



IN THE CIRUIT COURT OF CULLMAN COUNTY, ALABAMA

YEWELL DAYTON CLIFTON, Plaintiff, v. GENERAL DYNAMICS MISSION SYSTEMS, INC., and Fictitious Party Defendants A-C, being the correct name of the Plaintiff's employer, Defendants.) _____))))CIVIL ACTION NO. _____))))))
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COMPLAINT

1. Plaintiff Yewell Dayton Clifton is over the age of nineteen (19) years and a resident of Cullman County, Alabama.

2. Defendant General Dynamics Mission Systems, Inc. is doing business in Cullman County, Alabama and the employer of Yewell Dayton Clifton.

3. Defendant General Dynamics Mission Systems, Inc., and/or Fictitious Party Defendants A-C employed Plaintiff Yewell Dayton Clifton for its facility in Cullman, Alabama. Plaintiff worked as a machinist technician and inspector.

4. Defendant General Dynamics Mission Systems is an aerospace and defense contractor.

5. Defendant General Dynamics Mission Systems owns and operates a manufacturing facility in Cullman, Alabama.

6. Defendant General Dynamics uses beryllium, a rare earth element, to manufacture aerospace and missile defense parts. Beryllium is one-third the weight of aluminum, six times stiffer than steel, and has high thermal stability.

7. When inhaled, beryllium particles can cause Chronic Beryllium Disease, a progressive, systemic disease that affects the lungs and body as a whole.

8. While working within the line and scope of his employment, Plaintiff Yewell Dayton Clifton was exposed to beryllium, a hazardous chemical element used by the Defendant at their Cullman, Alabama facility. Plaintiff continued to be exposed to beryllium throughout his employment. The last day of beryllium exposure was December 15, 2019.

9. Plaintiff Yewell Dayton Clifton was exposed to beryllium during his employment with the defendant.

10. As a result of the beryllium exposure, the Plaintiff developed Chronic Beryllium Disease. The Defendant's medical professionals tested Plaintiff's blood and determined that Yewell Dayton Clifton's beryllium levels were abnormal. The Defendant then sent the Plaintiff to

a medical facility in Denver, Colorado. Subsequently, Yewell Dayton Clifton was diagnosed with Chronic Beryllium Disease.

11. Chronic Beryllium Disease is an occupational disease that develops as a result of continued exposure to beryllium. Plaintiff's occupational disease arose out of and in the course of his employment with General Dynamics Mission Systems, Inc. and/or Fictitious Party Defendants A-C.

12. Plaintiff developed Chronic Beryllium Disease due to his exposure to hazards in excess of those ordinarily incident to employment in general. Specifically, Yewell Dayton Clifton developed Chronic Beryllium Disease as a direct result of his exposure to beryllium over a period of time while working within the scope of his employment with the Defendant. The Plaintiff inhaled beryllium dust and powder over a period of time, which led to Plaintiff developing this disease of the lungs and body as a whole.

13. Chronic Beryllium Disease is peculiar to the Plaintiff's occupation, and the Plaintiff's occupational disease was caused solely by his exposure to beryllium over a period of time while working within the scope of his employment with the Defendant.

14. At the time of the accident, the Plaintiff had an average weekly wage of \$1,307.69, plus fringe benefits.

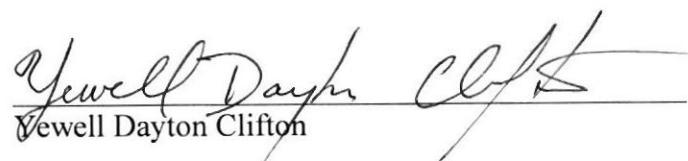
15. The Defendant had timely and actual notice of said occupational disease within the time specified by the Workmen's Compensation Act of the State of Alabama.

16. The Plaintiff has received medical treatment for the symptoms of his occupational disease, but his condition and symptoms continue to worsen. The Plaintiff suffered permanent injuries as a result of beryllium exposure and Chronic Beryllium Disease. The Plaintiff now suffers from a total loss of earning capacity.

17. While the Defendant has paid some medical expenses, the Defendant has failed to pay other necessary and reasonable medical expenses.

18. The Plaintiff and Defendant are subject to the Workers' Compensation Act of the State of Alabama.

WHEREFORE, Plaintiff Yewell Dayton Clifton requests judgment against Defendant for the compensation and medical expenses to which the Plaintiff is entitled under the Worker's Compensation law of the State of Alabama.


Yewell Dayton Clifton