the decedent's successor in
27
28

1 interest, and an action may be commenced by the decedent’s personal representative or, if
2 none, by the decedent’s successor in interest.”

3 476. Defendants owed a duty to each Decedent, and all of those in the immediate
4 area surrounding the FNPP, to ensure the FNPP was safe for the purposes for which it was
5 to be used, was properly operated and maintained, was appropriately designed and would
6 withstand foreseeable natural disasters. Defendants breached their duty to the decedents
7 by, *inter alia*, failing to take such actions.

8 477. The acts and omissions of the Defendants proximately caused the death of
9 each decedent.

10 478. The Estate of Donald Dellinger alleges that Mr. Dellinger was exposed to
11 radiation during Operation Tomodachi, caused by the negligence of Defendants described
12 *supra*. His exposure caused his untimely death.

13 479. Defendants’ negligent and intentional conduct are the actual and proximate
14 cause of the decedent’s damages, injuries, losses and harms, including the following: ALL
15 loss or damage that the decedent sustained or incurred before death, including any penalties
16 or punitive or exemplary damages that the decedent would have been entitled to recover
17 had the decedent lived, and including medical expenses and lost wages, as well as penalties,
18 punitive or exemplary damages. Mr. Dellinger, by and through his Estate, seeks damages
19 from Defendants for decedent’s pain, suffering, loss of income, any and all medical
20 expenses and other losses and expenses allowed by law.

21 480. The Estate of Donald Dellinger makes claims against Defendants on behalf of
22 Mr. Dellinger, any statutory beneficiaries and the Estate of Donald Dellinger for all
23 recoverable damages, including but not limited to:

- 24 a. Donald Dellinger’s conscious pain and suffering from the time of the injury
25 to the time of his death;
26 b. Donald Dellinger’s loss of enjoyment of life;

1 c. Donald Dellinger's loss of net future earnings after subtracting amounts he
2 would have spent on his own living expenses and on support of his family.

3 481. The Estate of Ruby Perez, by Kirk Godair, as the Administrator of the Estate
4 of Ruby Perez alleges that Ruby Perez was exposed to radiation during Operation
5 Tomodachi, caused by the negligence of Defendants described *supra*. Her exposure caused
6 her to develop ovarian cancer, from which he died on December 7, 2016. Ruby Perez is
7 survived by her minor daughter, C.G., and her mother, Rachel Mendez.

8 482. Defendants' negligent and intentional conduct are the actual and proximate
9 cause of the decedent's damages, injuries, losses and harms, including the following: ALL
10 loss or damage that the decedent sustained or incurred before death, including any penalties
11 or punitive or exemplary damages that the decedent would have been entitled to recover
12 had the decedent lived, and including medical expenses and lost wages, as well as penalties,
13 punitive or exemplary damages. Ms. Perez, by and through Kirk Godair, as representative
14 of the Estate, seeks damages from Defendants for decedent's pain, suffering, loss of
15 income, any and all medical expenses and other losses and expenses allowed by law.

16 483. Mr. Godair make claims against Defendants on behalf of Ms. Perez, the Estate
17 of Ruby Perez and any statutory beneficiaries for all recoverable damages, including but
18 not limited to:

- 19 a. Ruby Perez's conscious pain and suffering from the time of the injury to the
20 time of her death;
21 b. Ruby Perez's loss of enjoyment of life;
22 c. Ruby Perez's loss of net future earnings after subtracting amounts she would
23 have spent on her own living expenses and on support of her family.

24 484. The Estate of Danyelle Luckey, by Annette Luckey, as the Administrator of
25 the Estate of Danyelle Luckey alleges that Danyelle Luckey was exposed to radiation
26 during Operation Tomodachi, caused by the negligence of Defendants described *supra*.

1 Her exposure caused her to develop sepsis, from which she died on October 10, 2016.
2 Danyelle Luckey is survived by her parents, Annette and Derrick Luckey.

3 485. Defendants' negligent and intentional conduct are the actual and proximate
4 cause of the decedent's damages, injuries, losses and harms, including the following: ALL
5 loss or damage that the decedent sustained or incurred before death, including any penalties
6 or punitive or exemplary damages that the decedent would have been entitled to recover
7 had the decedent lived, and including medical expenses and lost wages, as well as penalties,
8 punitive or exemplary damages. Ms. Luckey, by and through Annette Luckey, as
9 representative of the Estate, seeks damages from Defendants for decedent's pain, suffering,
10 loss of income, any and all medical expenses and other losses and expenses allowed by
11 law.

12 486. Ms. Luckey make claims against Defendants on behalf of Danyelle Lucky,
13 the Estate of Danyelle Luckey, and any statutory beneficiaries for all recoverable damages,
14 including but not limited to:

- 15 a. Danyelle Luckey's conscious pain and suffering from the time of the injury to
16 the time of her death;
- 17 b. Danyelle Luckey's loss of enjoyment of life;
- 18 c. Danyelle Luckey's loss of net future earnings after subtracting amounts she
19 would have spent on her own living expenses and on support of her family.

20 487. The Estate of Brenda Downing, by Janeth Masinde, as the Administrator of
21 the Estate of Brenda Downing alleges that Brenda Downing was exposed to radiation
22 during Operation Tomodachi, caused by the negligence of Defendants described *supra*.
23 Her exposure caused her untimely death. Brenda Downing is survived by her mother,
24 Janeth Masinde.

25 488. Defendants' negligent and intentional conduct are the actual and proximate
26 cause of the decedent's damages, injuries, losses and harms, including the following: ALL
27

1 loss or damage that the decedent sustained or incurred before death, including any penalties
2 or punitive or exemplary damages that the decedent would have been entitled to recover
3 had the decedent lived, and including medical expenses and lost wages, as well as penalties,
4 punitive or exemplary damages. Ms. Downing, by and through Janeth Masinde, as
5 representative of the Estate, seeks damages from Defendants for decedent's pain, suffering,
6 loss of income, any and all medical expenses and other losses and expenses allowed by
7 law.

8 489. Ms. Masinde makes claims against Defendants on behalf of Brenda Downing,
9 the Estate of Brenda Downing, and any statutory beneficiaries for all recoverable damages,
10 including but not limited to:

- 11 a. Brenda Downing's conscious pain and suffering from the time of the injury to
12 the time of her death;
- 13 b. Brenda Downing's loss of enjoyment of life;
- 14 c. Brenda Downing's loss of net future earnings after subtracting amounts she
15 would have spent on her own living expenses and on support of her family.

16 490. The Estate of Jesse Ready, by Teresa Ready, as the Administrator of the Estate
17 of Jesse Ready alleges that Jesse Ready was exposed to radiation during Operation
18 Tomodachi, caused by the negligence of Defendants described *supra*. His exposure caused
19 him to develop lymphoma, from which he died January 11, 2016. Jesse Ready is survived
20 by his wife, Teresa Ready, and their two children, Brenden Beskow and A.R.

21 491. Defendants' negligent and intentional conduct are the actual and proximate
22 cause of the decedent's damages, injuries, losses and harms, including the following: ALL
23 loss or damage that the decedent sustained or incurred before death, including any penalties
24 or punitive or exemplary damages that the decedent would have been entitled to recover
25 had the decedent lived, and including medical expenses and lost wages, as well as penalties,
26 punitive or exemplary damages. Mr. Ready, by and through Teresa Ready as
27

1 representative of the Estate, seeks damages from Defendants for decedent's pain, suffering,
2 loss of income, any and all medical expenses and other losses and expenses allowed by
3 law.

4 492. Ms. Ready makes claims against Defendants on behalf of Jesse Ready, the
5 Estate of Jesse Ready and any statutory beneficiaries for all recoverable damages, including
6 but not limited to:

- 7 a. Jesse Ready's conscious pain and suffering from the time of the injury to the
8 time of his death;
- 9 b. Jesse Ready's loss of enjoyment of life;
- 10 c. Jesse Ready's loss of net future earnings after subtracting amounts he would
11 have spent on his own living expenses and on support of his family.

12 493. Each of the Estate Plaintiffs is entitled to compensatory damages in a sum to
13 be determined by the jury.

14 Wherefore, Plaintiffs request relief as hereinafter provided.

15
16 **TENTH CAUSE OF ACTION**
17 **(Loss of Consortium)**
18 **Against All Defendants**

19 494. Plaintiffs hereby incorporate the allegations contained in the preceding
20 paragraphs, as though fully set forth herein.

21 495. Each spouse of each Plaintiff herein alleges he/she has been harmed by the
22 injury to his/her husband/wife/domestic partners. Each spouse/domestic partner of each
23 Plaintiff seeks to be reasonably compensated for the loss of his/her
24 husband/wife's/domestic partner's companionship and services, past and future, including:
25 the loss of love, companionship, comfort, care, assistance, protection, affection, society,
26 moral support and the loss of the enjoyment of sexual relations and/or the ability to have
27 children.

1 Wherefore, Plaintiffs request relief as hereinafter provided.
2

3 **PRAYER FOR RELIEF**

- 4 1. For a judgment ordering, requiring and compelling the DEFENDANTS to establish
5 a fund in an amount not less than one BILLION (\$1,000,000,000.00) DOLLARS as
6 to each DEFENDANT available to advance and pay all costs and expenses for each
7 of the PLAINTIFFS for medical examination, medical monitoring, and treatment by
8 physicians of PLAINTIFFS' choice; And for the payment of costs and expenses for
9 each of the PLAINTIFFS for medical examination, medical monitoring, and
10 treatment by physicians of PLAINTIFFS' choice for their offspring who are at risk
11 for birth defects caused by genetic gene mutation.
12 2. For special and economic damages, including lost wages, for all Causes of Action;
13 3. For general and non-economic damages for all Causes of Action;
14 4. For punitive damages for all Causes of Action;
15 5. For prejudgment interest at the prevailing legal rate;
16 6. For costs of the suit including reasonable attorneys' fees; and
17 7. For such other and further relief, including injunctive relief, as the Court may deem
18 proper.
19

20 **DEMAND FOR JURY TRIAL**

21 The Plaintiffs hereby demand a jury trial of all issues as provided by Rule 38(a) of
22 the Federal Rules of Civil Procedure.
23
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27
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1 DATED: March 14, 2018 RESPECTFULLY SUBMITTED,
2

3
4 By: /s/ CHARLES A. BONNER

5 CHARLES A. BONNER

6
7 /s/ JOHN R. EDWARDS

8 JOHN R. EDWARDS

9
10 /s/ A. CABRAL BONNER

11 A. CABRAL BONNER

12
13 /s/ CATHARINE E. EDWARDS

14 CATHARINE E. EDWARDS

15
16 /s/ PAUL C. GARNER

17 PAUL C. GARNER

18 Attorneys for Plaintiffs
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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Dustin Bartel, et al, on behalf of themselves and others similarly situated

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Edwards Kirby, LLP, 3201 Glenwood Ave., Ste 100, Raleigh, NC 27609,
(919) 780-5400; Bonner & Bonner, 475 Gate Five Rd., Ste 212,
Sausalito, CA 94965, (415) 331-3070

DEFENDANTS

Tokyo Electric Power Company, Inc., and General Electric Company

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

'18CV0537 BAS MDD

Attorneys (If Known)
Munger, Tolles & Olson, 350 South Grand Ave., Los Angeles, CA 90071, (213) 683-9548; Arnold & Porter, 250 West 55th St, New York, NY 10019, (212) 836-8240

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|---|--|---|---|---|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes |
| | PERSONAL INJURY <input checked="" type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | | PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark | |
| | PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act | SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) | |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education | PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act | FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 |
| | | IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | | |

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Fed. R. Civ. P. 23, U.S. Treaties, Maritime Law

Brief description of cause:

Personal Injury for Negligence, Gross Negligence, Design & Manufacturing Defects, Wrongful Death & Survivor

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 1,000,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Janis L. Sammartino

DOCKET NUMBER 3:12-cv-3032

DATE

03/14/2018

SIGNATURE OF ATTORNEY OF RECORD

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AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Navy Sailors File Revised Class Action Against Tokyo Electric Power Co., General Electric Over Fukushima Radiation Exposure](#)
