

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

In re: Teflon Products Liability Litigation	MDL No. 1733
This Document Relates to All Actions	4:06-md-01733-REL-CFB

**MASTER CLASS ACTION COMPLAINT ALLEGATIONS
FOR EQUITABLE, INJUNCTIVE AND MONETARY RELIEF**
(Jury Trials demanded)

Class Representative Plaintiffs, on their own behalf and on behalf of all other Class Members, by and through their undersigned counsel, hereby provide the Court with the following Master Class Action Complaint Allegations in connection with this consolidated proceeding and each Class Action Complaint filed in each transferor court against Defendant, E.I. du Pont de NEMOURS and COMPANY (“DUPONT”). The following recitals identify the facts and class allegations that generally appear in complaints transferred to this court. The subsequent recitals contain the general elements of various causes of actions pled in each of the transferred complaints.

I. INTRODUCTION

1. This is a class action seeking monetary and other relief on behalf of Plaintiffs and a class of persons who acquired cookware coated with DUPONT’s “Teflon®” product. The case arises from DUPONT’s deceptive and unfair trade practices in making false, misleading, deceptive and unconscionable representations and failing to disclose to the consuming public full and accurate information about the purported safety of Teflon®. DUPONT knew or should have known, but failed to disclose to the consuming public, that cooking products manufactured

with or containing Teflon® can release harmful and dangerous substances, including a chemical that has been determined to be “likely” to cause cancer in humans, during the ordinary personal, family, household and commercial uses for which those products were acquired or retained.

2. DUPONT designed, manufactured, sold and distributed Teflon® using these deceptive representations and omissions when it knew or should have known that Teflon® contains substances that may be dangerous and harmful to consumers that can be released when cooking products made with or containing Teflon® are used for their ordinary and foreseeable purposes.

3. These actions are brought to redress DUPONT’s unconscionable acts and practices, as further alleged below, and for

(i) declaratory, injunctive and equitable relief on behalf of the Plaintiff Class Representatives and the other Members of the Classes who are consumers and/or owners of cooking products containing DUPONT’s Teflon® product;

(ii) to create a fund for independent scientific researchers to further investigate the potential for adverse health effects to consumers who have used cooking products containing Teflon®;

(iii) to require that DUPONT cease and desist from the manufacturing, sale and distribution of cooking products containing Teflon®, which products cause the potential adverse and harmful effects complained of herein and/or compel DUPONT to stop making misstatements, misrepresentations, and/or omissions concerning the potential adverse and harmful effects of the use of cookware that is manufactured with or that contains Teflon®;

(iv) to replace and/or exchange all existing Teflon® coated cookware products possessed by Class Members with non-hazardous cookware, or to compensate the class members with the cash equivalent thereof;

(v) for equitable relief including rescission and restitution; and

(vi) to require that DUPONT provide a warning label or other appropriate disclosure on cooking products made with or containing Teflon® regarding the potential adverse and harmful effects of cookware containing or manufactured with Teflon®. These actions also seek damages on behalf of the Plaintiff Class Representatives and other Members of the Class.

II. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over the actions pursuant to 28 U.S.C.A. §1332 (a)(1) and (d)(2) in that these actions seek relief with a monetary value in excess of \$5,000,000.00, exclusive of interest, costs and attorney's fees, and is between citizens of different States.

5. Venue is appropriate in each transferor jurisdiction pursuant to 28 U.S.C. §1391 because a substantial part of the events or omissions giving rise to the claims occurred in each such jurisdiction.

6. Venue is additionally proper in this jurisdiction pursuant to the Transfer Order issued on February 21, 2006 by the Judicial Panel on Multidistrict Litigation.

III. DEFENDANT

7. DUPONT is a Delaware corporation. DUPONT markets, sells or distributes Teflon® throughout the United States.