Court of Common Pleas of Philadelphia County
Trial Division

Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

FEBRUARY 2025 **02834**

E-Filing Number: 2502040607

PLAINTIFF'S NAME	DEFENDANT'S NAME
MARLO JONES	SPS TECHNOLOGIES, LLC, ALIAS: DBA PCC FASTENERS - SPS JENKINTOWN
PLAINTIFF'S ADDRESS	**DEFENDANT'S ADDRESS**
1432 WISTAR DRIVE WYNCOTE PA 19095	301 HIGHLAND AVENUE JENKINTOWN PA 19046
PLAINTIFF'S NAME	**DEFENDANT'S NAME**
PLAINTIFF'S ADDRESS	**DEFENDANT'S ADDRESS**
PLAINTIFF'S NAME	**DEFENDANT'S NAME**
PLAINTIFF'S ADDRESS	**DEFENDANT'S ADDRESS**

TOTAL NUMBER OF PLAINTIFFS	TOTAL NUMBER OF DEFENDANTS	COMMENCEMENT OF ACTION
1	1	☒ Complaint ☐ Petition Action ☐ Notice of Appeal ☐ Writ of Summons ☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ $50,000.00 or less
☒ More than $50,000.00

COURT PROGRAMS

☐ Arbitration	☐ Mass Tort	☐ Commerce	☐ Settlement
☐ Jury	☐ Savings Action	☐ Minor Court Appeal	☐ Minors
☐ Non-Jury	☐ Petition	☐ Statutory Appeals	☐ W/D/Survival
☒ Other: CLASS ACTION			

CASE TYPE AND CODE

C1 - CLASS ACTION

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

FILED
PRO PROTHY
FEB 20 2025
S. RICE

IS CASE SUBJECT TO COORDINATION ORDER?
YES NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: MARLO JONES

Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY	ADDRESS
PATRICK HOWARD	SALTZ, MONGELUZZI, BARRETT & BENDESKY PC. ONE LIBERTY PLACE 1650 MARKET ST 52ND FLR PHILADELPHIA PA 19103
PHONE NUMBER / **FAX NUMBER**	
(215)575-3895 / (215)575-3894	
SUPREME COURT IDENTIFICATION NO.	**E-MAIL ADDRESS**
88572	phoward@smbb.com
SIGNATURE OF FILING ATTORNEY OR PARTY	**DATE SUBMITTED**
PATRICK HOWARD	Thursday, February 20, 2025, 09:20 am

FINAL COPY (Approved by the Prothonotary Clerk)

SALTZ MONGELUZZI & BENDESKY P.C.
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Attorneys for Plaintiff

MARLO JONES
1432 Wistar Drive
Wyncote, Pennsylvania 19095

Individually, and on behalf of all others similarly situated,

***Plaintiff*,**

v.

SPS TECHNOLOGIES, LLC d/b/a PCC FASTENERS - SPS JENKINTOWN
301 Highland Avenue
Jenkintown, Pennsylvania 19046

Defendant.

PHILADELPHIA COUNTY COURT OF COMMON PLEAS

CIVIL DIVISION
Docket No.

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

"NOTICE"	"AVISO
"You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgement may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. "YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. PHILADELPHIA BAR ASSOCIATION LAWYER REFERRAL and INFORMATION SERVICE One Reading Center Philadelphia, Pennsylvania 19107 (215) 238-1701"	"Le han demandado en corte. Si usted quiere defenderse contra las demandas nombradas en las páginas siguientes, tiene veinte (20) dias, a partir de recibir esta demanda y la notificatión para entablar personalmente o por un abogado una comparecencia escrita y tambien para entablar con la corte en forma escrita sus defensas y objeciones a las demandas contra usted. Sea avisado que si usted no se defiende, el caso puede continuar sin usted y la corte puede incorporar un juicio contra usted sin previo aviso para conseguir el dinero demandado en el pleito o para conseguir culquier otra demanda o alivio solicitados por el demandante. Usted puede perder dinero o propiedad u otros derechos importantes para usted. USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE ABOGADO (O NO TIENE DINERO SUFICIENTE PARA PARGAR A UN ABOGADO), VAYA EN PERSONA O LLAME POR TELEFONO LA OFICINA NOMBRADA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASSISTENCIA LEGAL. ESTA OFICINA PUEDE PROPORCIONARLE LA INFORMACION SOBRE CONTRATAR A UN ABOGADO. SI USTED NO TIENE DINERO SUFICIENTE PARA PAGAR A UN ABOGADO, ESTA OFICINA PUEDE PROPORCIONARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS QUE CUMPLEN LOS REQUISITOS PARA UN HONORARIO REDUCIDO O NINGUN HONORARIO. ASSOCIACION DE LICENDIADOS DE FILADELFIA SERVICO DE REFERENCA E INFORMACION LEGAL One Reading Center, Filadelfia, Pennsylvania 19107 Telefono: (215) 238-1701"

CLASS ACTION COMPLAINT

Plaintiff, MARLO JONES, Individually, and on behalf of all others similarly situated, by and through counsel, for her Class Action Complaint against Defendant, SPS TECHNOLOGIES, LLC d/b/a PCC FASTENERS - SPS JENKINTOWN ("SPS" or "Defendant"), alleges and states as follows:

INTRODUCTION

1. This putative class action arises from Defendant's tortious failures to prevent a catastrophic explosion and fire in February 2025 in Jenkintown and Abington Township, Pennsylvania, which resulted in significant damages to Plaintiff and the proposed Class Members ("the SPS fire and explosion").

2. On the evening of Monday, February 17, 2025, a massive warehouse fire and explosion occurred at Defendant's SPS Technologies facility located at 301 Highland Avenue, Jenkintown, Pennsylvania 19046.[1,2]

3. Multiple fire departments responded to the fire, where "[w]itness statements indicated that there was an explosion within the building and flames could be seen inside the warehouse structure."[3]

4. After Defendant's employees were evacuated, firefighters battled the blaze for days. Even as of Tuesday, February 18, 2025, "…the fire was mostly contained to the center of the building, though later in the day officials said the fire had re-intensified and black smoke could be

[1] USA Today, *Video shows massive fire at Pennsylvania manufacturing facility after explosion*, Feb. 18, 2025, https://www.usatoday.com/story/news/nation/2025/02/18/pennsylvania-warehouse-fire-sps-technologies-video/79065568007/

[2] Abington Township Police Department, *Commercial Building Fire* Press Release, Feb. 17, 2025, https://www.abingtonpa.gov/home/showpublisheddocument/18381/638755015186000000

[3] *Id*.

seen coming from the building."[4] As of Wednesday, February 19th, the fire remained active, and was not "officially suppressed."[5]

5. The explosion on February 17th and the resulting fire shook surrounding homes and businesses, caused "smoke and particulates" to emanate across the community, and necessitated the immediate closing of local schools, a shelter-in-place order, the closing of residences and businesses within a 1-mile radius, as well as voluntary evacuations.[6]

6. On information and belief, the fire and explosion was caused by Defendant's failures to inspect, maintain, and/or operate its facility, including the location of the origin of the fire, and other manufacturing and production equipment and, upon information and belief, failed to uphold industry standards.

7. On information and belief, hundreds if not thousands of persons have been damaged as a result of Defendant's misconduct in permitting the fire and explosion to occur, including lost wages diminution in value of their real and personal property, and emotional distress.

PARTIES

8. Plaintiff, MARLO JONES, is a natural person and a citizen of the Commonwealth of Pennsylvania, where she intends to remain, with a principal residence at 1432 Wistar Drive, Wyncote, Pennsylvania 19095 in Montgomery County.

9. Defendant, SPS TECHNOLOGIES, LLC d/b/a PCC FASTENERS - SPS JENKINTOWN ("SPS" or "Defendant" is a limited liability company organized and existing

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[4] CBS News, *Some residents asked to voluntarily evacuate after SPS Technologies fire in Abington Township, Pennsylvania*, updated Feb. 19, 2025, https://www.cbsnews.com/philadelphia/news/fire-in-jenkintown-sps-technologies/

[5] Philly Voice, SPS Technologies factory to be partly demolished so firefighters can put out industrial fire, Feb. 19, 2025, https://www.phillyvoice.com/abington-fire-sps-technologies-demolition-air-quality-jenkintown/

[6] *Supra*, n.2.

under the laws of the Commonwealth of Pennsylvania. On information and belief, Defendant's principal office is located at 301 Highland Avenue, Jenkintown, Pennsylvania, in Montgomery County.

10. SPS's registered agent for service of process is National Registered Agents, Inc., 600 North 2nd Street, Suite 401, Harrisburg, Pennsylvania 17101.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction over this action pursuant to 42 Pa. Cons. Stat. § 931.

12. This Court has personal jurisdiction over Defendant pursuant to 42 Pa. Cons. Stat. § 5301, because Defendant is formed and headquartered in Pennsylvania and conducts a significant portion of its general business in Pennsylvania.

13. Venue is appropriate in this Court under 231 Pa. Code § 2179, because Defendant regularly conducts business in Philadelphia County.

COMMON FACTUAL ALLEGATIONS

14. SPS holds itself out as a "…leading developer, manufacturer, and global supplier of aerospace nuts, bolts, and associated products with 20 major product lines."[7]

15. Defendant operates a manufacturing facility at 301 Highland Avenue in Jenkintown, Pennsylvania 19046, a "560,000 square foot facility," where it "…develop[s] and manufactur[es] critical fasteners since the early days of aviation, working closely with its customers to meet the needs of an ever changing industry."[8]

16. At Defendant's facility in Jenkintown, Pennsylvania, it manufactures "…all-metal locknuts and bolts, non-metallic insert locknuts, and other critical fasteners in a variety of materials

[7] https://www.pccfasteners.com/companies/pcc-fasteners/sps-jenkintown.html
[8] *Id*.

and platings in diameters up to 3" and lengths up to 48"" for the aerospace and other markets, such as "medical, automobile racing, marine, and power generation…"[9]

17. On Monday, February 17, 2025, at approximately 9:43 p.m., a massive fire erupted at Defendant's facility, "an active fire breaching through the roof of the building, accompanied by multiple explosions inside the facility,"[10] as further reported by 6abc news.[11]

A raging four-alarm fire tore through the SPS Technologies complex in Abington Township, Pennsylvania.

18. The fire was then followed by an explosion that shook surrounding residents' homes.[12]

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[9] *Id.*
[10] Township of Abington, *Abington Township Fire Department Responds to Major Fire and Explosion at SPS Technologies*, Feb. 18, 2025, https://www.abingtonpa.gov/home/showpublisheddocument/18375/638754714692638166
[11] 6abc, *Shelter-in-place, evacuations lifted in Abington Twp.; investigators work to find cause of SPS fire,* February 19, 2025, SPS Technologies fire: Disaster Emergency declared in Abington Twp. as investigators work to find cause of industrial fire - 6abc Philadelphia (last visited February 19, 2025)
[12] CBS, *Man says explosion, fire at SPS Technologies in Abington shook his entire home: "it was ridiculous"* February 18, 2025. Man says explosion, fire at SPS Technologies in Abington shook his entire home: "It was ridiculous" - CBS Philadelphia (last visited Feb. 19, 2025)

19. Fire fighters responded to the scene, working relentlessly working around the clock to control the fire.

20. By the morning of Tuesday, February 18th, the fire seemed to be under control, but an additional flare up around 11am on Tuesday renewed concerns and produced additional thick plumes of smoke requiring continuing around the clock work from the more than 60 firefighters on scene that continues to date of filing this complaint.

21. Indeed, "[a] total of sixty-eight (68) fire companies responded to the fire and worked systematically to contain it and ensure public safety."[13]

22. The think plumes of smoke could be seen for miles, while the cause of the fire still remains under investigation.

23. Due to the extensive smoke and concerns over air quality, residents in the affected area, were asked to voluntarily evacuate on Tuesday.[14]

[13] Township of Abington, *Abington Township Fire Department Responds to Major Fire and Explosion at SPS Technologies*, Feb. 18, 2025, https://www.abingtonpa.gov/home/showpublisheddocument/18375/638754714692638166

[14] *Id.*

24. On February 18th, the Township of Abington issued a shelter-in-place order for "all residents and businesses within a one-mile radius of the location," which included "SEPTA regional rail lines and bus locations, including those lines servicing Glenside and Jenkintown Stations," and closed "Abington School District, Jenkintown School District and all private and parochial schools."[15]

25. In addition, on February 18, 2025, Abington Township declared a Disaster Emergency as a result of the fire, which "has caused or threatens to cause injury, damage, and suffering to the persons and property of Abington Township" and which "endanger[ed] the health, safety and welfare of a substantial number of persons residing in Abington Township."[16]

26. It is known that harsh chemicals are used in the manufacture of aeronautical bolts

[15] *Id.*
[16] *See* Abington Township, *Declaration of Disaster Emergency*, Feb. 18, 2025, https://www.abingtonpa.gov/home/showpublisheddocument/18389/638755072768130000

and fasteners.

27. As reported by 6abc, Dr. Jamie Garfield, a Temple Health pulmonologist, warns that "It could be week before you see the effect of this type of an exposure", "and everyone is at risk, just to be clear."[17]

28. EPA, DEP, ATF, hazmat, and likely other investigatory and emergency response parties remain on site to control, monitor, and investigate the situation.

29. Montgomery County officials are urging people to stay away from the scene.[18]

30. The aftermath of the explosion is nothing less than devastating, as depicted below.[19]

Chopper 6 video: Crews treating hotspots day after industrial fire at SPS Technologies

[17] 6abc, *Shelter-in-place, evacuations lifted in Abington Twp.; investigators work to find cause of SPS fire,* February 19, 2025, SPS Technologies fire: Disaster Emergency declared in Abington Twp. as investigators work to find cause of industrial fire - 6abc Philadelphia (last visited February 19, 2025)
[18] CBS, *Man says explosion, fire at SPS Technologies in Abington shook his entire home: "it was ridiculous"* February 18, 2025. Man says explosion, fire at SPS Technologies in Abington shook his entire home: "It was ridiculous" - CBS Philadelphia (last visited Feb. 19, 2025)
[19] 6abc, *Shelter-in-place, evacuations lifted in Abington Twp.; investigators work to find cause of SPS fire,* February 19, 2025, SPS Technologies fire: Disaster Emergency declared in Abington Twp. as investigators work to find cause of industrial fire - 6abc Philadelphia (last visited February 19, 2025)

31. Furthermore, the February 17, 2025 fire and explosion was not the first fire at the SPS facility. In fact, the facility experienced a smaller fire two (2) years ago.[20]

32. Plaintiff Marlo Jones was at her home when the SPS fire and explosion occurred on February 17, 2025, approximately 1.6 miles from the SPS facility. Plaintiff's home shook when the explosion occurred.

33. Plaintiff has sheltered-in-place since Tuesday, February 18th, and observes thick fumes outside her home with a noxious odor.

34. Plaintiff is employed as a school bus driver for Abington School District. As a result of the fire, and the closing of the school district on February 18th and 19th, Plaintiff was unable to work, resulting in lost wages and income of approximately $200.00. Plaintiff does not know when the Abington School District will reopen, and further closures will result in additional lost wages.

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[20] Philadelphia Inquirer, *Crews thought they had the massive Montco industrial fire under control. Then came the billowing smoke and evacuation notices*, Feb. 18, 2025, https://www.inquirer.com/news/pennsylvania/abington-fire-sps-technologies-containment-smoke-evacuations-20250218.html

35. In addition, the fire has caused Plaintiff significant emotional distress, including as concerns future adverse health effects as a result of release of harmful chemical particulates from the fire.

36. Further, Plaintiff has suffered a diminution in the value of her real property due to the SPS fire and explosion.

37. In sum, as a direct result of the fire and explosion caused by the Defendant, Plaintiff has suffered lost income, lost profits, property damage, and emotional distress.

CLASS ACTION ALLEGATIONS

38. Plaintiff brings this action pursuant to Pa. R. Civ. P. 1701 and Pa. R. Civ. P. 1702 on behalf of herself, and all members of the proposed class (the "Class") as defined as:

> **All Pennsylvania citizens who were impacted, injured, or damaged by Defendant's fire and explosion on February 17, 2025, including those who lived or operated a business proximate to Defendant's facility.**

39. The following people are excluded from the Class: (1) any judge or magistrate presiding over this action and members of their families; (2) Defendant, Defendant's members, partners, subsidiaries, parents, successors, predecessors, affiliated entities, and any entity in which Defendant or any parents have a controlling interest, and their current or former officers and directors; (3) persons who properly execute and file a timely request for exclusion from the Class; (4) persons whose claims in this matter have been finally adjudicated on the merits or otherwise released; (5) Plaintiff's counsel and Defendant's counsel; and (6) the legal representatives, successors, and assigns of any such excluded persons.

40. Plaintiff reserves the right to amend the class definition with greater specificity or division after having had an opportunity to conduct additional investigation and discovery.

41. **Numerosity and Ascertainability**: This action satisfies the requirements of Pa. R.

Civ. P. 1702(1). The members of the Class are so numerous that the joinder of all members is impractical. While the exact number of Class Members is unknown to Plaintiff at this time, it is ascertainable; the proposed Class includes hundreds or thousands of persons who were unlawfully exposed to the aftermath of the SPS fire and explosion or suffered damages. Class Members may be notified of the pendency of this action by recognized, Court-approved notice dissemination methods, which may include U.S. mail, electronic mail, internet postings, and/or published notice.

42. **Predominance of Common Issues**. This action satisfies the requirements of Pa. R. Civ. P. 1702(2) because this action involves common questions of law or fact that predominate over questions affecting only individual Class Members.

43. The common questions include, without limitation, the following:

a. Whether Defendant's acts or omissions as set forth herein caused or contributed to the fire and explosion of the SPS facility;

b. Whether Defendant breached its duty of reasonable care in its manufacturing activities at the SPS facility;

c. Whether Defendant had a duty to implement and maintain reasonable safety procedures and practices appropriate to the nature and scope of its manufacturing at the SPS facility;

d. Whether Defendant knew or should have known that its policies, processes, practices, and procedures were insufficient to ensure the safety of its operations at the SPS facility;

e. Whether Defendant breached its duties of care to ensure the safety of the SPS facility and to avoid the fire and explosion and injury and damages the surrounding area and persons;

f. The extent to which Defendant was on notice of the substandard safety practices at the SPS facility;

g. Whether Defendant failed to prevent the explosion at the SPS facility;

h. Whether Defendant failed to adequately respond to the February 17, 2025, fire and explosion;

i. Whether Defendant's failures amounted to negligence and/or negligent supervision;

j. Whether Defendant's actions amounted to private nuisance;

k. Whether Defendant's actions amounted to public nuisance;

l. Whether Defendant's actions amounted to trespass to land;

m. Whether the explosion caused medical and/or psychological injuries or emotional distress;

n. Whether the explosion caused damages to personal property or land;

o. Whether Plaintiff and the Class Members suffered legally cognizable injuries and damages as a result of Defendant's misconduct;

p. Whether Defendant's acts violated the law; and

q. Whether Plaintiff and the Class Members are entitled to damages including compensatory and punitive damages, and/or injunctive relief.

44. **Typicality:** This action satisfies the requirements of Pa. R. Civ. P. 1702(3) because Plaintiff's claims are typical of the claims of the Class Members and arise from the same course of conduct by Defendant.

45. Plaintiff owns property, resides in, and works within the area surrounding the fire and explosion, and owned property, resided in, and worked in the Class area for at all relevant

times.

46. Plaintiff's claims are based upon the same legal theories as those of the other Class Members.

47. Plaintiff and the other Class Members sustained damages as a direct and proximate result of the same wrongful acts or omissions in which Defendant engaged.

48. Plaintiff's damages and injuries are akin to those of Class Members, and Plaintiff seeks relief consistent with the relief of Class Members.

49. **Adequacy:** This action satisfies the requirements of Pa. R. Civ. P. 1702(4) because Plaintiff will fairly and adequately represent and protect the interests of Class Members. Plaintiff has retained counsel with substantial experience in prosecuting complex class action and environmental toxic tort litigation, including successful class actions involving mass displacements caused by the release of dangerous substances that are similar to that at issue here.

50. Plaintiff and her counsel are committed to vigorously prosecuting this action on behalf of the Class Members and have the financial resources to do so. Neither Plaintiff nor her counsel has interests adverse to those of the Class Members.

51. Plaintiff intends to vigorously prosecute this case and will fairly and adequately protect the interests of Class Members.

52. **Superiority and Predominance:** A class action is superior to other available methods for the fair and efficient group-wide adjudication of this controversy. The common questions of law and of fact regarding Defendant's conduct predominate over any questions affecting only individual Class Members.

53. Because the damages suffered by certain individual Class Members may be relatively small, the expense and burden of individual litigation would make it very difficult for

all individual Class Members to redress the wrongs done to each of them individually, such that many Class Members would have no rational economic interest in individually controlling the prosecution of specific actions. Moreover, the burden imposed on the judicial system by individual litigation by even a small fraction of the Class would be enormous, making class adjudication the superior alternative.

54. The prosecution of this case as a class action presents far fewer management difficulties, far better conserves judicial resources and the parties' resources, and far more effectively protects the rights of each Class Member than would piecemeal litigation. Compared to the expense, burdens, inconsistencies, economic infeasibility, and inefficiencies of individualized litigation, the challenges of managing this action as a class action are substantially outweighed by the benefits to the legitimate interests of the parties, the Court, and the public, making class adjudication superior to other alternatives.

55. Plaintiff is not aware of any obstacles likely to be encountered in the management of this action that would preclude its maintenance as a class action. Pa. R. Civ. P. 1701, *et seq*. provides the Court with authority, discretion, and flexibility to maximize the efficiencies and benefits of the class mechanism and reduce management challenges.

COUNT I
NEGLIGENCE
(on behalf of Plaintiff and the Proposed Class)

56. Plaintiff hereby adopts and reiterates each and every allegation as if set forth fully herein and incorporates the same by reference.

57. There are well-known industry standards applicable to manufacturing aerospace fasteners and fittings, which apply to the Defendant's industry and were known, or should have been known, to Defendant.

58. Defendant owed a duty to the Plaintiff and the surrounding area, as Defendant operate and manufacture in the class zone.

59. Defendant breached this duty by negligently operating its facility located at 301 Highland Avenue, Jenkintown, Pennsylvania 19046. Defendant negligently failed to inspect, maintain, and/or operate its facility, including the location of the origin of the fire, and other manufacturing and production equipment and, upon information and belief, failed to uphold industry standards.

60. Defendant knew or should have known that SPS's operations include forging with high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals—processes essential to aerospace fastener production and prone to fire and explosion risks, and that fine metal powders can ignite under certain conditions, and electroplating generates flammable hydrogen gas.

61. Defendant knew or should have known of the risks of the fire explosion at its SPS facility, including as a result of failures to properly maintain, operate, or otherwise handle its high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals and to supervise its agents and employees in doing so.

62. It was reasonably foreseeable that grave harm, including a fire and explosion, would occur if the manufacturing and production equipment were not in proper working order or utilized correctly, or manufacturing materials were not stored or used correctly. Defendant was aware, or should have been aware, of these risks and continued to operate, maintain, and manage its manufacturing and production equipment and materials negligently.

63. As a direct result of Defendant's actions, the Plaintiff has suffered the damages described herein, including lost wages and income, emotional distress, and diminution in property value.

64. Plaintiff and the Class, respectfully request that this Court enter an order (a) awarding judgment in excess of $75,000 in their favor and against Defendant; (b) enjoining Defendant to abate the negligence; and (c) awarding Plaintiff and the Class such other, further, and different relief as this Honorable Court may deem just.

COUNT II
PRIVATE NUISANCE
(on behalf of Plaintiff and the Proposed Class)

65. Plaintiff hereby adopts and reiterates each and every allegation as if set forth fully herein and incorporate the same by reference.

66. Defendant knew or should have known that SPS's operations include forging with high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals—processes essential to aerospace fastener production and prone to fire and explosion risks, and that fine metal powders can ignite under certain conditions, and electroplating generates flammable hydrogen gas.

67. Defendant knew or should have known of the risks of the fire explosion at its SPS facility, including as a result of failures to properly maintain, operate, or otherwise handle its high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals and to supervise its agents and employees in doing so.

68. Defendant was on notice of the harms associated with fires and explosions.

69. Defendant should have known of the risks to citizens and property in the area surrounding the factory that would arise from its failures to undertake proper safety precautions

and monitor its agents and employees, including the risk that the fire and explosion would occur and lead to injury to businesses, residents, and property damage to the homes and other personal property of residents of the surrounding area.

70. Defendant knew or should have known that an explosion of its factory would pose a significant risk of injury and property damage, lost income, lost profits, including the diminution of value to each Plaintiff's property and the loss of enjoyment of the same.

71. Defendant knew or should have known that a fire and explosion would cause significant emotional and/or health issues to the residents and surrounding area and that affected individuals would require medical attention, including psychiatric care, and would likely suffer emotional and/or health issues as a result.

72. A private nuisance occurs when a defendant's use of property causes unreasonable and substantial annoyance to the occupants of the claimant's property or unreasonably interferes with the use and enjoyment of such property.

73. The fire and explosion, and its effects, to the persons and businesses in the class zone amounted to an unreasonable and substantial annoyance to Plaintiff's property and unreasonably interfered with the use and enjoyment of such property, as they were required to remain indoors under a shelter-in-place order, among other interferences, which constitutes a private nuisance.

74. Due to the Defendant's failures and interferences, Plaintiff has suffered damages directly caused by the fire and explosion.

75. As a direct and proximate result of the Defendant's nuisance, Plaintiff is entitled to recover damages, including compensatory and punitive damages, as permitted by law.

76. Plaintiff and the Class respectfully request that this Court enter an order (a) awarding judgment in excess of $75,000 in their favor and against Defendant; (b) enjoining Defendant to abate the nuisance; and (c) awarding Plaintiff and the Class such other, further, and different relief as this Honorable Court may deem just.

COUNT III
PUBLIC NUISANCE
(on behalf of Plaintiff and the Proposed Class)

77. Plaintiff hereby adopts and reiterates each and every allegation as if set forth fully herein and incorporate the same by reference.

78. Defendant is duty bound to provide clean air, safe for breathing and other purposes to the communities of Jenkintown and Abington Township, Pennsylvania.

79. Defendant has unreasonably interfered with a right common to the public, the right to clean air.

80. Defendant has failed to provide clean air to the residents of Jenkintown and Abington Township, Pennsylvania. On information and belief, the air surrounding Defendant's facility has become contaminated with smoke and hazardous particulates, and noxious odors.

81. Defendant's conduct has caused harm to Plaintiff and the Class in not only the damage to their personal property, and from loss of income, but their reasonable fear about breathing in the contaminated air, and their desire to go outside.

82. Plaintiff and the Class have been caused discomfort and annoyance by the contaminated air caused by Defendant's fire and explosion.

83. Plaintiff and the Class are entitled to an order requiring Defendant to abate the issues with the air in SPS's area, surrounding Jenkintown and Abington Township, Pennsylvania,

84. Plaintiff and the Class are entitled to damages amounting to: (a) the difference between the value of the land before the harm and the value after the harm, (b) the loss of use of the land, and (c) discomfort and annoyance to them as occupants to their land.

85. Plaintiff and the Class respectfully request that this Court enter an order (a) awarding judgment in excess of $75,000 in their favor and against Defendant; (b) enjoining Defendant to abate the public nuisance; and (c) awarding Plaintiff and the Class such other, further, and different relief as this Honorable Court may deem just.

COUNT IV
TRESPASS TO LAND
(on behalf of Plaintiff and the Proposed Class)

86. Plaintiff hereby adopts and reiterates each and every allegation as if set forth fully herein and incorporate the same by reference.

87. Defendant knew or should have known that SPS's operations include forging with high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals—processes essential to aerospace fastener production and prone to fire and explosion risks and that fine metal powders can ignite under certain conditions, and electroplating generates flammable hydrogen gas.

88. Defendant knew or should have known of the risks of the fire explosion at its SPS facility, including as a result of failures to properly maintain, operate, or otherwise handle its high-temperature furnaces, milling fine metal powders, and electroplating with hazardous chemicals and to supervise its agents and employees in doing so.

89. Defendant were on notice of the harms associated with fires and explosions such as that which occurred here in light of prior explosions at the same factory and safety incidents that have occurred since then.

90. The fire and explosion, caused by the Defendant, resulted in physical sound waves, shockwaves, and smoke or other particulates which entered upon Plaintiff's land and homes and caused damage to their property, including, but not limited to, shaking, bad smell, and structural damages. Moreover, the explosion resulted in a shelter-in-place mandate, requiring Plaintiff to remain indoors following the explosion, among other interferences.

91. As a result of the fire and explosion caused by the Defendant, Defendant interfered with Plaintiff's exclusive possession of her real property.

92. Plaintiff did not consent to the entry of the sound waves, shockwaves, and thick smoke and/or other particulates caused by the fire and explosion onto her land.

93. These intrusions and interferences with Plaintiff's exclusive possession and employment of land are ongoing and represent an unreasonable and unlawful trespass, which has interfered with Plaintiff's possessory rights, and which were entirely foreseeable given that the Defendant have experience with harmful safety events.

94. As a direct and proximate result of Defendant's trespass, Plaintiff is entitled to recover from Defendant for compensatory damages, nominal damages, punitive damages, and all other relief the law permits.

95. Plaintiff and the Class, respectfully request that this Court enter an order (a) awarding judgment in excess of $75,000 in their favor and against Defendant; (b) enjoining Defendant to abate the trespass to land; and (c) awarding Plaintiff and the Class such other, further, and different relief as this Honorable Court may deem just.

WHEREFORE, Plaintiff, MARLO JONES, Individually, and on behalf of all others similarly situated, demands judgment as follows:

A. Certifying this case as a class action on behalf of Plaintiff and the proposed Class

Members, appointing Plaintiff as class representative, and appointing her counsel to represent the Class;

B. Awarding Plaintiff and the Class Members damages that include compensatory, actual, exemplary, nominal, and punitive damages, according to proof at trial;

C. Awarding declaratory, injunctive, and other equitable relief as is necessary to protect the interests of the Class;

D. Awarding attorneys' fees, costs, and expenses, as allowed by law;

E. Awarding pre- and post- judgment interest, as provided by law;

F. Granting Plaintiff and the Class leave to amend this complaint; and

G. Granting such other or further relief as may be appropriate under the circumstances.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: February 20, 2025

Respectfully submitted,

SALTZ MONGELUZZI & BENDESKY, P.C.

By: */s/ Patrick Howard*
ROBERT J. MONGELUZZI, ESQ. (PA ID #36283)
PATRICK HOWARD, ESQ. (PA ID #88572)

STRANCH, JENNINGS & GARVEY, PLLC

By:*/s/ J. Gerard Stranch, IV*
J. GERARD STRANCH, IV, ESQ.*
ANDREW E. MIZE, ESQ.*

*Motion for *pro hac vice* admission to be filed

Counsel for Plaintiff and the Proposed Class