

IN THE CIRCUIT COURT OF HAMILTON COUNTY, TENNESSEE

ULYSSES LAZENBY,

Plaintiff,

vs.

RENFRO CORPORATION,

Defendant.

*
*
* NO. 200617
*
* DIVISION _____
*
* JURY DEMAND
*

FILED IN OFFICE
2020 JUN -4 PM 2:46
LARRY L. HENRY, CLERK
BY [Signature]

COMPLAINT

The Plaintiff, Ulysses Lazenby ("Plaintiff"), hereby files his Complaint against the Defendant, Renfro Corporation ("Defendant"), and shows the Court the following:

1. The Plaintiff is a resident and citizen of Hamilton County, Chattanooga, Tennessee.
2. The Defendant is a for-profit foreign corporation licensed to do business in the state of Tennessee and can be served through its registered agent: CT Corporation System, 300 Montvue Road, Knoxville, TN 37919.
3. The facts giving rise to this Complaint occurred in Hamilton County, Chattanooga, Tennessee, therefore this Court has both subject matter and personal jurisdiction.
4. The Plaintiff obtained a free COVID-19 mask from the Hamilton County Health Department.
5. This mask was manufactured by the Defendant.

7. The Defendant's mask was treated with the chemical "Silvadur" manufactured by Dupont.
8. Silvadur is used to ward off odors and is registered as a pesticide with the EPA. Users of Silvadur are cautioned against inhaling the chemical. The users are instructed to not "get in eyes, on skin, or on clothing, wear protective eyewear, avoid breathing vapor or spray mist." (Exhibit 1).

9. Even with this knowledge, the Defendant treated each COVID-19 mask with Silvadur.
10. As a result of wearing this pesticide-tainted mask, the Plaintiff sustained injuries including but not limited to, significant headaches, burning eyes and double vision.

11. The Defendant knew or should have known that using the pesticide would harm individuals wearing the masks.

12. Using pesticide on the masks is a deviation from the standard care since most masks don't use a pesticide to prevent the breathing in of COVID-19.

13. As a result of this negligence, the Plaintiff sustained injuries.

14. The Defendant violated T.C.A. § 29-28-105(a) since the COVID-19 masks manufactured are dangerous to the extent contemplated by an ordinary consumer.

15. The Defendant failed to warn consumers of the dangers associated with the product's intended use after knowingly treating the COVID-19 masks with a known pesticide.

16. The Plaintiff had no reason to believe a COVID-19 mask, offered to prevent the spreading of COVID-19, was actually dangerous to wear.

17. As a result of violating T.C.A. § 29-28-101 et seq., the Plaintiff sustained personal injuries.

18. In the COVID-19 masks, the Defendant was acting recklessly since the Defendant was aware of, but constantly disregarded the substantial and justifiable risks of injury or damage to another by using a pesticide in the manufacturing of these COVID-19 masks.

19. Since the Defendant acted recklessly, the Plaintiff is entitled to compensation for punitive damages to punish the Defendant for this reckless behavior.

WHEREFORE, Plaintiff prays as follows:

(1) That summons and process issue and be served in the time and manner prescribed by

Tennessee law;

- (2) That a jury of twelve be empaneled to hear this cause;
- (3) That Plaintiff be awarded damages in the amount of \$250,000.00 for injuries;
- (4) That Plaintiff be awarded punitive damages in the amount of \$1,000,000.00; and
- (4) Any and all other general and equitable relief the Court may deem just.

Respectfully submitted,

WARREN & GRIFFIN, P.C.

BY: 

C. Mark Warren (BPR #013992)
Attorneys for Plaintiff
Suite 100, Dome Building
736 Georgia Avenue
Chattanooga, TN 37402
(423) 265-4878