

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

**DISTRICT OF COLUMBIA,**  
a municipal corporation,  
400 Sixth Street, NW  
Washington, D.C. 20001,

Plaintiff,

v.

**VELSICOL CHEMICAL LLC,**  
10400 West Higgins Road  
Rosemont, Illinois 60018,

*Serve on:*

**CORPORATION SERVICE CO.,**  
Registered Agent  
251 Little Falls Drive  
Wilmington, Delaware 19808,

Defendant.

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR ENVIRONMENTAL DAMAGES AND CIVIL PENALTIES**

Plaintiff District of Columbia (“District”), through the Office of the Attorney General, brings this action against Defendant Velsicol Chemical LLC (“Velsicol”) as successor to Velsicol Chemical Corporation to recover all available remedies due to Defendant’s violations of the District’s environmental laws. In support of its claims, the District states as follows:

**INTRODUCTION**

1. The District’s waterways and natural resources have been and continue to be contaminated by a toxic, cancer-causing chemical named chlordane. This contamination is directly traceable to Velsicol, the sole manufacturer of technical chlordane, which was one of the most widely used pesticides in this country until it was banned in 1988 by the United States

Environmental Protection Agency (“EPA”) because of the threat it poses to human health. However, decades before that ban, Velsicol knew chlordane was a persistent toxin that would leech into waterways, disperse in the environment, and threaten human health. Indeed, by the early 1970’s, Velsicol’s internal studies had confirmed that the chemical caused cancer. But rather than halt its sales and share this information with the public or with regulators, Velsicol embarked on a years-long campaign of misinformation and deception to prolong reaping the financial rewards of selling its chlordane products, including throughout the District of Columbia, Maryland, and Virginia. This campaign included targeted advertisements for dangerous household use of chlordane and resisting the EPA’s efforts to ban continued sales of chlordane long after Velsicol knew about the chemical’s toxic effects.

2. Velsicol’s efforts worked. Chlordane was one of the most common pesticides in the United States and accounted for more than two-thirds of Velsicol’s annual sales. By the time the EPA finally banned chlordane over Velsicol’s objections, more than 30 million homes and commercial structures had been treated with this toxic and persistent chemical. The year after sales fully stopped, District residents were warned not to eat certain fish caught from the Potomac and Anacostia Rivers because of continuing chlordane contamination. Chlordane continues to widely contaminate the District’s natural resources, including its waters. Addressing Velsicol’s contamination of the District with chlordane has cost, and will continue to cost, District taxpayers tens of millions of dollars.

3. The District brings this action against Velsicol for all damages to the District, including compensatory and punitive damages, recoverable at law or in equity, and for declaratory and injunctive relief, including civil penalties, to remedy Velsicol’s use and release of chlordane.

## **JURISDICTION**

4. This Court has jurisdiction over the subject matter of this case pursuant to D.C. Code §§ 11-921, 1-301.81(a)(1), and 8-634.07.
5. This Court has personal jurisdiction over Defendant pursuant to D.C. Code § 13-423(a).
6. The natural resources and property that are the subject of this suit all rest within the District.

## **PARTIES**

7. Plaintiff, the District of Columbia, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented in this enforcement action by its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is specifically authorized to recover hazardous substance response costs and damages to natural resources on behalf of the District and to bring suit pursuant to the Brownfield Revitalization Act, D.C. Code § 8-634.07.
8. Defendant Velsicol Chemical LLC is the successor to Velsicol Chemical Corporation. Velsicol is a Delaware limited liability company with its principal place of business in Rosemont, Illinois. Velsicol regularly conducted business in the District, including marketing and selling its products to District consumers and businesses, operated offices within the District, including at 1015 15th Street NW, Washington, D.C. 20005, and derived significant revenue from the District.

## FACTUAL ALLEGATIONS

### I. Chlordane Is A Toxic, Man-Made Chemical That Velsicol Alone Manufactured.

#### A. An Overview of Velsicol's Chlordane.

9. Starting in the early 1930s, Velsicol (then as its predecessor entity, Velsicol Chemical Corporation) began to develop, market, and sell petroleum derived chemicals, with a focus on pest control chemicals.

10. In 1945, Velsicol began selling the first chlorinated hydrocarbon insecticide in the United States called chlordane (or Velsicol 1068), which was a by-product of U.S. Army research into nerve gas.

11. In the 1950s, Velsicol began to aggressively advertise chlordane as a pesticide for use in the home and for use on crops. By the 1970s, it had become one of the most popular and widely used insecticides in the United States.

12. By 1988, when it was banned because of its toxic and cancer-causing qualities, the EPA estimated that approximately 30 million homes and structures in the United States had been treated with chlordane.

13. From chlordane's creation until EPA's suspension of its use in the late 1980s, Velsicol was the world's only manufacturer of technical chlordane (referred to generally as chlordane).

#### B. Physical and Chemical Properties of Chlordane.

14. Chlordane is a mixture of at least twenty-three different components, including chlordane isomers, other chlorinated hydrocarbons, and by-products.

15. Chlordane was commonly sold in various solutions, sprays, or powders.

16. Chlordane is a persistent pesticide that killed insects either through direct contact or inhalation. The pesticide was used on crops and in and around homes to control household insects, including termites, and as a wood preservative, and was designed by Velsicol to be long-lasting once applied.

17. Chlordane was often sprayed around buildings or injected in soil or around building foundations to instantly kill any insects that came in contact with it. Velsicol also encouraged homeowners to use chlordane inside homes, including along baseboards, in cupboards, and under kitchen sinks, to control insects.

C. *Health Effects of Chlordane Exposure.*

18. Chlordane has remained an environmental hazard for decades. It builds up over time in fish, birds, and mammals, and is found in food, air, water, soil, and sediment.

19. Humans are then exposed to chlordane from eating contaminated food such as marine life, breathing contaminated air, or drinking contaminated water.

20. Chlordane is a known carcinogen, with studies confirming that it, in particular, causes liver cell cancer. Beyond being linked to fatal cancers, long-term chlordane exposure is linked to miscarriages, depression, worsened diabetes, learning problems, growth retardation, and bone-marrow diseases.

21. Even short exposure to chlordane has been linked to central nervous system symptoms, such as headaches, blurred vision, dizziness, slight involuntary muscular movements, tremor, sweating, insomnia, nausea, and general malaise.

22. Chlordane is a hazardous substance under the Clean Water Act; the Clean Air Act; the Comprehensive Environmental Response, Compensation, and Liability Act; and the Brownfield Revitalization Act.

## II. Velsicol Knew Chlordane Was Dangerous But Continued to Actively Market Chlordane to District Residents.

### A. Velsicol Knew Chlordane Was Toxic As Early As the 1950s.

23. Velsicol long knew or should have known that chlordane was toxic to humans and animals yet failed to warn the public for decades, choosing instead to continue profiting off the toxic chemical's sales.

24. Beginning no later than 1959, Velsicol began to receive private laboratory studies that contained data showing chlordane caused birth defects in animal studies.

25. Then, in 1962, chlordane was featured in *Silent Spring*, an environmental science book often credited with inspiring the environmental movement that led to the creation of the EPA. *Silent Spring* described chlordane as being a long-lasting and dangerous toxin, such that ingesting even a small amount could lead to large amounts building up in the body. Despite already possessing data that corroborated the truth of the warning provided in the book, Velsicol threatened to sue *Silent Spring's* publisher.

26. By 1971, Velsicol was having in-depth internal discussions about tests that confirmed chlordane caused cancer, including liver cancer. In discussing the results of these tests, two senior Velsicol executives—one of which operated Velsicol's Washington, D.C. office—understood the significance and gravity of the findings, as confirmed in a transcript of their telephone conversation:

H. GOLD: Well, not having seen the data, I really can't make any more comment. It's looking very bleak from what I've heard.

K.L. SCHULZ: Well, I'll give you a little rundown because they gave us the updated sheets; I've got them right here. For chlordane, the negative control after 43 weeks, no tumors . . . Twenty-five ppm, one tumor at week 43. Now that's of the animals that have died. You know, we don't know what's in the ones that are still alive. At 50 ppm, 12 tumors. The first one showed up at week 28, so you see

it's showing earlier than in the heptachlor study....

H. GOLD: It doesn't look good, Ken.

K.L. SCHULZ: No, it doesn't....

K.L. SCHULZ: Well, the thing that worries me so much, Harvey, if we submit this information, I think Ruckelshaus [then Administrator of the EPA] has no choice but to suspend registration of the agricultural uses for chlordane and heptachlor.

H. GOLD: I agree, I agree, and I think it will happen . . .

K.L. SCHULZ: With great rapidity.

H. GOLD: That's right. And you know, if it does happen . . .

K.L. SCHULZ: Heptachlor, I would say, wouldn't be a great impact because they're only projecting something like a million pounds total for all next year, worldwide. Chlordane's a different matter, a far different matter.

H. GOLD: Well, I think that if it ever gets to a public hearing on the basis of what you've already told me, and Charlie has told me, I agree we wouldn't have a chance in hell, Ken. It would be a clear-cut issue and we wouldn't have to discuss the ADI ["acceptable" daily intake] or anything else. It would mean it is carcinogenic, and that's it; that's the ball game.

K.L. SCHULZ: Well, its tumorigenic, and that's enough.

H. GOLD: Yeah, right . . . .

27. Following this conversation, in December 1972, Velsicol submitted liver sections from exposed mice to two outside consultants, both of whom confirmed that "the findings are serious and reflect a definite carcinogenic potential."

28. Velsicol kept these findings from the EPA and the public. In December 1977, a grand jury in Chicago, Illinois, handed down an 11-count felony indictment charging six Velsicol executives with conspiring to defraud the United States and conceal material facts from the EPA by failing to submit data which tended to show that chlordane induced tumors and

might pose a risk of cancer to humans. Velsicol paid a criminal fine for withholding this information.

29. Despite knowing for years about chlordane's toxicity, Velsicol issued no public warning about chlordane or the health and environmental safety hazards it presented. Instead, Velsicol expressly (and repeatedly) denied the harmfulness and environmental toxicity of chlordane to protect its massive sales and profits.

B. *Velsicol Heavily Marketed Its Products, Including in the District, Despite Knowing of Its Toxic Effects.*

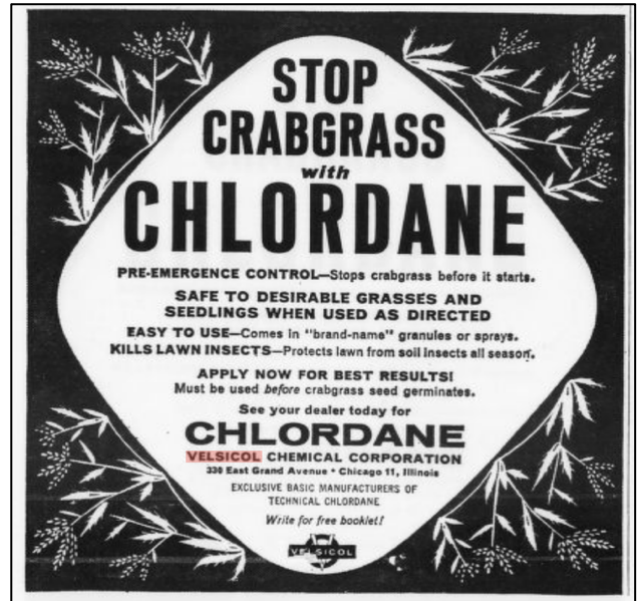
30. During the 1950s-1970s, when Velsicol knew about chlordane's toxicity, the company marketed and sold large volumes of chlordane and chlordane-containing products to customers, including retail, secondary manufacturers, and consumers within and near the District.

31. The District was an important market to Velsicol—in part because the District is situated in a moderate-to-heavy termite infestation zone in the United States. No later than the late 1950s, Velsicol started to heavily promote chlordane to control insects and crabgrass on lawns, placing hundreds of advertisements in local newspapers. Figures 1–4 are examples of some of these local advertisements from the *Evening Star* marketing chlordane to District residents between 1958 and 1962:





(Figure 1) (1961)



(Figure 2) (1962)



(Figure 3) (1959)



(Figure 4) (1958)

32. Velsicol's advertisements also often directed District residents to retail locations to purchase their chlordane products or local pest control applicators for professional chlordane-related treatments, as shown below in Figures 5–7, which were placed in District newspapers between 1958 and 1970:

**See These Dealers Today for CHLORDANE!**

<p><b>WASHINGTON, D. C.</b></p> <p>SEARS, ROEBUCK &amp; COMPANY Garden Shops</p> <p>A &amp; A HARDWARE COMPANY 504 Onida Place, Northwest</p> <p>J. FRANK CAMPBELL'S Mr. F. Tracy Campbell</p> <p>MR. C. M. DARNELL 4808 41st Street, Northwest</p> <p>PELZMAN COMPANY 2010 Fenwick Street, Northeast</p>	<p><b>MARYLAND</b></p> <p><b>Bethesda</b> SIMPSONS HARDWARE 7210 Wisconsin Avenue</p> <p><b>Rockville</b> ROCK CREEK NURSERY Mr. A. Inskip</p> <p><b>Silver Spring</b> A &amp; A HARDWARE COMPANY 9441 Georgia Avenue</p> <p>THE GARDEN CENTER 8418 Georgia Avenue</p> <p>MURRAY HARDWARE COMPANY 8000 New Hampshire Avenue</p>	<p><b>VIRGINIA</b></p> <p><b>Alexandria</b> FRANCONIA HARDWARE Route 6, Box 700-A</p> <p>SHERWOOD VALLEY NURSERIES 521 Sherwood Hall Lane</p> <p>FOGELSON DISTRIBUTORS 4311 KING</p> <p>TEMPLE HARDWARE &amp; LUMBER CO. 2350 Duke Street</p> <p><b>Falls Church</b> BOULEVARD LUMBER CO. 583 Arlington Blvd., Falls Church</p> <p><b>Fredericksburg</b> CENTRAL SUPPLY COMPANY, INC. 517 William Street, Fredericksburg</p>
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**(Figure 5) (1958)**

**Get GOLD CREST protection from these Pest Control Specialists:**

<p><b>Washington, D.C.</b> Capitol Chemical Company 5455 Butler Road</p> <p><b>Georgetown, Delaware</b> Green Exterminating Service 703 East Market Street</p> <p><b>Rehoboth Beach, Delaware</b> Green Exterminating Service 104 Rehoboth Avenue</p> <p><b>Annapolis, Maryland</b> American Pest Control 252 West Street</p> <p>Colonial Termite Control Rudd's Pest Control, Inc.</p> <p><b>Delmar, Maryland</b> Henry's Exterminating Service Dagsboro Road Route #3</p>	<p><b>Easton, Maryland</b> Rudd's Pest Control, Inc.</p> <p><b>Hillcrest Heights, Maryland</b> J. J. O'Neil Pest Control Service 5814 Atmore Place</p> <p><b>Hyattsville, Maryland</b> Suburban Pest Control Company 4717 Baltimore Avenue</p> <p><b>Rockville, Maryland</b> Arab Pest &amp; termite Control Company 12316 Wilkins Avenue</p> <p>Womack Industries, Inc. 131 Congressional Lane</p> <p><b>Silver Spring, Maryland</b> Pied Piper Pest Control, Inc. 627 University Boulevard, East</p> <p>Town &amp; Country Exterminating Co. 8416 Georgia Avenue</p>	<p><b>Alexandria, Virginia</b> Atlantic Coast Exterminating Corp. 3012 Duke Street</p> <p>Callaghan's Exterminating Company 9007 Greylock Street</p> <p>H &amp; C Pest Control Company 2701 Fairview Drive</p> <p>H &amp; H Exterminators 3802 Mt. Vernon Avenue</p> <p><b>Arlington, Virginia</b> Allstates Termite Control Company, Inc. 918 South Monroe Street</p> <p>Paramount Termite Control Company, Inc. 1045 North Glebe Road</p> <p><b>Culpeper, Virginia</b> Dodson Pest Control 110 Cameron Street</p> <p><b>Winchester, Virginia</b> Dodson Pest Control 2010 Paper Mill Road</p>
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**(Figure 6) (1969)**

**Look for the Gold Crest Symbol in the Yellow Pages of your local phone directory.**

<p><b>Western Exterminating Co.</b> 4904 Wisconsin Avenue N.W. Washington, D.C. 20016</p>	<p><b>Suburban Pest Control Co.</b> 4717 Baltimore Avenue Hyattsville, Maryland 20781</p>	<p><b>Atlantic Coast Exterminating Co.</b> 3012 Duke St. Alexandria 23314</p>
<p><b>Minute-Man Exterminating Co.</b> 7401 Wisconsin Avenue Bethesda, Maryland 20014</p>	<p><b>Arab Pest Control Co.</b> 12316 Wilkins Avenue Rockville, Maryland 20852</p>	<p><b>H &amp; H Exterminating Co.</b> 3802 Mt. Vernon Ave. Alexandria 22305</p>
<p><b>Reliable Exterminating Co.</b> 5635 Annapolis Road Bladensburg, Maryland 20710</p>	<p><b>Womack Industrials, Inc.</b> 131 Congressional Lane Rockville, Maryland 20852</p>	<p><b>Western Exterminating Co.</b> 1143 North Glede Rd. Arlington 22201</p>

**(Figure 7)** (1970)

33. Velsicol amplified this District-focused advertising by sponsoring short films that promoted the use of chlordane, both in homes (where the films supported applying liberal amounts of chlordane on baseboards, under the sink, and in cabinets where food was stored) as well as using large applications directly to city sewers. See Figures 8–12, showing images from *Goodbye, Mr. Roach* (1959) and *Goodbye, Mrs. Ant* (1959).



**(Figure 8)**



**(Figure 9)**



**(Figure 10)**

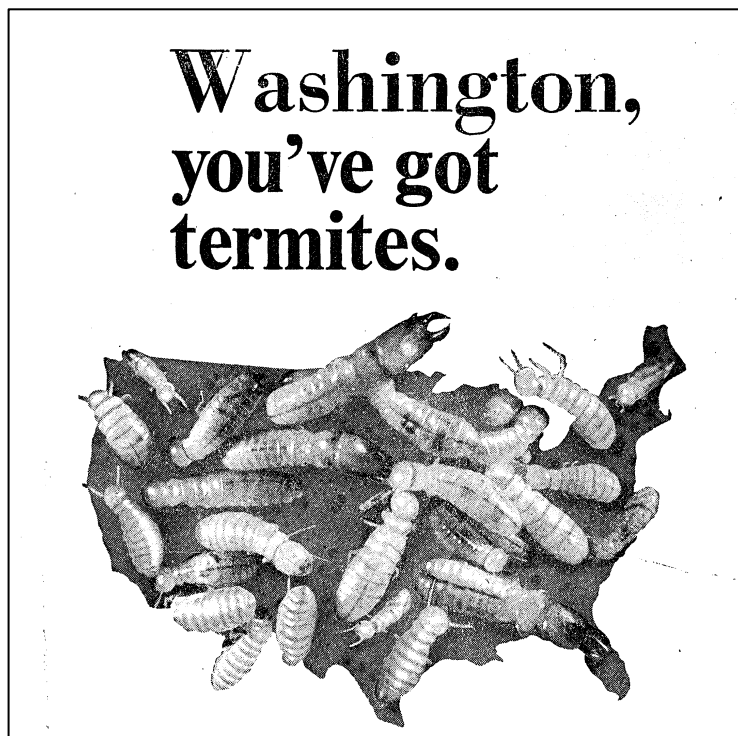


**(Figure 11)**



**(Figure 12)**

34. After having developed a market in the District, Velsicol regularly purchased advertisements in local District newspapers to promote the impression that the continued use of chlordane products was necessary to prevent termite damage in homes, such as the February 23, 1969 advertisement by Velsicol in the *Washington Post* at Figure 13.



**(Figure 13) (1969)**

35. Advertisements like these—many of which were placed in the late 1960's or early 1970's, long after Velsicol knew of the risks of chlordane—were designed to induce District



residents to purchase chlordane and apply it to their homes. These ads failed to warn consumers of the severe health and environmental risks from using chlordane products. These deceptive advertisements even directed District consumers to look for their specialty “Gold Crest” label, which they advertised as ensuring the application of a “quality-assured chemical” and “assured-protection,” as shown in the below Velsicol advertisements from the *Washington Post*:


**Stop costly termites! Now! With a Gold Crest Chemical “Barrier”**

**Destructive termites** are active in every state (except Alaska). *Including right in this area!* Be sure your home—and your investment—is protected with scientific Gold Crest Chemicals.

**Prevention is cheaper than repairs.** Don't take chances. A 1/64th-inch crack is all subterranean termites need to sneak inside, do costly damage—run up big repair bills—reduce resale value—or worse.

**Stop termite damage** with a Gold Crest Chemical “barrier”—created by your professional Pest Control Specialist. Using scientific methods and advanced Gold Crest Chemicals, he treats the soil deep around the foundation—crawl space—under slabs—hidden points of entry. Your home is protected for years.

**Call your professional Pest Control Specialist** who displays the Gold Crest hallmark. When you buy or build, ask him to check with your builder or architect. Insist on Gold Crest Chemical Protection against termites. It's the only way to be sure.



Look for this  
GOLD CREST hallmark  
—you can rely on it

Your Pest Control Specialist who displays this symbol is reliable—professional—and stands back of his work. Check the Yellow Pages—call today.

© Velsicol Chemical Corporation 1969


**FREE TERMITE FACTS!**

With termites, it's not whether—it's when! Learn how to protect your home. Send coupon for: "How to Avoid the High Cost of Termites." (A 6¢ stamp may save you hundreds of dollars!)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Mail to:  **VELSICOL CHEMICAL CORPORATION**  
341 E. Ohio St., Chicago, Ill. 60611

**(Figure 14)** (1969)

**Termite Insurance?**  
*Try to get it*

Termite damage to homes and possessions is now so widespread and costly most insurance companies give the whole problem a wide berth.

The dollar cost of termite damage in the U.S. is estimated to be greater than the combined total for windstorms, tornadoes, and hurricanes. Fire strikes about 400,000 homes a year. 2,000,000 homes a year are treated for termites—which doesn't account for those that should be treated but aren't.

But where does that leave you? Can you afford to ignore the problem, pretend it doesn't exist, hope that you won't get hit?

Think about this: In 1969 around one out of every fifty dwellings had to be treated for termites after they had already been invaded! In Chicago alone, one out of every sixteen buildings is damaged by termites. Only one state, Alaska, is free of termites (so far).

Waiting and hoping is the expensive way to protect your home because the cost of treatment is usually a minor part of the total cost. Repairing termite damage frequently runs into thousands of dollars.

**Gold Crest Assurance**

There's a specialist in your area who is qualified to build many years of termite protection into your home, find termites if they are already there and get rid of them. He's listed below and in the Yellow Pages under "Pest Control Operators" or "Exterminators." He is a specialist, using famous Gold Crest quality-controlled chemicals. Call him for information, advice, service, assured protection.

Look for the Gold Crest Symbol in the Yellow Pages of your local phone directory.

<p><b>Western Exterminating Co.</b> 4904 Wisconsin Avenue N.W. Washington, D.C. 20016</p>	<p><b>Suburban Pest Control Co.</b> 4717 Baltimore Avenue Hyattsville, Maryland 20781</p>	<p><b>Atlantic Coast Exterminating Co.</b> 3012 Duke St. Alexandria 22314</p>
<p><b>Minute-Man Exterminating Co.</b> 7401 Wisconsin Avenue Bethesda, Maryland 20014</p>	<p><b>Arab Pest Control Co.</b> 12316 Wilkins Avenue Rockville, Maryland 20852</p>	<p><b>H &amp; H Exterminating Co.</b> 3802 Mt. Vernon Ave. Alexandria 22305</p>
<p><b>Reliable Exterminating Co.</b> 5635 Annapolis Road Bladensburg, Maryland 20710</p>	<p><b>Wamack Industrials, Inc.</b> 131 Congressional Lane Rockville, Maryland 20852</p>	<p><b>Western Exterminating Co.</b> 1143 North Glede Rd. Arlington 22201</p>

**(Figure 15) (1970)**

36. In short, despite knowing about its product's harmful effects, Velsicol touted chlordane's supposed safety—including by claiming it was the safest termiticide to use—and routinely told the public and press that chlordane does not cause health problems when properly applied by exterminators. These statements were demonstrably false.

### **III. Velsicol Frustrated Government Efforts to Stop the Sale of Chlordane.**

37. In 1974, the EPA issued a notice that it intended to largely halt the sale of chlordane, which it followed up the next year with an order to end the manufacturing of chlordane for most household and agricultural uses, citing its “imminent human cancer hazard.”

38. Velsicol, despite knowing the truth of the EPA’s claims, challenged the EPA’s order, resulting in years of litigation, during which Velsicol was able to continue manufacturing, marketing, distributing, and selling chlordane. Velsicol’s litigation prompted a settlement in 1978, which provided Velsicol with an additional decade to phase out chlordane’s use as a pesticide on agricultural crops and other above-ground uses. Further chlordane sales for use in the United States were finally banned in 1988.

39. Velsicol continued to manufacture and sell chlordane for use outside the United States until 1997.

### **IV. The District and Its Residents Have Been Damaged By Chlordane.**

40. Velsicol’s aggressive marketing of chlordane and its campaign to hide the chemical’s toxicity from both government regulators and the public resulted in widespread use of the toxin for decades. The District’s environment and natural resources are contaminated with chlordane to this day and have been significantly impaired, thus impacting the quality of life of District residents.

41. For instance, a 1987 study showed that Potomac and Anacostia River fish had chlordane levels nearly three times what the U.S. Food and Drug Administration (“FDA”) considered safe for human consumption.

42. In 1989, the District issued a public health fishing advisory, notifying residents they should restrict eating catfish, carp, or eel caught in the Potomac and Anacostia Rivers in

part because chlordane exceeded acceptable levels established by the FDA. The fishing advisory had a disparate impact on low-income and Black communities who, in particular, subsistence fish along the Potomac and Anacostia Rivers. The Anacostia River and other waterways in the District remain contaminated by chlordane to this day.

43. Because chlordane is environmentally persistent, it will continue to circulate in the District's surface water, sediment, fish, wildlife, marine resources, and other natural resources. As a result, the District has devoted significant resources to study, monitor, and put forth plans to remediate the damage. Widespread contamination continues, posing current and future threats to human health and the well-being of the District's environment and economy.

44. For example, the District had to establish water quality standards to try and account for chlordane contamination. As of 2016, twenty-one of the District's thirty-eight miles of rivers and streams were not in compliance with the water quality standards for chlordane. When a water body fails to meet water quality standards, it is considered "impaired," and the District must then establish guidelines which sets the level of pollution that can be further discharged to a waterbody while still meeting water quality standards.

45. The District has devoted considerable time and funds to developing and meeting chlordane guidelines in the Potomac River, Anacostia River, and Rock Creek watersheds. This included placing filters in approximately 15,700 catch basins and 575 outfalls in the District's storm system to reduce the amount of chlordane discharging to streams that the District must inspect and clean every year. The District has spent nearly \$30 million to date developing chlordane guidelines and working to reduce chlordane loading into the Anacostia watershed alone. The District will continue to spend approximately \$1.2 million per year for the foreseeable future to monitor and prevent chlordane from entering District waters.

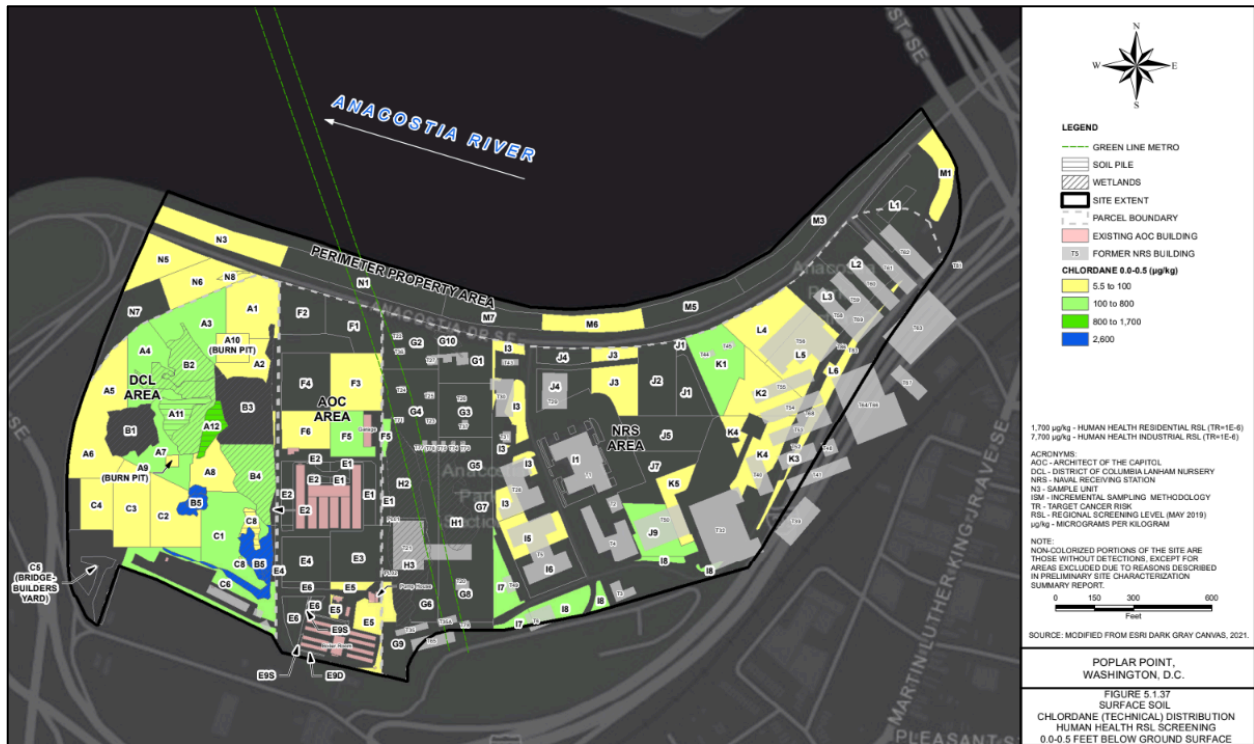


46. The District has also spent millions to investigate chlordane contamination in sediments of the Anacostia River, and anticipates spending over \$35 million to address contaminated sediment, including chlordane, that poses an unacceptable risk to the environment.

47. The District also has spent close to \$7 million to date to investigate chlordane contamination at Poplar Point, which is adjacent to the Anacostia River. On portions of the property, chlordane in soil exceeds residential screening values—long-established EPA criteria for protecting people (including sensitive groups) over a lifetime of exposure. *See Figures 16–17, showing chlordane surface soil contamination at Poplar Point.*



**(Figure 16)**



**(Figure 17)**

48. Ultimately, the District will need to establish a long-term remedy to address chlordane contamination in the Anacostia River and other waterways, potentially costing hundreds of millions of dollars.

**FIRST CAUSE OF ACTION**  
**Violations of Brownfields Revitalization Act**  
**D.C. Code. § 8-631.01, *et seq.***

49. The District incorporates by reference the foregoing allegations.

50. The District of Columbia Brownfield Revitalization Act (“DCBRA”) was enacted in 2001 to establish a comprehensive program for the cleanup and redevelopment of contaminated properties in the District.

51. DCBRA defines a “responsible person” as “a person who, with regard to a property from which there is a release or threatened release of a hazardous substance that causes or contributes to the incurrence of a response cost . . . (5) [b]y an act or an omission, caused or contributed to the contamination of a property if at the time of the act or omission, the person

knew or had reason to know that the act or omission would cause the contamination of the property.” D.C. Code § 8-632.01(c)(5).

52. The term “person” encompasses “corporation[s]” and other business entities, such as Defendant. D.C. Code § 8-631.02(12).

53. “Release” is defined broadly as “the addition, introduction, leaking, pumping, spilling, emitting, discharging, escaping, dumping, injecting, disposing or leaching of any hazardous substance into the environment, including the abandoning or discarding of barrels, containers, and other closed receptacles containing any hazardous substance.” D.C. Code § 8-631.02(14).

54. “‘Hazardous substance’ means any substance designated as a hazardous substance pursuant to section 101(14) of [CERCLA], or any substance identified as a hazardous substance by the [DOEE] in regulations adopted pursuant to this chapter[,]” and includes chlordane. *See* D.C. Code § 8-631.02(8).

55. Defendant is a “[r]esponsible person” under DCBRA because it introduced chlordane into the District’s environment when it manufactured, distributed, marketed, promoted, and sold chlordane and chlordane-containing products in a manner Defendant knew or had reason to know would, and did, cause or contribute to the contamination of properties within the District with chlordane, creating hazards to human and environmental health, including natural resources. D.C. Code § 8-631.02(15)

56. Defendant’s conduct caused and contributed to the release of chlordane in the District and the contamination of properties within the District with chlordane.

57. Under DCBRA, any “responsible person” is “strictly liable, jointly and severally,” for abatement costs, costs of remedial cleanup and costs for health or other risk assessments,

costs of other response actions, and damages for injury to, destruction of, or loss of natural resources, including assessment costs. D.C. Code § 8-632.01. Civil penalties are also available. *Id.* § 8-634.01.

58. Because of Defendant's acts or omissions causing and contributing to the contamination of properties within the District, the District has, is, and will continue to incur costs related to abatement, remedial cleanups, health and other risk assessments, and other response actions within the meaning of D.C. Code § 8-632.01(b)(1)-(3).

59. Because of Defendant's acts or omissions causing and contributing to the contamination of properties within the District, the District has also suffered injury to, destruction of, and/or loss of natural resources, and it is entitled to damages for such injury including the reasonable cost of assessing the injury, destruction, and/or loss resulting from the release of chlordane under D.C. Code § 8-632.01(b)(4).

**SECOND CAUSE OF ACTION**  
**Public Nuisance**

60. The District incorporates by reference the foregoing allegations.

61. The District has a public interest in its natural resources, including air, soils, lands, aquatic and submerged lands, waters, aquifers, wildlife, fish, shellfish, biota, and other natural resources, as well as stormwater and other water systems within the District. The protection of these resources and water systems from environmental contamination and degradation, and the District's interest in ensuring the health and well-being of its environment and economy and the free use of its environmental resources by District citizens, is an essential public function and public right to be vindicated by the Attorney General.

62. Defendant manufactured, distributed, marketed, and promoted commercial chlordane formulations in a manner that created or contributed to the creation of a public

nuisance that is harmful to health and obstructs the free use and enjoyment of the District's waters, natural resources, and stormwater systems.

63. Defendant intentionally manufactured, marketed, and sold its commercial chlordane formulations with the knowledge that chlordane was toxic to human and animal life and would inevitably enter the environment, including in the District.

64. Defendant knew and should have known that its chlordane mixtures, as ordinarily used, would likely end up in the District's natural resources, stormwater systems, waterways, water bodies, groundwater, soils, sediments, fish, and animal tissues.

65. Defendant's conduct and the presence of its chlordane annoys, injures, and endangers the comfort, repose, health, and safety of others.

66. Defendant's conduct and the presence of its chlordane in the District interferes with and obstructs the public's free use and comfortable enjoyment of the District's natural resources for commerce, navigation, fishing, recreation, and aesthetic enjoyment.

67. The presence of Defendant's chlordane in the District's resources also interferes with the free use of the District's stormwater system and District waters for a healthy and ecologically sound environment.

68. Defendant's conduct and the presence of its chlordane in the District's natural resources, stormwater system, and District waters are injurious to human, animal, and environmental health.

69. An ordinary person would be reasonably annoyed or disturbed by the presence of toxic chlordane that endangers the health of fish, animals, and humans and degrades water quality and marine habitats as well as soils and sediments.

70. The seriousness of the environmental and human health risk far outweighs any social utility of Defendant's conduct in manufacturing its commercial chlordane mixtures and concealing the dangers posed to human health and the environment.

71. The rights, interests, and inconvenience to the District and general public far outweigh the rights, interests, and inconvenience to Defendant, which profited heavily from the manufacture, sale, and distribution of chlordane.

72. Defendant's conduct caused and continues to cause harm to the District.

73. The District has suffered and will continue to suffer damage from Defendant's chlordane.

74. The District is incurring and will continue to incur costs to investigate, monitor, analyze, and remediate chlordane contamination in the District's natural resources.

75. The District is incurring and will continue to incur costs to remove Defendant's chlordane that have invaded its water systems.

76. As a result of Defendant's conduct, the District suffers injuries to the public interest and the health and well-being of its environment.

77. Defendant knew or, in the exercise of reasonable care, should have known that the manufacture, sale, use, and/or disposal of chlordane would cause contamination of the environment, including the District's natural resources and public water systems.

78. Defendant knew or, in the exercise of reasonable care, should have known that chlordane would degrade fresh water and marine habitats, endanger fish and other aquatic life, and contaminate soils, sediments and stormwater and other water systems.

79. In addition, Defendant knew chlordane is associated with serious illnesses and cancers and that humans may be exposed to chlordane through ingestion of fish and/or dermal

contact. As a result, it was foreseeable to Defendant that humans would be exposed to chlordane through swimming in contaminated waters, playing on contaminated riverbanks, and by eating fish and shellfish from contaminated areas.

80. Defendant knew, or should have known, that the chlordane contamination it introduced or caused would seriously and unreasonably interfere with the ordinary comfort, use, and enjoyment of contaminated waterbodies, including the District's waters.

81. Defendant concealed the serious health risks associated with chlordane from the public and government regulators, resulting in, among other things, further contamination of the District, impairment of the public's ability to enjoy the District's natural resources, and higher abatement costs and injuries in the present.

82. Defendant had a duty to conduct its business, including the manufacture, distribution, sale, and promotion of chlordane in a manner that did not interfere with the District's and its residents' use and enjoyment of its natural resources, including its waterways.

83. Defendant's conduct in manufacturing, distributing, selling, and promoting chlordane, as well as misrepresenting or omitting the dangers those compounds foreseeably posed, constitutes an unreasonable interference with a right common to the general public, *i.e.*, the right to freely use the District's natural resources without obstruction and health hazard.

84. Defendant is under a continuing duty to act to correct and remediate the injuries its conduct has introduced, and each day on which it fails to do so constitutes a new injury to the District.

85. As a direct and proximate result of Defendant's creation of a public nuisance, the District has suffered, and continues to suffer, monetary damages, including loss of value and loss of use of the District's natural resources and water systems.

86. Additionally, an award of punitive damages is appropriate because Defendant's conduct was accompanied by a state of mind evincing malice, fraud, ill will, recklessness, wantonness, oppressiveness, willful disregard of the public's right to enjoy an environment free of toxic contamination, or equivalent circumstances.

**THIRD CAUSE OF ACTION**  
**Strict Product Liability – Defective Design And Manufacture**

87. The District incorporates by reference the foregoing allegations.

88. Velsicol's chlordane products were not reasonably safe pesticides as designed at the time that they left Velsicol's control.

89. Chlordane's toxicity, persistence, and inability to be contained rendered it unreasonably dangerous at all times.

90. Velsicol knew or should have known that chlordane was not safe at the time the product was manufactured because, among other reasons, it knew or should have known that the product, even when used as intended, would become a global contaminant that caused toxic contamination of the environment, public waters, and wildlife, including the District's rivers.

91. Velsicol knew or should have known that chlordane was unsafe to an extent beyond that which would be contemplated by an ordinary person because of the overwhelming seriousness of a persistent, toxic chemical in the environment.

92. Velsicol manufactured, distributed, sold, and promoted chlordane as a pesticide product to maximize its profits despite the known harm.

93. Feasible alternatives to chlordane were available, which could have eliminated the unreasonable dangers and hazards posed by chlordane while still providing effective pesticide solutions.



94. Any utility allegedly provided by the use of chlordane is greatly outweighed by the risks and dangers associated with its use.

95. Chlordane was placed in the stream of commerce and sold by Velsicol in a defective and unreasonably dangerous condition.

96. Chlordane reached the District's waterways and wildlife without any substantial change in condition and was in the same condition at the time of the alleged injury to the District's waterways and wildlife.

97. It was foreseeable to Velsicol or any reasonable manufacturer of chlordane that chlordane would reach the District's waterways and wildlife.

98. Contamination of the District's waterways and wildlife occurred because of the defective design and manufacture of chlordane.

99. Velsicol's chlordane injured and continues to cause injury in the District.

100. The District has suffered and continues to suffer damages in amounts to be proven at trial.

#### **PRAYER FOR RELIEF**

The District prays for judgment against Defendant and seeks relief as follows:

A. Damages for injury to the District's natural resources, including the economic impact to the District and its residents from loss of ecological services or other injuries resulting from the conduct alleged herein;

B. An award of past, present, and future costs to investigate, assess, analyze, monitor, and remediate the contamination;

C. Civil penalties pursuant to D.C. Code § 8-634.01;

- D. Any other damages, including punitive or exemplary damages, as permitted by law;
- E. A declaratory judgment that the Defendant is liable for future costs related to the investigation, remediation and removal of chlordane from, in and around the District;
- F. An order requiring Defendant to return all monies by which Defendant were unjustly enriched as a result of the District's expenditures in connection with chlordane contamination within the District;
- G. Litigation costs and attorneys' fees as permitted by law;
- H. Pre-judgment and post-judgment interest on all monies awarded, as permitted by law; and
- I. Such other and further relief as the Court deems just and proper.

**JURY DEMAND**

The District respectfully requests trial by jury on all claims so triable.

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

Date: October 13, 2022

KATHLEEN KONOPKA [465117]  
Deputy Attorney General  
Public Advocacy Division

JENNIFER L. BERGER [490809]  
Chief, Social Justice Section

/s/ Wesley Rosenfeld  
WESLEY ROSENFELD [1002428]  
Assistant Attorney General  
LAUREN CULLUM\*  
Special Assistant Attorney General  
Office of the Attorney General for the  
DAVID S. HOFFMANN (#983129)  
Senior Assistant Attorney General

District of Columbia  
400 Sixth Street NW, 10th Floor  
Washington, D.C. 20001  
Phone: (202) 368-2569  
wesley.rosenfeld1@dc.gov  
lauren.cullum@dc.gov  
david.hoffmann@dc.gov

*\* Admitted to practice only in the State of Louisiana. Practicing in the District of Columbia under the direct supervision of Jennifer L. Berger, a member of the D.C. Bar, pursuant to D.C. Court of Appeals Rule 49(c)(4)*

*Attorneys for the District of Columbia*

# Superior Court of the District of Columbia

## CIVIL DIVISION- CIVIL ACTIONS BRANCH INFORMATION SHEET

District of Columbia \_\_\_\_\_

Case Number: \_\_\_\_\_

vs

Date: \_\_\_\_\_

Velsicol Chemical, LLC \_\_\_\_\_

One of the defendants is being sued  
in their official capacity.

Name: <i>(Please Print)</i> Wesley Rosenfeld	Relationship to Lawsuit
Firm Name: Office of the Attorney General for the District of Columbia	<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No.: 202.368.2569      Six digit Unified Bar No.: 1002428	<input type="checkbox"/> Self (Pro Se)
	<input type="checkbox"/> Other: _____

TYPE OF CASE:     Non-Jury                       6 Person Jury                       12 Person Jury  
Demand: \$ All available remedies                      Other: \_\_\_\_\_

**PENDING CASE(S) RELATED TO THE ACTION BEING FILED**

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar#: \_\_\_\_\_

**NATURE OF SUIT:      *(Check One Box Only)***

**A. CONTRACTS**

**COLLECTION CASES**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 01 Breach of Contract        | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent                            | <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 02 Breach of Warranty        | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent                             | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied  |
| <input type="checkbox"/> 06 Negotiable Instrument     | <input type="checkbox"/> 27 Insurance/Subrogation  | <input type="checkbox"/> 26 Insurance/Subrogation         |
| <input type="checkbox"/> 07 Personal Property         | Over \$25,000 Pltf. Grants Consent   | Over \$25,000 Consent Denied                              |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation  | <input type="checkbox"/> 34 Insurance/Subrogation         |
| <input type="checkbox"/> 15 Special Education Fees    | Under \$25,000 Pltf. Grants Consent  | Under \$25,000 Consent Denied                             |
|   | <input type="checkbox"/> 28 Motion to Confirm Arbitration<br>Award (Collection Cases Only) |   |

**B. PROPERTY TORTS**

- |   |   |                                      |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile                          | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion                          | <input type="checkbox"/> 04 Property Damage                 |                                      |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) |   |                                      |

**C. PERSONAL TORTS**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 01 Abuse of Process            | <input type="checkbox"/> 10 Invasion of Privacy                              | <input type="checkbox"/> 17 Personal Injury- (Not Automobile,<br>Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection     | <input type="checkbox"/> 11 Libel and Slander                                | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice)                      |
| <input type="checkbox"/> 03 Assault and Battery         | <input type="checkbox"/> 12 Malicious Interference                           | <input type="checkbox"/> 19 Wrongful Eviction                                     |
| <input type="checkbox"/> 04 Automobile- Personal Injury | <input type="checkbox"/> 13 Malicious Prosecution                            | <input type="checkbox"/> 20 Friendly Suit   |
| <input type="checkbox"/> 05 Deceit (Misrepresentation)  | <input type="checkbox"/> 14 Malpractice Legal                                | <input type="checkbox"/> 21 Asbestos  |
| <input type="checkbox"/> 06 False Accusation            | <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death)   | <input checked="" type="checkbox"/> 22 Toxic/Mass Torts                           |
| <input type="checkbox"/> 07 False Arrest                | <input type="checkbox"/> 16 Negligence- (Not Automobile,<br>Not Malpractice) | <input type="checkbox"/> 23 Tobacco   |
| <input type="checkbox"/> 08 Fraud                       |  | <input type="checkbox"/> 24 Lead Paint  |

SEE REVERSE SIDE AND CHECK HERE      IF USED

# Information Sheet, Continued

## C. OTHERS

- |   |   |
|---|---|
| <input type="checkbox"/> 01 Accounting                                  | <input type="checkbox"/> 17 Merit Personnel Act (OEA)   |
| <input type="checkbox"/> 02 Att. Before Judgment                        | (D.C. Code Title 1, Chapter 6)  |
| <input type="checkbox"/> 05 Ejectment                                   | <input type="checkbox"/> 18 Product Liability   |
| <input type="checkbox"/> 09 Special Writ/Warrants<br>(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,<br>Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication                        | <input type="checkbox"/> 29 Merit Personnel Act (OHR)   |
| <input type="checkbox"/> 11 Writ of Replevin                            | <input type="checkbox"/> 31 Housing Code Regulations  |
| <input type="checkbox"/> 12 Enforce Mechanics Lien                      | <input type="checkbox"/> 32 Qui Tam   |
| <input type="checkbox"/> 16 Declaratory Judgment                        | <input type="checkbox"/> 33 Whistleblower   |

## II.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name                                 | <input type="checkbox"/> 15 Libel of Information                                    | <input type="checkbox"/> 21 Petition for Subpoena<br>[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic                      | <input type="checkbox"/> 19 Enter Administrative Order as<br>Judgment [ D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien                   |
| <input type="checkbox"/> 08 Foreign Judgment/International                 | 2-1802.03 (h) or 32-151 9 (a)]  | <input type="checkbox"/> 23 Rule 27(a)(1)<br>(Perpetuate Testimony)  |
| <input type="checkbox"/> 13 Correction of Birth Certificate                | <input type="checkbox"/> 20 Master Meter (D.C. Code §                               | <input type="checkbox"/> 24 Petition for Structured Settlement       |
| <input type="checkbox"/> 14 Correction of Marriage<br>Certificate          | 42-3301, et seq.)   | <input type="checkbox"/> 25 Petition for Liquidation                 |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle)  |   |  |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) |   |  |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other)    |   |  |

## D. REAL PROPERTY

- |  |  |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate                | <input type="checkbox"/> 08 Quiet Title                                  |
| <input type="checkbox"/> 12 Specific Performance                     | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted           |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain)            | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied            |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale       | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) |  |

/s/ *Wesley Rosenfeld*

Attorney's Signature

10/13/2022

Date



**Superior Court of the District of Columbia**  
**CIVIL DIVISION**  
**Civil Actions Branch**  
**500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001**  
**Telephone: (202) 879-1133 Website: www.dccourts.gov**

**District of Columbia**

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

**Velsicol Chemical, LLC**

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

**Wesley Rosenfeld**

*Clerk of the Court*

Name of Plaintiff's Attorney

**400 6th St., NW, 10th Floor**

Address

Washington D.C. 20001

**(202) 368 - 2569**

Telephone

如需翻译,请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Đề có một bài dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828로 전화주세요

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

By \_\_\_\_\_

Deputy Clerk

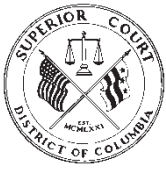
Date \_\_\_\_\_

**IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.**

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation

Vea al dorso la traducción al español



**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA**  
**DIVISIÓN CIVIL**  
**Sección de Acciones Civiles**  
**500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001**  
**Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov**

District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Velsicol Chemical, LLC

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintinueve (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

Wesley Rosenfeld

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

400 6th St., NW, 10th Floor

Por: \_\_\_\_\_

Dirección

Washington, D.C. 20001

Subsecretario

(202) 368-2569

Fecha \_\_\_\_\_

Teléfono

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번역통역사무소 (202) 879-4828 로 전화하십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

**IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.**

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedir ayuda al respecto.

Vea al dorso el original en inglés  
 See reverse side for English original