

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

BONITA LYNCH,

Plaintiff,

vs.

CIVIL DIVISION

CASE NO.: GD-19-002095

CORELLE BRANDS, LLC (previously d/b/a World Kitchen, LLC), CORELLE BRANDS HOLDINGS, INC. (previously d/b/a WKI Holding Company, Inc.), CORNING INCORPORATED, and WORLD KITCHEN, INC.

Defendants.

TYPE OF PLEADING:
COMPLAINT

FILED ON BEHALF OF:
Bonita Lynch,
Plaintiff

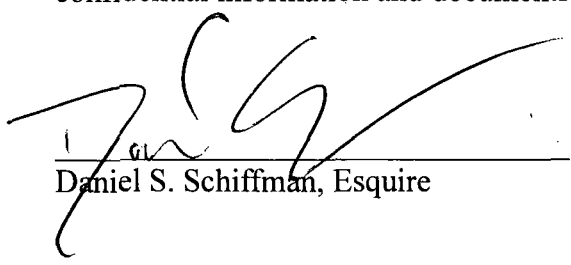
COUNSEL OF RECORD:
Daniel S. Schiffman, Esquire
PA ID# 309825

SCHIFFMAN FIRM, LLC
1300 Fifth Avenue
Pittsburgh, PA 15219
412/288-9444

dan@schiffmanfirm.com

FILED
19 SEP 27 AM 10:53
DEPT. OF COURT RECORDS
CIVIL DIVISION
ALLEGHENY COUNTY PA

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.



Daniel S. Schiffman, Esquire

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

BONITA LYNCH,

CIVIL DIVISION

Plaintiff,

CASE NO.: GD-19-002095

vs.

CORELLE BRANDS, LLC (previously d/b/a
World Kitchen, LLC) and CORELLE
BRANDS HOLDINGS, INC. (previously d/b/a
WKI Holding Company, Inc.), CORNING
INCORPORATED, and WORLD KITCHEN,
INC.

Defendants.

NOTICE TO DEFEND

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 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 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 PHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

ALLEGHENY COUNTY LAWYER REFERRAL SERVICE

The Allegheny County Bar Association

400 Koppers Bldg.

436 7th Avenue, 3rd Floor

Pittsburgh, PA 15219

(412) 261-5555

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

BONITA LYNCH,

Plaintiff,

CIVIL DIVISION

CASE NO.: GD-19-002095

vs.

CORELLE BRANDS, LLC (previously d/b/a World Kitchen, LLC) and CORELLE BRANDS HOLDINGS, INC. (previously d/b/a WKI Holding Company, Inc.), CORNING INCORPORATED, and WORLD KITCHEN, INC.

Defendants.

COMPLAINT

AND NOW, comes Plaintiff, Bonita Lynch, by and through their counsel Schiffman Firm LLC and Daniel S. Schiffman, Esquire and files the within Complaint and in support thereof aver the following:

1. Plaintiff Bonita Lynch is an individual and a citizen and resident of the Commonwealth of Pennsylvania and County of Allegheny residing at 21 Cannon Street, Pittsburgh Pennsylvania 15205.
2. Defendant Corelle Brands, LLC is a corporation which previously did business a World Kitchen, LLC which at all relevant times traded and did business in the Commonwealth of Pennsylvania and County of Allegheny with a place of business located at 9525 W. Bryn Mawr Avneue, Suite 300, Rosemont, Illinois 60018.
3. Defendant Corelle Brands Holdings, Inc. is a corporation which previously did business as WKI Holding Company, Inc. which at all relevant times traded and did business in the Commonwealth of Pennsylvania and County of Allegheny with a place of business located at 9525 W. Bryn Mawr Avneue, Suite 300, Rosemont, Illinois 60018.

4. Defendant Corning Incorporated is a corporation which at all relevant times traded and did business in the Commonwealth of Pennsylvania and County of Allegheny with a place of business located at One River Front Plaza, Corning, New York 14831.

5. Defendants are hereinafter referred to jointly as “Corning Defendants.”

6. On or about February 17, 2019, Plaintiff Bonita Lynch was using Corning Visions cookware in the manner it was intended when suddenly and without warning the pot exploded causing severe injuries as set forth below.

COUNT I

7. Plaintiff hereby incorporates by reference paragraphs 1 through 6 of this Complaint as though the same were more fully set forth at length herein.

8. At all times relevant to this action, Corning Defendants were engaged in the business of designing, manufacturing, selling and/or supplying cookware and was a seller as defined by the Restatements (Second) of Torts.

9. The cookware was expected to and did reach the Plaintiff and was used by her without substantial change in the condition in which it was manufactured for sale.

10. Defendants breached the duties owed to the Plaintiffs as mandated by selling the cookware in a defective condition to the ultimate user of the product.

11. The cookware was defective in that it could and did break and/or fail under normal use.

12. The cookware was defective because it did not meet the reasonable expectations of an ordinary consumer.

13. The cookware was further defective because the risk posed by its design and manufacture greatly exceeded the utility, if any, of its design.

14. The cookware was further defective in that it failed to be properly labeled and have proper warnings.

15. As the direct, legal and proximate result of the breach of the mandates of strict product liability law, Plaintiff has sustained the following injuries and damages:

- a. Partial and full-thickness burns to bilateral lower extremities;
- b. Necessity of medical treatment including hospitalization and surgical procedures;
- c. Pain and suffering;
- d. Medical bills and liens have been incurred;
- e. Inability to enjoy the ordinary pleasures of life and perform normal daily activities;
- f. Disfigurement; and
- g. Other injuries and damages.

WHEREFORE, Plaintiff Bonita Lynch hereby demands judgment in her favor and against Defendants for an amount in excess of applicable Arbitration Limits exclusive of interest and costs.

COUNT II

16. Plaintiff hereby incorporates by reference the averments contained in paragraph 1 through 15 of this Complaint as though the same were more fully set forth at length herein.

17. Corning Defendants acted willfully and wantonly, recklessly, and/or negligently in the following particulars:

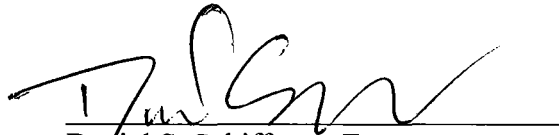
- a. In designing and/or manufacturing and/or selling cookware manufactured from inadequate materials to perform the task for which it was to be used;
- b. In failing to assure that the cookware they sold utilized a proper design;
- c. In failing to assure that the cookware they sold was manufactured with proper materials;
- d. In failing to warn of the dangers of the cookware;
- e. In failing to provide all accouterments and features necessary to render the cookware safe for use;
- f. In failing to properly test the cookware;
- g. In continuing to sell the cookware when it was known to be dangerous; and

h. In failing to assure that the cookware was appropriate for use.

18. As the direct, legal and proximate result of the negligence of Defendants as aforesaid, Plaintiff has sustained the injuries and damages previously set forth.

WHEREFORE, Plaintiff Bonita Lynch hereby demands judgment in her favor and against Defendants for an amount in excess of applicable Arbitration Limits, exclusive of interest and costs.

RESPECTFULLY SUBMITTED:
SCHIFFMAN FIRM LLC

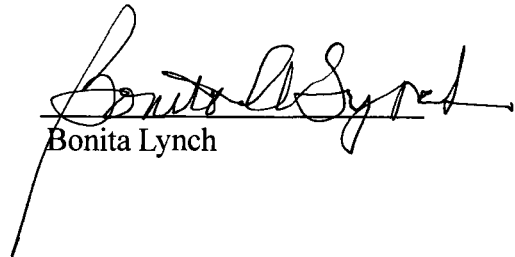


Daniel S. Schiffman, Esq.
Attorney for Plaintiff

VERIFICATION

The undersigned, Bonita Lynch, Plaintiff named herein and being authorized to make this Verification, having read the foregoing COMPLAINT and verifies that the averments are based on information furnished to counsel, which information has been gathered by counsel in the course of this lawsuit. The language is that of counsel and not of signer. Signer verifies that she has read the foregoing, and that it is true and correct to the best of the signer's knowledge, information and belief. To the extent that the contents of the foregoing document are that of counsel, verifier has relied upon counsel in making this verification. This verification is made subject to the penalties of 18 PA C.S.A. §4904, relating to unsworn falsification to authorities.

Date: September 20, 2019


Bonita Lynch

CERTIFICATE OF SERVICE

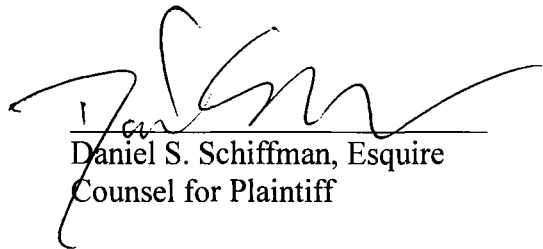
I hereby certify that a true and correct copy of the COMPLAINT prepared on behalf of the Plaintiff has been served upon the individual(s) listed below, via first class mail, postage prepaid, on September 27, 2019.

Corelle Brands, LLC
(previously d/b/a World Kitchen, LLC)
9525 W. Bryn Mawr Avenue, Ste. 300
Rosemont IL 60018

Corelle Brands Holdings, Inc.
(previously d/b/a WKI Holding Company, Inc.)
9525 W. Bryn Mawr Avenue, Ste. 300
Rosemont IL 60018

Corning Incorporated
One River Front Plaza
Corning NY 14831

World Kitchen, Inc.
11911 Freedom Drive, Suite 600
Reston VA 20190



Daniel S. Schiffman, Esquire
Counsel for Plaintiff