

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

ROBERT RUSSELL PARK and)	
JENNIFER PARK)	
2711 182nd Place SE)	
Bothell, WA 98012)	Civil Action No. 23-CV-278
)	
Plaintiffs,)	
)	JURY TRIAL DEMANDED
v.)	
)	
UNITED STATES OF AMERICA)	
Serve on)	
)	
Merrick Garland)	
US Attorney General)	
U.S. Department of Justice)	
950 Pennsylvania Avenue, NW)	
Washington, DC 20530-0001)	
)	
and)	
)	
Michael Francis Easley, Jr.)	
US Attorney for the Eastern District of)	
North Carolina)	
150 Fayetteville St.)	
Ste. 2100)	
Raleigh, NC 27601)	
)	
Defendant)	
)	
)	

**COMPLAINT FOR WRONGFUL DEATH
UNDER THE CAMP LEJEUNE JUSTICE ACT OF 2022**

Now Come the Plaintiffs, Robert Russell Park and Jennifer Park, individually, and for their complaint against the Defendant alleges as follows:

COMMON ALLEGATIONS OF FACT

1. At all pertinent times, Plaintiff Robert Park was and is a citizen of the United States of America and a resident of state of Washington. Jennifer Park was also a citizen of the state of Washington.

2. The Plaintiffs have timely filed claims pursuant to the requirements of the Camp Lejeune Justice Act of 2022, thereby establishing jurisdiction in this honorable Court pursuant to the Camp Lejeune Justice Act of 2022, H.R. 3967, §804(j). A true and correct copy of Plaintiff Robert Park's claim form is attached as Exhibit 1. A true and correct copy of Plaintiff Jennifer Park's claim form is attached as Exhibit 2.

3. Plaintiff Robert Park's father, James Franklin Park, served as a United States Marine until his honorable discharge in June of 1979. Robert resided at Camp Lejeune from the June of 1975 through June of 1979, which is no less than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987, thereby establishing the right of the Plaintiff to bring an action pursuant to the Camp Lejeune Justice Act of 2022, H.R. 3967, §804(b).

4. Plaintiff Robert Park extensively used the water supplied to him by the Defendant at Camp Lejeune for drinking, bathing, swimming, and other such activities. He played a lot of sports, including baseball, basketball, football, and soccer, causing him to drink more water than his siblings and others around him.

5. Plaintiff Robert "Russ" Park developed a cancer, known as Multiple Myeloma, that was diagnosed in August of 2005, and which required him to undergo a course of radiation from September 2005 to October 2005. As his cancer was still present following this treatment, he was referred to Dana-Farber Cancer Institute in Boston, Massachusetts (hereinafter "Dana-Farber"), in November 2005, and began a new treatment protocol involving chemotherapy and

two stem cell transplants. Russ Park was initially scheduled for 2 rounds of chemotherapy treatments, each lasting one month. However, he ceased these treatments after 1.5 months due to his suffering severe side effects, including loss of motor function in his left leg, neuropathy, and a loss of feeling in part of his upper right leg, which he continues to experience today.

6. Plaintiff Russ Park began stem cell treatment preparation soon after his chemotherapy treatment and received a stem cell transplant in April 2006. During his recovery, he contracted a MERSA infection, prompting a 14-day stay in the hospital, during which a virologist found MERSA present in all of Russ's organs, including his blood, and identified a series of subsequent infections resulting from this illness.

7. Once his cancer was found to be in remission, Russ Park took Zometa via IV injections regularly between three and four years. This medication was hard on his kidneys and left him consistently feeling ill, as though he had a bad flu, for couple days following each injection.

8. Plaintiff Robert Park suffers many ailments as a result of his treatments, including but not limited to impaired memory, impulse control, and motor function. Additionally, he began experiencing racing thoughts, difficulty sleeping, and auditory hallucinations in 2007 and is required take Risperidone and Mirtazapine nightly. These ailments have negatively affected Mr. Park's quality of life and his ability to perform at work.

9. The water provided by the Defendant at Camp Lejeune was highly contaminated with various chlorinated organic compounds, such as tetrachloroethylene, trichloroethylene, dichloroethylene, and vinyl chloride, as well as benzene. These compounds, regardless of the source, are likely to cause a variety of health problems, including but not limited to cancers, liver and kidney damage, central nervous system disturbances in humans, birth defect, disfigurement,

pain, suffering, and possibly death to whom Defendant provided the water system. Benzene is known to cause Multiple Myeloma, thereby establishing that the Plaintiff's consumption of the contaminated water could have caused her illness. Indeed, all of the medical conditions and damages suffered by Plaintiff's decedent could have been caused by the contaminated water she was exposed to while residing at Camp Lejeune.

COUNT I
PERSONAL INJURY OF ROBERT PARK

10. Plaintiffs, Robert Park and Jennifer Park, reallege and reincorporate each and every allegation above as if fully set forth again herein.

11. As a direct and proximate result of consuming the poisonous water supplied by the Defendant at Camp Lejeune, Robert Park contracted cancer as detailed above.

12. Still to this day, Robert Park continues to suffer pain, loss of mobility and enjoyment of life, loss of income and difficulty performing at work, and medical expenses, as the result of having contracted cancer due to the poisonous provided by the Defendant at Marine Corps Base Camp Lejeune.

13. As a direct and proximate result of the contaminated water provided by the Defendant to the Camp Lejeune community, Robert Park sustained serious and permanent personal injuries in and about his body. He incurred substantial medical expenses and has been and continues to be forced to endure pain, suffering, and mental anguish; he suffers a loss of the enjoyment of life; and he has lost wages.

COUNT II
LOSS OF CONSORTIUM FOR JENNIFER PARK

14. Plaintiffs, Robert Park and Jennifer Park, reallege and reincorporate each and every allegation above as if fully set forth again herein.

15. Robert Park was married to Jennifer Park in 1995.

16. Robert Park and Jennifer Park remain currently married.

17. As a result of the contaminated water provided by the Defendant to the Camp Lejeune community, Plaintiff Jennifer Park suffered a loss of society and companionship with her husband, Robert Park.

WHEREFORE: the Plaintiffs demand judgement against the Defendant in an amount that will fully compensate them for all the losses they have suffered as allowed by the applicable law and for costs, fees, and other further relief that the Court may deem just and proper.

Plaintiffs demand a jury trial on all issues so triable.

/s/ Joseph L. Anderson
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