

State of Alaska  
Treg R. Taylor, Attorney General  
Daryl A. Zakov  
Department of Law  
1031 W. Fourth Avenue, Suite 200  
Anchorage, AK 99501  
daryl.zakov@alaska.gov  
Telephone 907.269.5100  
Facsimile 907.276.3697

David Karl Gross  
Aaron D. Sperbeck  
Birch Horton Bittner & Cherot  
510 L Street, Suite 700  
Anchorage, AK 99501  
dgross@bhb.com  
asperbeck@bhb.com  
Telephone 907.276.1550  
Facsimile 907.276.3680

Attorneys for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

STATE OF ALASKA ,  
Plaintiff,

v.

3M COMPANY, E. I. DUPONT DE NEMOURS AND COMPANY, THE CHEMOURS COMPANY, THE CHEMOURS COMPANY FC, LLC, DUPONT DE NEMOURS, INC., CORTEVA, INC., TYCO FIRE PRODUCTS LP, CHEMGUARD, INC., JOHNSON CONTROLS INTERNATIONAL, PLC, CENTRAL SPRINKLER, LLC, FIRE PRODUCTS GP HOLDING, LLC, KIDDEFENWAL, INC., KIDDE PLC, INC., CHUBB FIRE, LTD., UTC FIRE & SECURITY AMERICAS CORPORATION, INC., RAYTHEON TECHNOLOGIES CORPORATION, CARRIER GLOBAL CORPORATION, NATIONAL FOAM, INC., ANGUS INTERNATIONAL SAFETY GROUP,

Case No.4FA-21-01451CI

STATE V. 3M COMPANY, ET AL.  
COMPLAINT  
01078332.DOCX

CASE NO. 4FA-21-\_\_\_\_\_ CI  
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LTD, BUCKEYE FIRE EQUIPMENT  
 COMPANY, ARKEMA, INC., BASF  
 CORPORATION, CHEMDESIGN  
 PRODUCTS, INC., DYNAX CORPORATION,  
 CLARIANT CORPORATION, CHEMICALS  
 INCORPORATED, NATION FORD  
 CHEMICAL COMPANY, AGC, INC., AGC  
 CHEMICALS AMERICAS, INC.,  
 DEEPWATER CHEMICALS, INC.,  
 ARCHROMA MANAGEMENT, LLC,  
 ARCHROMA U.S., INC., and JOHN DOE  
 DEFENDANTS 1-49,  
 Defendants.

**COMPLAINT**

COMES NOW Plaintiff, the State of Alaska, ("Plaintiff" or "the State") and alleges for its Complaint against the above-captioned Defendants as follows:

**INTRODUCTION AND NATURE OF THE ACTION**

1. Plaintiff brings this action against Defendants for contamination of the natural resources of the State, including but not limited to the lands, waters, biota, and wildlife, as a result of the release of per- and polyfluoroalkyl substances ("PFAS") into the environment through the handling, use, disposal, and storage of products containing PFAS.

2. PFAS are a class of man-made chemicals that include perfluorooctane sulfonate ("PFOS") and perfluorooctanoic acid ("PFOA").

3. In this Complaint, references to PFOS and PFOA also include all of their salts and precursor chemicals.

4. Defendants designed, manufactured, marketed, sold and/or assumed or acquired liabilities for the manufacture and/or sale of PFOS, PFOA, and/or products

containing PFOS or PFOA, including but not limited to aqueous film-forming foam ("AFFF") (collectively, "Fluorosurfactant Products").

5. PFOS and PFOA present a significant threat to the State's natural resources, properties, and residents. PFOS and PFOA are highly mobile and persistent in the environment, and they are toxic at extremely low levels. Furthermore, they are bioaccumulative and biomagnify up the food chain.

6. Defendants designed, manufactured, formulated, distributed, marketed, and/or sold Fluorosurfactant Products with the knowledge that these compounds were toxic and that they would be released into the environment even when used as directed and intended by Defendants.

7. Additionally, Defendants failed to provide adequate warnings or instructions with their Fluorosurfactant Products, both before and after selling such Products. Defendants failed to adequately advise their customers, the public, or the State about the threats PFOS or PFOA pose to natural resources and human health if released into the environment.

8. Defendants, by their actions and/or inactions, bear ultimate responsibility for the release of vast amounts of PFOS and PFOA into Alaska's environment, contaminating the State's water resources, soils, sediments, biota and wildlife, threatening the health, safety, and well-being of the State's residents.

9. Defendants' Fluorosurfactant Products have caused and will continue to cause injury to the State's environment, natural resources, properties, and residents.

10. Accordingly, the State, through this action, seeks to require Defendants to pay all costs necessary to fully investigate and determine the various locations throughout

Alaska where their Fluorosurfactant Products were used, stored, discharged, released, spilled, and/or disposed, as well as all areas affected by their Fluorosurfactant Products.

11. Likewise, this action seeks to require Defendants to pay all costs necessary to investigate, assess, remediate, monitor, filtrate and/or restore the sites in Alaska where their Fluorosurfactant Products were used, stored, discharged, spilled, and/or disposed, including but not limited to the sediment, soil, surface waters, groundwaters, drinking water or water systems located thereon as well as any off-site areas and natural resources that have been contaminated by their Fluorosurfactant Products.

12. Additionally, this action seeks to require Defendants to pay all past and future costs incurred by the State in investigating, monitoring, and otherwise responding to injuries and/or threats to public health, as well as damages for harm to the State's natural resources, caused by Defendants' Fluorosurfactant Products.

13. Further, Alaska governmental entities that purchased Defendants' Fluorosurfactant Products are now forced to spend additional money to properly dispose of any remaining inventory. Such costs are rightfully borne by Defendants and, as such, are also sought through this action.

14. Lastly, Plaintiff seeks from Defendants all damages that Plaintiff is entitled to recover including, but not limited to, property damages to State and local government-owned properties, economic damages, punitive damages, and all other damages, fees, costs, and equitable relief to which Plaintiff may be entitled.

### JURISDICTION AND VENUE

15. This Court has subject matter jurisdiction based upon AS 22.10.020, 44.23.020 and 45.50.501, which grant the State authority to file suit against Defendants. The State seeks damages in excess of \$100,000, the exact amount to be proven at trial.

16. Personal jurisdiction over these Defendants is proper because they regularly conduct business in Alaska and/or have the requisite minimum contacts with Alaska necessary to constitutionally permit the Court to exercise jurisdiction over them pursuant to Alaska's Long-Arm Statute, as codified at AS 09.05.015.

17. Venue is proper in the Fourth Judicial District at Fairbanks pursuant to Alaska R. Civ. P. 3 in that many of Defendants' unlawful acts and/or practices that give rise to this Complaint were committed in this judicial district.

### PARTIES

18. Plaintiff is the State of Alaska, acting by and through its Attorney General, Treg R. Taylor, in its sovereign capacity in order to protect the interests of the State and its citizens. The Attorney General brings this action pursuant to his constitutional, statutory, and common law authority, including the authority granted in AS 44.23.020, and the Alaska Unfair Trade Practices and Consumer Protection Act, AS 45.50.471, *et. seq.*

19. Upon information and belief, the following Defendants, at all times relevant to this action, designed, manufactured, formulated, marketed, distributed, sold, and/or assumed or acquired liabilities for the manufacture and/or sale of Fluorosurfactant Products that Defendants knew or reasonably should have known would enter the State of Alaska and be released into the environment, or otherwise conducted business in the State.

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