IN THE SUPREME COURT OF THE STATE OF DELAWARE

ELIZABETH RAMSEY, Personal Representative of the Estate of DOROTHY RAMSEY, Deceased,	:	No. 305,2017
Plaintiff Below, Appellant,	:	Court Below: Superior Court of the State of Delaware in and for New Castle County
v.	:	
GEORGIA SOUTHERN UNIVERSITY ADVANCED DEVELOPMENT CENTER; HOLLINGSWORTH AND VOSE COMPANY,	:	C.A. No. N14C-01-287
Defendants Below, Appellees.	:	

THE DELAWARE TRIAL LAWYERS ASSOCIATION'S AND AMERICAN ASSOCIATION FOR JUSTICE'S AMICUS CURIAE BRIEF

DELAWARE TRIAL LAWYERS ASSOCIATION AND
AMERICAN ASSOCIATION FOR JUSTICE
BY:

November 20, 2017

DELAWARE TRIAL LAWYER'S ASSOCIATION and AMERICAN ASSOCIATION FOR JUSTICE

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III. STATEMENT OF IDENTITY AND INTEREST

The American Association for Justice ("AAJ") is a voluntary national bar association with members in every state, including Delaware. The Delaware Trial Lawyers Association ("DTLA") is a Delaware not-for-profit corporation. As its mission, DTLA seeks to champion the cause of those who deserve redress for injury to person or property. One of DTLA's core principles is to protect the rights of individuals injured by another's negligence. Members of the AAJ and DTLA primarily represent individual plaintiffs in actions involving personal injury, employee and consumer rights, civil rights and social justice. The common mission of AAJ and DTLA is to advance and protect the law for those who seek legal recourse for harm and wrongs in these areas.

The AAJ and DTLA (hereinafter "Amici") are concerned by the Superior Court's decisions in *In re Asbestos Litigation (Ramsey)*,[1] holding that product manufacturers and sellers owe no duty to persons foreseeably injured by exposure to toxins from their products simply because those injuries resulted from household exposure via a family-member worker. Such decision, from the perspective of Amici, represents a substantial retreat from decades of product liability law development in Delaware and the nation extending legal protection to vulnerable bystanders. Amici join the Ramsey family and their counsel in seeking a reversal

[1] 2017 WL 465301 (Del. Super., Feb. 2, 2017) reconsideration denied 2017 WL 1969683 (Del. Super., May 11, 2017).

of that decision by this honorable Court, and would respectfully address certain points bearing upon that decision in addition to those covered in Plaintiff-Appellant's opening brief.

IV. ARGUMENT

(1)
The Issue of Manufacturers' Duties Should Be Analyzed Under Traditional Product Liability Law and Precedents

The court below erred in the most fundamental sense by analyzing the issue of duty under a framework appropriate for premise defendants, but wholly inappropriate and unprecedented for manufacturers being sued on product liability claims. Indeed, Amici's research suggests that the decision below in this case represents such a radical departure from precedent, that it is the first and only Delaware case to utilize a misfeasance-nonfeasance analysis to determine the product liability duty of manufacturers. At a minimum, applying that analysis to product liability claims under any theory—negligence, warranty or other torts—is well outside the mainstream of Delaware jurisprudence.[2]

In *Riedel v. ICI Americas Inc.*, 968 A.2d 17 (Del. 2009) and *Price v. E.I. DuPont de Nemours & Co.*, 26 A.3d 162 (Del. 2011), this Court applied

[2] Amici certainly agree with Plaintiff-Appellant that—to the extent such analysis applies—manufacturing a product and disbursing it in commerce constitutes misfeasance rather than nonfeasance. Amici will not reargue that issue, but will note that, if manufacturers and sellers have also engaged in only nonfeasance, then crocidolite asbestos has somehow made its way from South Africa to the lungs of a woman in Delaware without any apparent affirmative act by anyone.

traditional, established duty analysis to the particular circumstances of household asbestos exposure claims against premises owners / employers. As the court below acknowledges, "[b]oth decisions [*Riedel* and *Price*] rest implicitly on the employer's role as a landowner…" *Ramsey*, 2017 WL 465301, *6. The *Riedel* Court looked to Restatement of Torts 2d, §§ 284 and 302, as the applicable analytical framework to determine duty, because the role of the defendant at issue was as a premises owner or possessor of land—not because the case involved household exposure to asbestos. *See* 968 A.2d at 22. The fact that *Riedel* and *Price* involved household exposure no doubt prompted a more in depth inquiry into the duty issue, but that circumstance alone did not dictate the analytical framework in which that inquiry would ultimately proceed.

The case *sub judice* is a products liability case sounding in negligence against the manufacturers / sellers of asbestos products. The fact that it, too, involves household exposure may well justify a more deliberate inquiry into the issue of duty; however, that circumstance alone does not compel using an identical analysis or reaching the same result as in *Riedel* and *Price*. The teaching of those decisions is not that the Restatement § 302 misfeasance-nonfeasance analysis should determine duty as to every type of claim involving household exposure, but that duty should be analyzed based upon traditional principles as appropriate to the role of the respective defendants at issue and the nature of the claims against them.

(2)
Respectfully, the Courts, Should Look to
Traditional Product Liability Law to Determine Whether
The Manufacture Defendants at Issue Owed a Duty to Mrs. Ramsey

There is clear history and precedent in Delaware for looking to § 302, in particular, to determine the scope and existence of a landowner's duties to persons injured as a result of activities connected to the premises in some manner. *See e.g Hercules Powder Co. v. DiSabatino*, 188 A.2d 529, 534 (Del. 1963); *Higgins v. Walls*, 901 A.2d 122, 141, n. 87 (Del. Super. 2005). There is clear history and precedent for considering the distinction between nonfeasance and active misconduct or misfeasance in negligence cases other than products liability. *See e.g. Manlove v. Wilmington General Hospital*, 169 A.2d 18, 20 (Del. Super. 1961) (failure / refusal to treat infant); *DiPatre v. McLaughlin*, 1980 WL 642384 (Del. Super. Mar. 10, 1980) (no duty for failure to remove snow; but, if one undertakes the task, duty arises to do so with reasonable care); *Doe v. Bradley*, 2011 WL 290829 (Del. Super. Jan. 21, 2011) (no duty for Medical Society or its members to report unprofessional conduct of doctor who was allegedly sexually abusing patients). There is no such history or precedent in either respect where determining a product manufacturer's duty is concerned.

Indeed, Amici's research found no Delaware decisions involving product liability based on any theory of recovery, which relied upon or referred to §§ 284 and 302 in discussing duty. In similar fashion, Amici's research found no

Delaware precedent discussing whether manufacturing a product and placing it in the stream of commerce constitutes misfeasance or nonfeasance. This is because Delaware product liability law and the concomitant duties of product manufacturers developed along an entirely different track, under which a manufacture's duties are predicated upon reasonable foreseeability and clearly extend to bystanders and other remotely injured parties such as Mrs. Ramsey.

Even prior to the initial development of Delaware's current framework for product liability, a manufacturer could be held liable to a remote injured person not in privity, if the manufacturer knew that the product was imminently dangerous. *See Hunter v. Quality Homes*, wherein the court stated:

> The general rule…is that a contractor, manufacturer or vendor is not liable to third parties who have no contractual relations with him for negligence in the construction, manufacture or sale of the articles he handles. [An exception is] that one who sells or delivers an article which he knows to be imminently dangerous to life or limb of another without notice of its qualities is liable to any person who suffers an injury therefrom which might have been reasonably anticipated, whether there were any contractual relations between the parties or not. The exception, entitled perhaps to stand as a rule in itself, is based on the broad ground that the manufacturer of an article, though not inherently dangerous but which may become so when put to its intended use, owes a duty to the public to employ reasonable care, skill and diligence in its manufacture.

68 A.2d 620, 622 (Del. Super. 1949) (*quoting Gorman v. Murphy Diesel Co*., 29 A.2d 145, 147 (Del. Super. 1942)). *See also Behringer v. William Gretz Brewing Co.*, 169 A.2d 249, 251 (Del. Super. 1961) (box of bottles not imminently or inherently dangerous).

In 1961, *Ciociola v. Delaware Coca-Cola Bottling Co.*, 172 A.2d 252 (Del. 1961) set the stage for the development of Delaware product liability law as it exists today. In *Ciociola*, this Court declined to judicially adopt a version of implied warranty akin to strict liability or to abrogate the privity requirement for products that were not inherently dangerous. *See* 172 A.2d at 256 (at traditional common law, "[a]bsent such privity, the plaintiff could not impose upon the defendant the absolute liability of an insurer for injuries caused by a defect in its product"). The Court held that such changes, if "desirable as a matter of public policy," were for the legislature to make. 172 A.2d at 257. "The legislature responded to *Ciociola* by enacting U.C.C., Del. C. s 2-318, which abrogated the common law requirement of privity." *Franchetti v. Intercole Automation, Inc.*, 523 F.Supp. 454, 456 (D. Del. 1981).

As the court in *Franchetti* observed, the holding in *Ciociola* effectively froze the development of Delaware products liability law until the legislature acted. *Id*. The legislature could have done nothing. It could have adopted strict liability by statute or a standard version of the U.C.C. Instead it enacted a hybrid version of 2-318 "incorporating aspects of both tort and warranty law." 523 F.Supp. at 457. Decisions following the enactment of that "hybrid" provision clearly extend a manufacture's duty of care to reasonably foreseeable persons affected by a product

placed into commerce regardless of what theory of recovery applies—tort or warranty.

As noted in *Nacci v. Volkswagen of America, Inc.*, prior to the adoption of the U.C.C., "the liability of a seller or manufacturer of a product extended to a person who was not in privity with the seller or manufacturer only where the product was known to the seller to be imminently dangerous to life and limb or was likely to become so when put to its intended use if constructed defectively." 325 A.2d 617, 619 (Del. Super. 1974). "This was true whether the cause of action was founded upon tort or contract." *Id*. (*citing Ciociola*, 172 A.2d 252). When Delaware adopted the U.C.C. in 1967, it enacted a version of "Section 2-318 [which] provides that the seller's warranty extends to any natural person who may reasonably be expected to use, consume *or be affected by* the goods and who is injured by the breach of warranty." *Id*. (*emphasis added*). "The same result [flows] from the application of tort law where it is said that a manufacturer may be liable to those whom he should expect to be endangered by the probable use of the product." 325 A.2d at 619-20 (*citing* Restatement of Torts 2d, § 395, Comment i).

This Court's holding and reasoning in *Martin v. Ryder Truck Rental, Inc.*, 353 A.2d 581 (Del. 1976) are particularly instructive here. In *Martin*, the defendant Ryder had leased the truck in question to Gagliardi Brothers. The truck rear-ended plaintiff due to brake failure. The *Martin* Court upheld liability "in favor of an

injured bystander" as to the product supplier, albeit in the context of a bailment-lease transaction. 353 A.2d at 582. The Court first noted that, after its decision in *Ciociola*, the legislature responded by enacting the U.C.C. and thereby abrogating such privity requirements. *See* 353 A.2d at 583. The defendant Ryder argued that, if the legislature had intended to create strict liability for bailments or leases, it would have done so in the U.C.C. The Court concluded that, because the U.C.C. warranty provisions are limited to sales, the statute is neutral as to other types of transactions and, therefore, did not preempt the law in those areas. *See* 353 A.2d at 584.The Court then reasoned:

> The doctrine of strict liability in tort has been extended to injured bystanders. We endorse the rationale of *Elmore v. American Motors Corp*., 70 Cal.2d 578, 75 Cal.Rptr. 652, 451 P.2d 84 (1969): "If anything, bystanders should be entitled to greater protection than the consumer or user where injury to the bystanders from the defect is reasonably foreseeable. Consumers and users, at least, have the opportunity to inspect for defects, *** where as the bystander normally has no such opportunities. In short, the bystander is in greater need of protection from defective products which are dangerous, and if any distinctions should be made between bystanders and users, it should be made *** to extend greater liability in favor of the bystanders."

353 A.2d at 587-88 (*quoting* 75 Cal.Rptr. at 657, 451 P.2d at 89).

Most important, this Court in *Martin* looked to the public policy expressed by the legislature in the U.C.C. as the guide to determining duty in a products liability context—not to § 302 of the Restatement or to whether Ryder's involvement was misfeasance or nonfeasance. The Court found it "noteworthy that

under the UCC s 2-318 an injured bystander may be protected as one 'affected by' a defective product in a direct sales situation covered by an implied warranty….Thus, the conclusion reached here is in accord with the public policy underlying s 2-318." 353 A.2d at 588 ("where, as here, the Legislature has not preempted the field the common law must be kept abreast of the time and must grow to fulfill the demands of justice"). *See also Greenlee v. Imperial Homes Corp*., 1994 WL 465556 (Del. Super. July19, 1994) ("[t]he standard of care in a Delaware products liability case based on negligence is whether the manufacturer 'failed to exercise the care of a reasonably prudent manufacturer under all the circumstances") (*quoting Massey-Ferguson, Inc. v. Wells*, 383 A.2d 640, 642 (Del. 1976), *citing* Restatement of Torts 2d, §§ 395, 398)); *Beattie v. Beattie*, 786 A.2d 549, 556 (Del. Super. 2001) ("demonstrator vehicle was 'placed in circulation' by [dealership] in such a manner that, if defective, it could injure both passengers and bystanders") (*citing Martin*, 353 A.2d at 587-88).[3]

(3)

The Fact that the Manufacturers Might be Viewed As More Distant Actors Has No Legal Bearing On their Duty in Product Liability Negligence

In the case at bar, instead of basing its analysis on the role of the defendants at issue, the court below concluded that these defendants' status as manufacturers,

[3] Subsequently, in *Cline v. Prowler Indust. of Md., Inc.*, 418 A.2d 968 (Del. 1980), this Court determined that adoption of the U.C.C. preempts strict liability as to sales transactions. *Cline* did not alter the decision in *Martin* nor detract from its relying on the policy expressed in § 2-318 as a guide to duty for tort claims.

as opposed to employers or premises owners, "undermine[d], rather than bolster[ed], Plaintiff's contention that *Price* and *Riedel* are distinguishable." *Ramsey*, 2017 WL 465301, *7. According to the court, it would be anomalous for a "defendant with a closer relationship to the plaintiff—the employer" to owe "no duty of care…while a distant third-party—the manufacturer—would be held to a general duty of care." *Id*. In essence, the court held that manufacturer defendants owe no duty simply because they are more remote from the plaintiff than premises defendants that owe no duty.[4] With all due respect, that reasoning is seriously flawed and finds no basis in any accepted duty analysis. Indeed, it is logically contrary to both established precedent and reason.

For example, in a series of decisions in asbestos cases, this Court and the Superior Court have strictly curtailed the duty owed by premise owners to the

[4] Amici would, respectfully disagree with that notion that premises owners owe no duty in household exposure cases and with the holdings in *Riedel* and *Price*, including that using asbestos amounts to nonfeasance. As the dissent in *Price* states, "the fact that DuPont's conduct included omissions does not necessarily equate to nonfeasance." 26 A.3d at 173 (Berger, J., *dissenting*) (Restatement warns against such analysis in secs. 302 cmt. a & 314 cmt. a & 284). Indeed, nonfeasance can be a confusing concept. It has not been consistently utilized and, in some contexts, has been used to distinguish negligence from willful and wanton misconduct—suggesting that all "[n]egligence is negative in its character and implies nonfeasance." *Bates v. Vasquez*, 2016 WL 4468603, *4 (Del. Super. Aug. 23, 2016)) (*quoting Gallegher v. Davis*, 183 A. 620, 622 (Del. Super. 1936)). Still, Amici do not intend to challenge those decisions here.

employees of independent contractors exposed to asbestos. *See e.g. In re Asbestos Litigation (Wooleyhan II)*, 897 A.2d 767 (table), 2006 WL 1214980 (Del. Apr. 12, 2006); *In re Asbestos Litigation (Helm)*, 2007 WL 1651968 (Del. Super. May 31, 2007). The manufacturers and sellers of any asbestos products to which such workers were exposed would necessarily be more "distant" than premises owners which owe no duty. Under the reasoning of the court below in this case, it would be anomalous to impose any duty upon those manufacturers—although, in actuality, no one would seriously question that a duty exists. Similarly, in *Hunter*, 68 A.2d 620, the plaintiffs purchased a house built and sold by Quality. Some months later, an oil burner supplied and installed by Mitchell, an independent contractor employed by Quality, exploded causing property damage. The court granted Quality's motion to dismiss finding no legal duty. The court denied Mitchell's motion for summary judgment, although Quality clearly had a closer, more direct relationship with plaintiffs.

Hypothetically, if someone held a dinner and unknowingly served tainted food to the guests, the social host with the close connection would not be liable; however, the distant seller of the tainted food would certainly owe a duty. Indeed, that duty would extend to family members of the guests who ate leftovers brought home from the dinner. The point, of course, is that distance or closeness is not an automatic determinant of duty nor, in many instances, even a consideration. In fact,

the whole idea that a more distant actor is relieved of duty under a misfeasance-nonfeasance analysis (which the court applied here) is the greater anomaly. In many instances, the actor who initiates the harm-causing force (misfeasance) will be more distant from a plaintiff than one who has the opportunity, but not the duty, to stop that force (nonfeasance).

(4)
Manufacturers have Long Understood their Responsibility
To Warn the Public at Large as to Hazardous Products,
As a Matter of Practice as well as a Matter of Law

The importance of warning the public about product hazards was well-known and understood by industry in the time leading up to Mrs. Ramsey's exposure to asbestos from the manufacturer defendants at issue here. In a recently published article, Rosner & Markowitz discuss how American manufacturers as an industry and a group took upon themselves the responsibility to self-regulate warnings and hazard communication up through the 1970's, as a way to stave off government regulation in that area.[5] For example, in 1945, the Manufacturing Chemists Association published a guide manual for warning labels.[6] Manufacturers viewed warnings as a public health matter, not just a workplace issue.[7] Industry has long understood that "[t]he common law itself imposes a duty upon the

[5] Rosner & Markowitz, "Educate the Individual…to a Sane Appreciation of the Risk," 106 AJPH No. 1, 28-35 (Jan. 2016) (courtesy copy attached as Exhibit A).
[6] *Id*. at 31.
[7] *Id*. at 32 (purpose of research and warnings was to "inform the workforce (and the public) about the potential dangers of these products").

manufacturer to bring to the attention of the users of his product and people who are in the vicinity of its use, the dangers which are inherent in its use or may flow from it."[8]

In Delaware, "[t]he 'standard for determining the duty of a manufacturer to warn is that which a reasonable (or reasonably prudent) person engaged in that activity would have done, taking into consideration the pertinent circumstances at the time'" *Brower v. Metal Industries, Inc.*, 719 A.2d 941, 946 (Del. 1998) (*quoting Graham v. Pittsburgh Corning Corp.*, 593 A.2d 567, 571 (Del. Super. 1990). "Delaware Courts and the Restatement have accepted the reasonable man standard for determining the duty of a manufacturer of a product to warn users." *Graham*, 593 A.2d at 569. "The duty to warn arises when a manufacturer places into the stream of commerce a product which, to his knowledge, involves dangers to users." *Betts v. Robertshaw Controls Co.*, 1992 WL 436727, *2 (Del. Super. Dec. 28, 1992) (duty to warn determined by reference to Restatement of Torts 2d § 388). This duty to warn the public, including bystanders—at least in so far as inherently dangerous materials like asbestos are concerned—is nothing new or novel, but a duty imposed upon manufacturers under Delaware law since at least the 1940's. *See Hunter*, 68 A.2d at 622 (1949); *Gorman*, 29 A.2d at 147 (1942).

[8] *Id*. at 32-33 (quoting H.S. Baile, "Panel Discussion: Health Problems Involved in the Manufacture, Sale, and Use of Toxic Materials," presented at Industrial Hygiene Foundation, 21st Annual Meeting, Nov. 1956, Transactions Bulletin No. 30 (1957): 270).

(5)

The Manufacture Defendants had a Duty to Warn Because The Hazards at Issue were Unquestionably Foreseeable

Here, the court below did not consider foreseeability. Rather, it ultimately relied upon the lack of a special relationship in holding that the manufacturer defendants had no duty to warn. The court arrived at that erroneous conclusion precisely because it improperly analyzed the matter as if it involved premises liability, rather than product liability.

Under Delaware product liability law, a manufacturer's / seller's duty to warn is predicated primarily upon the foreseeability of the hazard, and in no way dependent upon the existence of a special relationship or a misfeasance-nonfeasance determination. For example, in *In re Asbestos Litigation (Colgain)*, 799 A.2d 1151 (Del. 2003), this Court affirmed summary judgment on plaintiff's "product liability claims" against Oy-Partek Ab precisely because that plaintiff failed to provide sufficient evidence that defendant's predecessor had actual or constructive knowledge of the hazards of asbestos at the relevant time. In the absence of such evidence, there was no duty to warn. *See* 799 A.2d at 1152-53 ("manufacturer's duty to warn is dependent on whether it had knowledge [or should have known] of the hazards associated with its product").

It is enough that the harm in question was generally foreseeable, and a defendant's duty does not depend upon anticipating the precise sequence of events

giving rise to the injury. *See Jardel Co., Inc. v. Hughes*, 523 A.2d 518, 525 (Del. 1987). Nevertheless, the hazards of household exposure to asbestos were well known to industry by the time of Mrs. Ramsey's exposures in the 1970's and early 1980's. Even if there is some dispute as to earlier information linking asbestos to household exposure, it is well-accepted that that specific problem was expressly addressed no later than 1965 by Newhouse and Thompson.[9] Without repeating the evidence offered by Plaintiff below, Amici note the following:

In 1976, researchers at Mt. Sinai published a study advising of the hazards of household asbestos exposure.[10] In 1977, Dr. Paul Kotin, Johns-Manville's senior vice president for health, safety and environment, emphasized the seriousness and extent of the household asbestos exposure problem to the Consumer Products Safety Commission[11]--a rather clear indication that this was a public health

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[9] Newhouse and Thompson, "Mesothelioma of Pleura and Peritoneum Following Exposure to Asbestos in the London Area," 22*Brit. J. Indst. Med.* 261 (1965) (courtesy copy attached as Exhibit B). Of 76 mesothelioma patient subjects, for whom exposure information was available, that study reported that 9 (+10%) had only had household exposure. That study was immediately reprinted in the United States in *Annals N.Y. Academy of Sciences* (1965) as Newhouse and Thompson, "Epidemiology of Mesothelial Tumors in the London Area" and is often referenced in subsequent publications as a seminal work on household asbestos exposure.

[10] Selikoff, Daum et al., "Household-Contact Asbestos Neoplastic Risk," *Annals N.Y. Academy of Sciences* (1976) ("household asbestos contact has been established as being potentially hazardous") (courtesy copy attached as Exhibit C).

[11] *Trans. of Remarks by P. Kotin, M.D. before CPSC* (June 9, 1977), pp. 8-9 (family members of workers are at risk from household exposures, which "represent maximum exposures" to a "spectrum of susceptibilities" including the very young) (excerpt attached as Exhibit D).

concern at the time. In that same year, the International Agency for Research on Cancer ("IARC") published a monograph on risks associated with asbestos explicitly stating, "[d]omestic exposure of household contacts to asbestos may occur from dust brought home on workers' clothes, shoes, hair, equipment etc." *Id*., p. 38.[12] Indeed, by 1977, there were already personal-injury suits alleging household asbestos exposure filed and pending. *See In re Asb. and Asb. Insul. Mat. Prod. Liab. Litig.*, 431 F.Supp. 906, 907-09 (1977) (federal MDL Panel noted pending cases alleging household exposure, when considering an asbestos MDL).

As Plaintiff-Appellant correctly notes, the court below never even considered the issue of foreseeability because it held that the manufacturer defendants engaged in only nonfeasance rather than misfeasance. Amici agree with Plaintiff-Appellant that—if such analysis is undertaken—the manufacturer defendants clearly engaged in misfeasance by making and marketing asbestos products. However, the question of misfeasance vs. nonfeasance should never have been asked in the first instance because such analysis has no place in determining the duty of a manufacturer with regard to product liability negligence. As the precedents cited herein clearly indicate, a manufacturer's duty to exercise reasonable care and warn of product hazards is always determined by reasonable

[12] Relevant excerpt from IARC Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Man, Asbestos, Vol. 14 (World Health Organization 1977) attached as Exhibit E.

foreseeability. And, it should be equally and abundantly clear that the hazards of exposure to asbestos, including the unacceptably serious risks associated with household exposure, were well known (certainly knowable) by the time frame of Mrs. Ramsey's exposure.

V. CONCLUSION

For the additional reasons stated herein, Amici join Plaintiff-Appellant in respectfully asking this honorable Court to reverse the decision below.

November 20, 2017

DELAWARE TRIAL LAWYER'S ASSOCIATION and AMERICAN ASSOCIATION FOR JUSTICE

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