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*Attorneys for Plaintiff Daniel Sullivan*

DANIEL SULLIVAN,

Plaintiff

vs.

MIDDLESEX WATER COMPANY; JOHN DOE  
AND JANE DOE 1-10; ABC CORP. 1-10,  
AND/OR XYZ, LLC 1-10

Defendants.

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

Docket No.: \_\_\_\_\_ - \_\_\_\_

**Civil Action**

**COMPLAINT AND JURY DEMAND**

Plaintiff, Daniel Sullivan (“Plaintiff”), by and through his attorneys, Lieberman Blecher & Sinkevich, P.C. by way of Complaint against the Defendants, Middlesex Water Company, John Doe and Jane Doe 1-10, ABC Corp. 1-10, and XYZ, LLC 1-10, does hereby allege and say as follows:

### **INTRODUCTION**

1. This lawsuit arises out of the serious harm that has been caused to Plaintiff by Defendants for supplying water to Plaintiff’s residence that was contaminated with high levels of Perfluorooctanoic Acid (“PFOA”). Defendants exacerbated and prolonged the crisis by failing to warn or notify Plaintiff of the contamination.
2. Plaintiff brings this action against Defendants for its wanton, reckless and negligent actions and omissions, which resulted in Plaintiff consuming water that was contaminated with

toxic chemicals for a substantial number of years. This resulted in Plaintiff's stage IV cancer diagnosis.

3. Plaintiff was exposed to PFOA for a long period of time by the fault of Defendants and as a result, Plaintiff has suffered serious bodily injury and unnecessary risk to his health and well-being, which has unreasonably interfered with his quality of life and the use and enjoyment of his property.

### **PARTIES**

4. Plaintiff, Daniel Sullivan, is a natural person and citizen of New Jersey, residing at 86 Ridgewood Way, Burlington, NJ 08016. Plaintiff previously resided at 106 Warner Street, Fords, New Jersey 08863 ("Subject Property") from February 1992 to June 2018.
5. Defendant, Middlesex Water Company ("Middlesex Water"), is a corporation organized and existing under the laws of the State of New Jersey with its principal place of business located at 1500 Ronson Road, Iselin, NJ 08830.
6. Middlesex Water is incorporated as a water utility company and operates a public water system in Middlesex County, New Jersey.
7. John Doe and Jane Doe 1-10 are fictitious persons that are currently unknown but may be liable for the claims made herein and are designated pursuant to R. 4:26-4.
8. ABC, CORP. 1-10 and/or XYZ, LLC 1-10 are fictitious business entities that are currently unknown but may be liable for the claims made herein and are designated pursuant to R. 4:26-4.

### **JURISDICTION AND VENUE**

9. This Court has jurisdiction over this matter as it has been vested by the New Jersey State Constitution with the authority to enforce and interpret statutes and adjudicate common law claims of the nature raised herein.
10. Venue is proper in Middlesex County because Plaintiff resided in Middlesex County at the time of his injury and the events giving rise to the action occurred in Middlesex County.

### **GENERAL ALLEGATIONS**

11. Perfluorooctanoic acid (“PFOA”) is one of a few types of chemicals known as perfluoroalkyl substance (“PFAS”).
12. PFAS were once thought as beneficial because of their resistance to heat, water, oil and stains and were used in non-stick and heat resistant products, prior to the discovery of their highly toxic effects on humans and the environment.
13. PFOA is a manmade and manufactured chemical that is used to make Teflon and other non-stick products, stain and water repellant products, pesticides, cleaning products, food packaging and firefighting foam.
14. PFOA resists heat, oil, grease and water, and is thermally, chemically, and biologically stable. This means PFOA is resistant to chemical reactions; therefore it takes an extremely long time for PFOA to break down.
15. Once PFOA is released into the environment, it will continue to build up and will eventually seep into the soil and groundwater.
16. PFOA enters drinking water through industrial release into the ground, from sewage plants, contaminated sludge, and firefighting foam.
17. PFOA constitutes a substantial threat to human health and the environment, and is a statewide public nuisance.

18. Due to PFOA's strong molecular structure, PFOA will remain in the human body for long periods of time.
19. PFOA binds to the protein in blood and builds up with each exposure, no matter how small the exposure.
20. Consistent exposure to PFOA can cause a number of health related issues. PFOA exposure can lead to testicular cancer, kidney cancer, and thyroid cancer among other health problems such as skeletal issues, liver problems, impaired fetal development, and immune disorders.
21. Middlesex Water has been supplying PFOA contaminated water for at least fifteen years.
22. In January 2007, the NJDEP released a report that showed PFOA was found in the water in Middlesex County near the DuPont Parlin Site.<sup>1</sup>
23. Due to the dangers of PFOA, in March 2017 the Drinking Water Quality Institute ("DWQI") recommended to the New Jersey Department of Environmental Protection ("NJDEP") that a maximum contaminant level for PFOA should be established as 14 parts per trillion ("ppt").
24. On March 13, 2019 the NJDEP established groundwater quality criteria for PFOA as 14 parts per trillion pursuant to N.J.A.C. 7:9C-1-7.
25. Middlesex Water's Annual Quality Tests show that their water supply contained PFOA as far back as 2008.
26. According to Middlesex Water Company's Water Quality Data, they had levels of PFOA higher than 14 ppt in 2008, 2009, 2010, 2012, 2014, 2016, and 2017.

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<sup>1</sup> Determination of Perfluorooctanoic Acid (PFOA) in Aqueous Samples (State of New Jersey Department of Environmental Protection, Division of Water Supply, January 2007), [https://www.nj.gov/dep/dsr/dw/final\\_pfoa\\_report.pdf](https://www.nj.gov/dep/dsr/dw/final_pfoa_report.pdf), Appendix A.

- a. In 2008 and 2009, Middlesex Water's groundwater contained 38.0 parts per trillion of PFOA pursuant to its Water Quality Data.
  - b. In 2010, Middlesex Water's groundwater contained 31.0-47.0 parts per trillion of PFOA pursuant to its Water Quality Data.
  - c. In 2012, Middlesex Water's groundwater contained 26.0 parts per trillion of PFOA pursuant to its Water Quality Data.
  - d. In 2014, Middlesex Water's groundwater contained 22.0 parts per trillion of PFOA pursuant to its Water Quality Data.
  - e. In 2016, Middlesex Water's groundwater contained 21.0 parts per trillion of PFOA pursuant to its Water Quality Data.
  - f. In 2017, Middlesex Water's groundwater contained 23.0 parts per trillion of PFOA pursuant to its Water Quality Data.
27. Middlesex Water had notice that their water supply contained PFOA since at least 2008.
28. Middlesex Water was aware that PFOA levels over 14 ppt were dangerous since at least 2017.
29. On October 26, 2018, Middlesex Water filed a lawsuit against 3M claiming that 3M had contaminated their water supply with PFOA.
30. Middlesex Water's complaint against 3M alleges the dangers associated with PFOA and the health risks associated with PFOA exposure.
31. Middlesex Water did nothing to warn its customers that their water was contaminated with PFOA or the dangers associated, after they initiated suit against 3M.
32. Middlesex Water continued to supply contaminated water to its consumers and collect monthly fees for the water supply.

33. Despite the high levels of PFOA in Middlesex Water supply each year, Middlesex Water made misrepresentations to their consumers that their water was safe and that their company provided high quality water.

34. Middlesex Water also made misrepresentations in its 2021 Annual Report when it stated

We had been challenged in the 4<sup>th</sup> quarter of 2021 for the fact that we were not able to maintain compliance with a regulation that became effective in 2021 in New Jersey regarding the presence of perfluoroalkyl chemical, more commonly known as PFOA. Although not an acute or immediate health threat, as attested by the New Jersey Department of Environmental Protection, the required regulatory communications to customers created concern.

35. In fact, Middlesex Water was well aware of the health threats concerning the high levels of PFOA.

36. Middlesex Water was on notice that PFOA was dangerous given the NJDEP's multiple directives regarding PFAS and PFOA, the DWQI maximum contaminant level recommendation, and Middlesex Water had stated in their complaint against 3M the specific dangers of PFOA.

37. Plaintiff resided at the Subject Property from his birth in February 1992 until June 2018.

38. The Subject Property is located in Middlesex County and its water supply came from Middlesex Water.

39. While Plaintiff resided at the Subject Property, he ingested around a gallon of water a day from the tap.

40. Plaintiff showered every day and also swam in his pool every summer until he was twelve years old.

41. Plaintiff was consuming PFOA contaminated water supplied by Middlesex Water from at least 2007 to June 2018.

42. Plaintiff was completely unaware that he was consuming water that contained PFOA.
43. On March 27, 2017, Plaintiff was diagnosed with stage IV testicular cancer, at the age of twenty-five.
44. On March 31, 2017, Plaintiff had his left testicle removed at Memorial Sloan Kettering Cancer Center.
45. From April 11, 2017 through June 30, 2017, Plaintiff received outpatient chemotherapy at Memorial Sloan Kettering Cancer Center.
46. On July 28, 2017, Plaintiff underwent a bilateral post chemotherapy nerve-sparing retroperitoneal lymph node dissection at Memorial Sloan Kettering Cancer Center.
47. Prior to being diagnosed with stage IV testicular cancer, Plaintiff was a healthy adult who exercised and had no prior health issues.
48. Plaintiff has never smoked and has never been a firefighter.
49. Plaintiff worked an office job, therefore he was not exposed to PFOA through any other source besides the water supplied to his residence.
50. Plaintiff's continuous consumption of the water supplied by Middlesex Water created a build-up of PFOA in his body. This contamination and harmful exposure to high levels of PFOA led to Plaintiff's testicular cancer.
51. Plaintiff's mother still resides at the Subject Property.
52. Plaintiff's mother received a Notice from Defendant, Middlesex Water, dated January 22, 2022 ("Notice"), which is attached hereto as Exhibit A. The Notice stated:

The MCL [maximum contaminant level] for PFOA is 14 parts per trillion (ppt) and is based on a running annual average (RAA), in which the four most recent quarters of monitoring data are averaged. As anticipated, on December 10, 2021, we received notice that the sample collected on November 3, 2021, showed that our system

exceeds the PFOA MCL. PFOA was detected at 27.7 ppt, which caused the running annual average (RAA) to exceed the MCL.

53. The Notice also stated “[d]rinking water containing PFOA in excess of the MCL over time may also increase the risk of testicular and kidney cancer.” (Exhibit A).
54. Plaintiff had been consuming water that was supplied by Middlesex Water and contaminated with PFOA for a majority of his life without knowing the danger associated.
55. Plaintiff was completely unaware of any PFOA exposure until January 2022.
56. The Notice provided by Middlesex Water was the first indication that Plaintiff had been exposed to toxic chemicals and that it had caused his testicular cancer.
57. The Notice came too late to prevent Plaintiff from developing cancer.

#### **COUNT I – NEGLIGENCE**

58. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.
59. Defendants owed a duty of care to Plaintiff to supply clean drinking water for safe consumption.
60. Defendants breached its duty of care when it supplied water to Plaintiff that was contaminated with high levels of PFOA.
61. It is reasonably foreseeable that Plaintiff would likely suffer the injuries and harm by virtue of Defendants’ breach of duty and failure to exercise reasonable care. If it was not for Defendants’ actions, Plaintiff would not have been injured.
62. As a direct and proximate result of Defendants’ breach of the duty of care owed to Plaintiff, Plaintiff has suffered damages and continues to suffer damages including but not limited to personal injury, financial injury, emotional distress, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.



**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

**COUNT II – GROSS NEGLIGENCE**

63. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

64. Defendants owed a duty of care to Plaintiff to exercise reasonable care in supplying clean drinking water for safe consumption.

65. Defendants supplied drinking water to Plaintiff knowing that it contained high levels of PFOA, which caused Plaintiff's injury.

66. Defendants breached their duty of care by creating a unreasonable risk of harm to Plaintiff.

67. Defendants' acts and omissions, which risked such great peril as described herein, constitute truly outrageous conduct. Their conduct constitutes gross negligence.

68. Defendants' actions lead to Plaintiff's injuries, and Plaintiff suffered and continues to suffer damages, including but not limited to personal injury, financial injury, emotional distress, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;

- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

### **COUNT III – PRIVATE NUISANCE**

69. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.
70. Plaintiff had a possessory interest in the Subject Property.
71. Defendants supplied contaminated water to the Subject Property, which was substantially offensive, discomfoting and annoying to Plaintiff, a person of ordinary sensibilities, tastes and habits.
72. Defendants' acts and omissions resulted in an entry and intrusion onto Plaintiff's property without privilege, permission, invitation or justification.
73. Defendants' interference with Plaintiff's rights was so unusual and excessive that it caused injury, damage, harm and inconvenience to Plaintiff.
74. Defendants' interference substantially, materially and unusually interfered with Plaintiff's comfort, and the use and enjoyment of his property.
75. As a result of the conditions described herein, Plaintiff has suffered and continues to suffer damages including actual or increased harm to his property and economic interests and severe illness.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and

e) Such other relief as the Court may deem just and equitable.

**COUNT IV – PUBLIC NUISANCE**

76. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

77. Defendants negligently and recklessly supplied PFOA contaminated water to the public.

78. Defendants were aware that their actions have significant effect upon the public and have unreasonably interfered with a right common to the general public.

79. Defendants' conduct involves a significant interference with the general public's health and safety.

80. Defendants' conduct is continuing in nature, which has produced and will continue to produce a long-lasting adverse impact on the general public's health and the right to the use and enjoyment of public property.

81. There have been physical intrusions directly onto Plaintiff's property, as well as other adverse impacts directly to Plaintiff.

82. Defendants' actions have resulted in Plaintiff sustaining injuries related to, though separate and distinct from the harm suffered by the general public.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

**COUNT V –NEGLIGENT MISREPRESENTATION**

83. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.
84. Defendants made statements to their consumers that their drinking water was high quality and safe for consumption.
85. Defendants made further misrepresentations to their shareholders that PFOA is not dangerous or immediate health threat.
86. Defendants knew that PFOA was dangerous and that consumers, including Plaintiff, would justifiably rely on their statements about their safe water supply.
87. Plaintiff relied on statements made by Defendants concerning the quality and safety of their water to his detriment.
88. Plaintiff has suffered and continues to suffer damages, including but not limited to personal injury, financial injury, emotional distress, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

**COUNT VI – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

89. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.
90. Defendants owed a duty of reasonable care to Plaintiff to supply clean drinking water for safe consumption.

91. Defendants breached their duty of care to Plaintiff when it supplied water to Plaintiff that was contaminated with high levels of PFOA for a substantial amount of time.

92. This caused PFOA to build up in Plaintiff's body and he developed cancer as a result.

93. Defendants' conduct caused Plaintiff to suffer severe emotional distress.

94. Plaintiff has a substantial fear that his cancer may come back.

95. As a result of Defendants' infliction of emotional distress, Plaintiff has suffered and continue to suffer damages, including but not limited to emotional distress, personal injury, financial injury, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

#### **COUNT VII – ASSAULT AND BATTERY**

96. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

97. Defendants' acts and commissions constituted an unreasonable and unwarranted contact of Plaintiff.

98. Defendants' actions caused Plaintiff to consume PFOA on a daily basis, causing a build-up of PFOA in his body.

99. Defendants' actual and nonconsensual contact of Plaintiff, caused Plaintiff to develop cancer thereby constituting assault and battery.

100. Due to Defendants' actions, Plaintiff has suffered and continues to suffer damages, including but not limited to personal injury, financial injury, emotional distress, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

#### **COUNT VIII – FAILURE TO WARN**

101. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

102. Defendants had a duty of reasonable care to provide safe and clean drinking water to Plaintiff, specifically water that was not contaminated with PFOA.

103. It is also reasonably foreseeable that the consumption of water contaminated with PFOA over a substantial number of years would cause harm to Plaintiff.

104. Defendants knew of the dangers associated with the consumption of PFOA, specifically long term exposure to PFOA.

105. Defendants owed Plaintiff a duty to warn that the water Plaintiff was consuming was contaminated with PFOA, and to warn Plaintiff of the dangers associated with consuming PFOA contaminated water.

106. Defendants' failure to warn allowed Plaintiff to consume water that was contaminated with PFOA for a substantial number of years which ultimately led to his cancer diagnosis.

107. Plaintiff justifiably relied on the information he was given by Defendants that the water quality was safe and not contaminated with toxic chemicals.

108. As a result of the conditions described herein, Plaintiff has suffered and continues to suffer damages, including but not limited to personal injury, financial injury, emotional distress, medical expenses, past and future lost wages, and pain, suffering, impairment, and loss of enjoyment of life.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

### **COUNT IX – MEDICAL MONITORING**

109. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

110. As a result of the PFOA exposure and cancer diagnosis, Plaintiff now has an increased likelihood of future illnesses, to the extent that he has not already sustained personal injury.

111. New Jersey case law authorizes awarding Plaintiff medical monitoring to test for the onset of resulting illness and to provide a remedy in the case that future illness does manifest.

112. This case warrants the award of medical monitoring as Plaintiff has sustained prolonged exposure to PFOA at high levels, which is likely to result in future illness.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An award of attorneys' fees and costs of suit; and
- d) Such other relief as the Court may deem just and equitable.

**COUNT X – QUALITY OF LIFE DAMAGES**

113. Plaintiff repeats and incorporates by reference as if fully stated herein each and every allegation contained in the preceding paragraphs of this complaint.

114. The conditions for which Defendants are liable, as set forth with particularity in the above counts, severely interfered with Plaintiff's quality of life.

115. Plaintiff is entitled to quality of life damages.

**WHEREFORE**, Plaintiff demands judgment against Defendants, and respectfully requests that this Court grant him the following relief:

- a) An award of compensatory damages and consequential damages, together with lawful interest;
- b) An award of punitive damages for reckless and/or intentional acts and omissions;
- c) An Order for Defendants to provide Plaintiff with medical monitoring;
- d) An award of attorneys' fees and costs of suit; and
- e) Such other relief as the Court may deem just and equitable.

The undersigned further certifies that the foregoing statements are true, and is aware that if any of the foregoing statements made are willfully false, he is subject to punishment.

LIEBERMAN BLECHER & SINKEVICH, P.C.  
*Attorneys for Plaintiff*

Date: July 7, 2022

By: /s/ Stuart J. Lieberman  
Stuart J. Lieberman, Esq.



**TRIAL COUNSEL DESIGNATION**

Stuart J. Lieberman, Esq. is hereby designated trial counsel for the Plaintiff in the above-captioned matter.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury of all issues in this action.

**CERTIFICATION PURSUANT TO RULE 4:5-1**

Plaintiff hereby certifies that the matter in controversy is not the subject of any other pending or contemplated judicial or arbitration proceeding. There are other related lawsuits to the subject of this litigation, those cases are Tomas Vera et. al. v. Middlesex Water Company, MID-L-6306-21; Roberta Lonsk v. Middlesex Water Company and 3M Company 2:2021-cv-19808; and Middlesex Water Company v. 3M Company et. al., 2:2018-cv-15366. To the best of Plaintiff's knowledge and belief, no other parties need to be joined at this time.

**CERTIFICATION PURSUANT TO RULE 1:38-7**

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

LIEBERMAN BLECHER & SINKEVICH, P.C.  
*Attorneys for Plaintiff*

Date: July 7, 2022

By: /s/ Stuart J. Lieberman  
Stuart J. Lieberman, Esq.

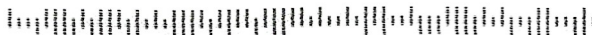
# **Exhibit A**



485C Route 1 South, Suite 400  
Iselin, NJ 08830-3020  
www.middlesexwater.com

PRSRT STD  
U.S. POSTAGE  
PAID  
PITTSBURGH, PA  
PERMIT NO. 5605

**IMPORTANT INFORMATION ENCLOSED**



\*\*\*\*\*AUTO\*\*5-DIGIT 08861  
KATHLEEN SULLIVAN  
OR CURRENT RESIDENT 50951 T37 P1  
106 WARNER ST  
FORDS NJ 08863-2033

## 关于您的饮用水的重要信息

### 密德萨斯水务公司全氟辛酸 (PFOA) 水平 超过饮用水标准且

我们的供水系统近期违反了一项新泽西州饮用水标准，您作为我们的客户，有权得知事件详情、您应采取的行动，以及我们正在对该事件采取的纠正措施。我们超出了一项全氟辛酸 (PFOA) 饮用水标准，

如需获取公共通知材料译文副本或请求协助，请通过 800-549-3802 或 [info@middlesexwater.com](mailto:info@middlesexwater.com) 联系我们。

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We routinely monitor for the presence of federal and state regulated drinking water contaminants. New Jersey adopted a standard, or maximum contaminant level (MCL), for PFOA in 2020 and required monitoring began in 2021. The MCL for PFOA is 14 parts per trillion (ppt) and is based on a running annual average (RAA), in which the four most recent quarters of monitoring data are averaged. As anticipated, on December 10, 2021, we received notice that the sample collected on November 3, 2021, showed that our system exceeds the PFOA MCL. PFOA was detected at 27.7 ppt, which caused the running annual average (RAA) to exceed the MCL. **Despite the fact the wellfield was shut-down on November 9<sup>th</sup> and that customers are no longer receiving water from these wells, the Company is still required to issue this public notice until permanent treatment is installed and we comply with the MCL at the South Plainfield Facility.**

### What is PFOA?

Perfluorooctanoic acid (PFOA) is a member of the group of chemicals called per- and polyfluoroalkyl substances (PFAS), used as a processing aid in the manufacture of fluoropolymers used in non-stick cookware and other products, as well as other commercial and industrial uses, based on its resistance to harsh chemicals and high temperatures. PFOA has also been used in aqueous film-forming foams for firefighting and training, and it is found in consumer products such as stain-resistant coatings for upholstery and carpets, water-resistant outdoor clothing, and greaseproof food packaging. Major sources of PFOA in drinking water include discharge from industrial facilities where it was made or used and the release of aqueous film-forming foam. Although the use of PFOA has decreased substantially, contamination is expected to continue indefinitely because it is extremely persistent in the environment and is soluble and mobile in water.

### What does this mean?

*\*People who drink water containing PFOA in excess of the MCL over time could experience problems with their blood serum cholesterol levels, liver, kidney, immune system, or, in males, the reproductive system. Drinking water containing PFOA in excess of the MCL over time may also increase the risk of testicular and kidney cancer. For females, drinking water containing PFOA in excess of the MCL over time may cause developmental delays in a fetus and/or an infant. Some of these developmental effects may persist through childhood.*

*\* For specific health information, see*

[https://www.nj.gov/health/ceohs/documents/pfas\\_drinking%20water.pdf](https://www.nj.gov/health/ceohs/documents/pfas_drinking%20water.pdf).

### What should I do?

- If you have specific health concerns, a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at higher risk than other individuals and should seek advice from your health care providers about drinking this water.

- The New Jersey Department of Health advises that infant formula and other beverages for infants, such as juice, should be prepared with bottled water when PFOA is elevated in drinking water.
- Pregnant, nursing, and women considering having children may choose to use filtered or bottled water for drinking and cooking to reduce exposure to PFOA.
- Other people may also choose to use bottled water for drinking and cooking to reduce exposure to PFOA or a home water filter that is certified to reduce levels of PFOA. Home water treatment devices are available that can reduce levels of PFOA. For more specific information regarding the effectiveness of home water filters for reducing PFOA, visit the National Sanitation Foundation (NSF) International website, <http://www.nsf.org/>.
- Boiling your water will not remove PFOA.

For more information, see <https://www.nj.gov/dep/watersupply/pfas/>

### What is being done?

Middlesex Water shut down the wellfield that was testing above state limits for the new PFOA standard, effective November 9, 2021. We are obtaining water from alternate sources that comply with all state and federal drinking water standards. Recently completed upgrades to our infrastructure allowed us to bypass the affected wells while meeting customer demand. Absent emergency conditions, the Company is intending to keep the wellfield completely out of service until treatment improvements are completed at that South Plainfield facility, expected in mid-2023. Updates will continue to be provided on our website every three months at [www.middlesexwater.com](http://www.middlesexwater.com). For more information, please contact our Customer Service Department at 800-549-3802.

*\*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.\**  
This notice is being sent to you by Middlesex Water Company. State Water System ID#1225001

Date distributed: January 22, 2022



0814200000  
Sullivan, Kathleen  
106 Warner St  
Fords NJ 08863-2033



**IMPORTANT INFORMATION ABOUT YOUR  
WATER QUALITY – DO NOT DISCARD**

PRESORTED  
FIRST CLASS MAIL  
US POSTAGE  
PAID  
New Brunswick, NJ  
PERMIT #1

485C Route 1 South, Suite 400  
Iselin, NJ 08830-3020  
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# Civil Case Information Statement

## Case Details: MIDDLESEX | Civil Part Docket# L-003332-22

**Case Caption:** SULLIVAN DANIEL VS MIDDLESEX

WATER COMP ANY

**Case Initiation Date:** 07/07/2022

**Attorney Name:** ZOE N FERGUSON

**Firm Name:** LIEBERMAN BLECHER & SINKEVICH, P.C.

**Address:** 10 JEFFERSON PLZ STE 400

PRINCETON NJ 085409502

**Phone:** 7323551311

**Name of Party:** PLAINTIFF : Sullivan, Daniel

**Name of Defendant's Primary Insurance Company**

(if known): Unknown

**Case Type:** TOXIC TORT

**Document Type:** Complaint with Jury Demand

**Jury Demand:** YES - 12 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: Daniel Sullivan?** NO

## THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

07/07/2022

Dated

/s/ ZOE N FERGUSON

Signed

