

EXHIBIT A

20-03171-2 Received at Cumberland County Prothonotary on 10/21/2020 3:41 PM. Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

PENNSYLVANIA-AMERICAN WATER COMPANY

Plaintiff

THE 3M COMPANY (F/K/A MINNESOTA MINING AND MANUFACTURING, CO.), ET AL.

Defendant

: IN THE COURT OF COMMON PLEAS OF
: CUMBERLAND COUNTY, PENNSYLVANIA

:
: NO. 03171 2020

:
: Civil Term

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILLING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PEOPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO THE TELEPHONE OR THE OFFICE SET FORTH BELOW TO FIND WHERE YOU CAN GET LEGAL HELP.

**CUMBERLAND COUNTY BAR ASSOCIATION
32 SOUTH BEDFORD STREET
CARLISLE, PA 17013
1-800-990-9108
717-249-3166**

IN THE COURT OF COMMON PLEAS FOR CUMBERLAND COUNTY, PENNSYLVANIA

CIVIL DIVISION

**PENNSYLVANIA-AMERICAN
WATER COMPANY,**

Plaintiff,

v.

THE 3M COMPANY (f/k/a Minnesota Mining and Manufacturing, Co.); E.I. DUPONT DE NEMOURS AND COMPANY; DUPONT DE NEMOURS, INC. (F/K/A DOWDUPONT, INC.); CORTEVA, INC.; THE CHEMOURS COMPANY; THE CHEMOURS COMPANY FC, LLC; DYNEON LLC; KIDDE-FENWAL, INC.; ANGUS FIRE; THE ANSUL COMPANY; TYCO FIRE PRODUCTS LP; CHEMGUARD, INC.; NATIONAL FOAM, INC.; BUCKEYE FIRE EQUIPMENT COMPANY; BUCKEYE FIRE PROTECTION COMPANY; RAYTHEON TECHNOLOGIES CORPORATION; KIDDE PLC INC.; KIDDE FIRE FIGHTING, INC.; CARRIER GLOBAL CORPORATION; ANGUS FIRE ARMOUR CORPORATION; CHUBB FIRE, LTD.; UNITED TECHNOLOGIES CORPORATION; CIBA, INC.; DYNAX CORP.; CLARIANT CORP.; ARCHROMA MANAGEMENT LLC; ARKEMA INC.; CHEMDESIGN PRODUCTS, INC.; AMEREX CORPORATION; AGC CHEMICALS AMERICAS INC.; CHEMICALS INC.; DEEPWATER

Case No. 2020-03171 Civil Term

Civil Action _____

COMPLAINT

JURY TRIAL DEMANDED

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**CHEMICALS, INC.; NATION FORD
CHEMICAL COMPANY; AAA
EMERGENCY SUPPLY CO., INC.;
WILLIAMS FIRE & HAZARD
CONTROL, INC.; E-ONE, INC. (f/k/a
Emergency One, Inc.); JOHN DOE
DEFENDANTS 1-50,**

Defendants.

Pennsylvania-American Water Company (“PAWC” or “Plaintiff”) files this Complaint against the Defendants named herein and in support thereof alleges as follows:

SUMMARY OF THE CASE

1. PAWC brings this action for damages, contribution, abatement, and/or reimbursement of costs incurred, and which continue to be incurred, to address and remediate the presence of “forever chemicals” in its water supplies, namely the unwanted presence of Polyfluoroalkyl substances or "PFAS" chemicals. These unwanted contaminants include but are not limited to Perfluorooctanoic acid (“PFOA”), Perfluorooctanesulfonic acid (“PFOS”), Perfluorohexanoic acid (“PFHxA”), Perfluoropentanoic acid (“PFPA”), Perfluoroheptanoic acid (“PFHpA”), Pentafluorobenzoic acid (“PFBA”), Perfluorobutanesulfonic acid (“PFBS”), Perfluorononanoic acid (“PFNA”), Perfluorodecanoic acid (“PFDA”), and Perfluorohexane Sulfonic Acid (“PFHS”), as well as any and all hazardous chemicals produced by Defendants (collectively referred to herein as “PFAS”), found in the public water supply systems owned and operated by PAWC throughout the Commonwealth of Pennsylvania and in the ground and surface waters that serve as supply sources for those systems.

2. As the manufacturers and sellers of products that contain PFAS compounds, Defendants The 3M Company (f/k/a Minnesota Mining and Manufacturing Co.), E.I. DuPont de Nemours and Company, DuPont de Nemours, Inc. (f/k/a DowDuPont), Corteva, Inc., The Chemours Company, The Chemours Company FC, LLC, Dyneon LLC, Kidde-Fenwal, Inc., Angus Fire, The Ansul Company, Buckeye Fire Equipment Company, Chemguard, Inc., National Foam, Inc., Tyco Fire Products, LP, and John Doe Defendants 1-50 (collectively “Defendants”), have discharged PFAS into, or are otherwise responsible for PFAS released into, the groundwater and surface waters that serve as the supply sources for PAWC’s public water supply systems.

3. For many years Defendants manufactured, sold, and distributed PFAS compounds and products containing PFAS chemicals. These products include the firefighting suppressant agent, Aqueous Film Forming Foam (“AFFF”) that contains those compounds, for use at airports, fire-fighting training centers, fire-fighting locations, and military facilities throughout the Commonwealth of Pennsylvania that are located near water facilities owned and/or operated by PAWC.

4. Defendants knew, or should have known, that PFAS and related constituents present unreasonable risks and dangers to human health, water quality, and the environment. Yet, Defendants distributed, handled, discharged, and were otherwise responsible for the release of PFAS into the environment without sufficient containment or caution. Defendants’ acts and omissions resulted in the presence of these compounds in the water sources of PAWC’s public supply systems. As a result of the occurrence of PFAS in the environment from Defendants’ discharges, Defendants have created a nuisance such that PAWC has been and will be required to fund and implement capital improvements, and has and will in the future incur ongoing testing,

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