

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

Delaware

County

For Prothonotary Use Only:

Docket No:

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

Leslie Bouden, Jr.

Lead Defendant's Name:

Quotient Sciences Philadelphia, LLC

Are money damages requested? ☒ Yes ☐ No

Dollar Amount Requested: ☒ within arbitration limits
(check one) ☐ outside arbitration limits

Is this a *Class Action Suit*? ☐ Yes ☒ No

Is this an *MDJ Appeal*? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Samuel A. Dion

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other
☒ Employment Dispute: Discrimination
☐ Employment Dispute: Other
☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other
☐ Zoning Board
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

DION & GOLDBERGER, ATTORNEYS AT LAW
BY: SAMUEL A. DION, ESQ.
IDENTIFICATION NO.: 55761
1845 WALNUT STREET, SUITE 1199
PHILADELPHIA, PA. 19103
(215) 546-6033

ATTORNEY FOR PLAINTIFF

ARBITRATION MATTER

LESLIE BOULDEN, JR.	:	COURT OF COMMON PLEAS
2306 Alter Street	:	DELAWARE COUNTY
Philadelphia, PA 19146	:	
	:	
v.	:	
	:	NO.:
QUOTIENT SCIENCES --	:	
PHILADELPHIA, LLC	:	
3 Chelsea Parkway	:	
Marcus Hook, PA 19061	:	

NOTICE TO DEFEND

"NOTICE"

"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 20 days after this complaint and notice are served, by entering a written appearance personally or by attorney and by filing in writing with the court your defenses and 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 judgment 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.

DELAWARE COUNTY BAR ASSOCIATION
ATTORNEY REFERRAL SERVICE
335 West Front Street
Media PA 19063-2340
(610) 566-6627"

"AVISO"

"Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene 20 dias, de plazo al partir de la fecha de la demanda y la notification. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiend, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEPHONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACION DE LICENDIADOS DE DELAWARE COUNTY
SERVICIO DE REFERENCIA E INFORMACION LEGAL
335 West Front Street
Media PA 19063-2340
(610) 566-6627"

CIVIL ACTION

1. The Plaintiff, Leslie Boulden, Jr., is an adult individual who resides at 2306 Alter Street, Philadelphia, PA 19146.

2. The defendant, Quotient Sciences-Philadelphia, LLC, is a limited liability company which has a place of business located at 3 Chelsea Parkway, Marcus Hook, PA 19061 in Delaware County.

3. In about April 2017, plaintiff began working for defendant as a GMP Associate in Manufacturing at defendant's Marcus Hook, PA facility.

4. Starting in about June/July 2019, plaintiff was assigned custodial duties to clean a work area where chemicals are mixed (hereinafter "chemical mixing area").

5. Although the manufacturing and clinical personnel working for defendant are required to wear protective clothing in the chemical mixing area, plaintiff was not required to wear any protective clothing while cleaning in the chemical mixing area.

6. About the start of August 2019, plaintiff began having a reaction to the chemicals at the workplace.

7. He first developed a rash which eventually covered his entire face and he later started to suffer intermittent nose bleeds.

8. On or about the morning of August 5, 2019, he showed the safety manager, Bob Alfred, his rash and told him about the nose bleeds caused by the chemicals at the workplace.

9. Mr. Alfred responded: "What do you want to do?"

10. Plaintiff said he wanted to "put in a workmens' comp."

11. Later on or about August 5, 2019, Mr. Alfred handed plaintiff a form to fill out to report the incident, and plaintiff thereafter filled out the form and gave the report to his supervisor, Alan Phillips (Supervisor Manufacturing).

12. Plaintiff recollects that the report indicated among other things that he had a reaction to chemicals he was cleaning at the workplace and was going to see the doctor.

13. Plaintiff made a claim pursuant to the Pennsylvania Workmens' Compensation Law (hereinafter "the Act"), when he submitted his report on August 5, 2019.

14. Plaintiff told Mr. Philips and Mr. Alfred he was see his doctor that day and left the workplace to got to the VA Hospital in Wilmington, DE.

15. Mr. Philips and Mr. Alfred both approved plaintiff to leave the workplace to seek medical attention especially give the severe rash covering his entire face.

16. On August 5, 3019, Plaintiff returned to work after going to the VA Hospital and he continued to work through August 8, 2019.

17. During that time period, the rash spread to his right eye causing it to close up and he developed severe peeling of the skin from both ears.

18. In the afternoon at about 3:00 P.M. on August 8, 2019, plaintiff was informed Mr. Philips that he was terminated purportedly because he was loitering in a closet at the workplace which constituted a "deviation in work performance."

19. Defendant's proffered reason for plaintiff's termination was false and mere pretext to mask the illegal reason for his termination.

20. The true reason why plaintiff was terminated was because he reported a work-related injury/illness pursuant to the Act.

21. Plaintiff was clearly on his break when he was sitting having lunch in the custodial closet.

22. Defendant intentionally and maliciously terminated plaintiff in retaliation for his report of an incident covered under the Act, in order to punish him for doing so and to interfere with, and suppress, his rights under the Act.

COUNT ONE
VIOLATION OF THE PUBLIC POLICY

23. Plaintiff reasserts and realleges the allegations set forth in paragraphs 1-22 as if they were fully set forth herein.

24. The defendant's termination of plaintiff's employment violated a clear mandate of public policy embodied by the Act, which precludes retaliation against employees who make claims pursuant to the Act.

25. Plaintiff has sustained, and in the future will continue to sustain, injuries and damages as a result of defendant's violation of the aforesaid clear mandate of public policy including lost pay and benefits.

26. Plaintiff is also entitled to recover punitive damages from the defendant based upon defendant's intentional and malicious conduct as set forth herein above.

WHEREFORE, Plaintiff, Leslie Boulden, Jr., hereby demands judgment against defendant, Quotient Sciences-Philadelphia, LLC, in a sum not in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs.



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Attorney for Plaintiff

V E R I F I C A T I O N

I, Leslie Boulden, Jr., verify that the facts contained in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATE:

9/24/19

Leslie Boulden Jr.
Leslie Boulden, Jr.
Plaintiff

Copying Prohibited