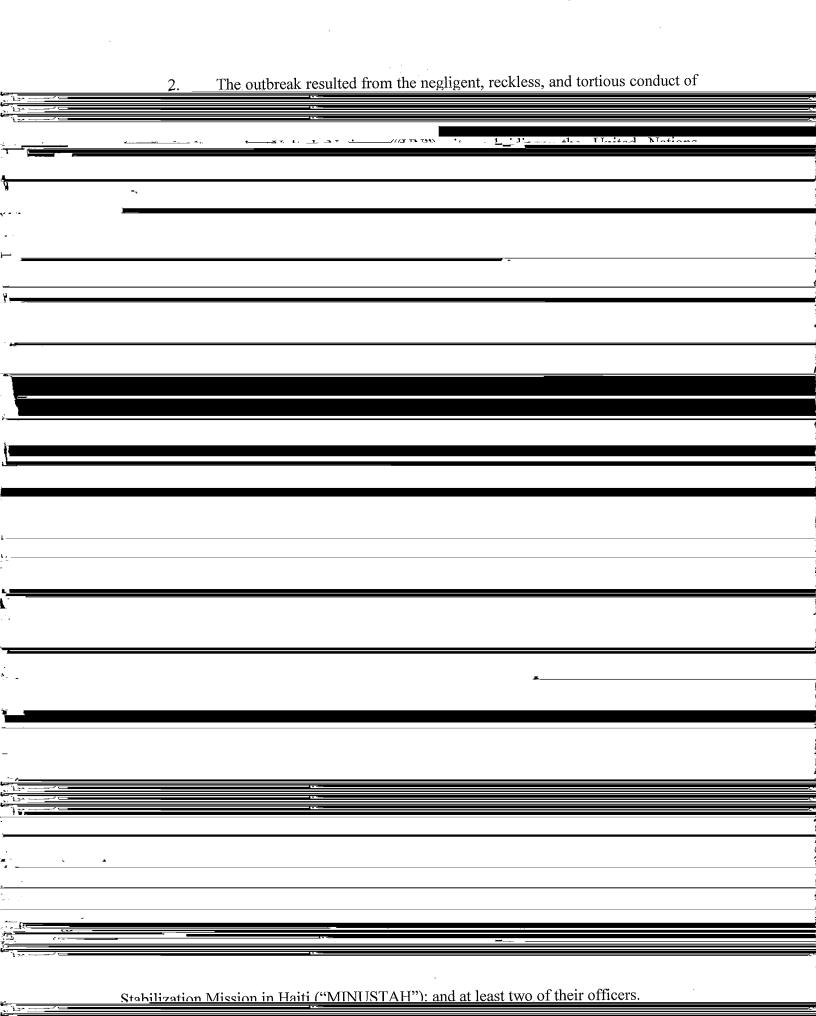
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK





	facilities and disposal pits overflowed in heavy rain, emitted noxious odors, and exposed
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	the local community to raw sewage.
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	Privileges and Immunities of the IIN of 1946 ("CPILIN") expressly requires Defendant
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<u>.</u>	LIN to provide appropriate modes of settlement for third-party private law claims. The
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J 	16.	Plaintiff Paul brings thi	is action individually	and on behalf of her de	eceased
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	Fritznel Paul	was a citizen and resider	nt of Haiti. Plaintiff]	Paul presently resides i	n Haiti

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· · · · · · · · · · · · · · · · · · ·	in 2004, and operates solely nursuant to the authority granted to it by the UN in New	
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idea ja	employees and officers of Defendant MINUSTAH reported on their activities to	

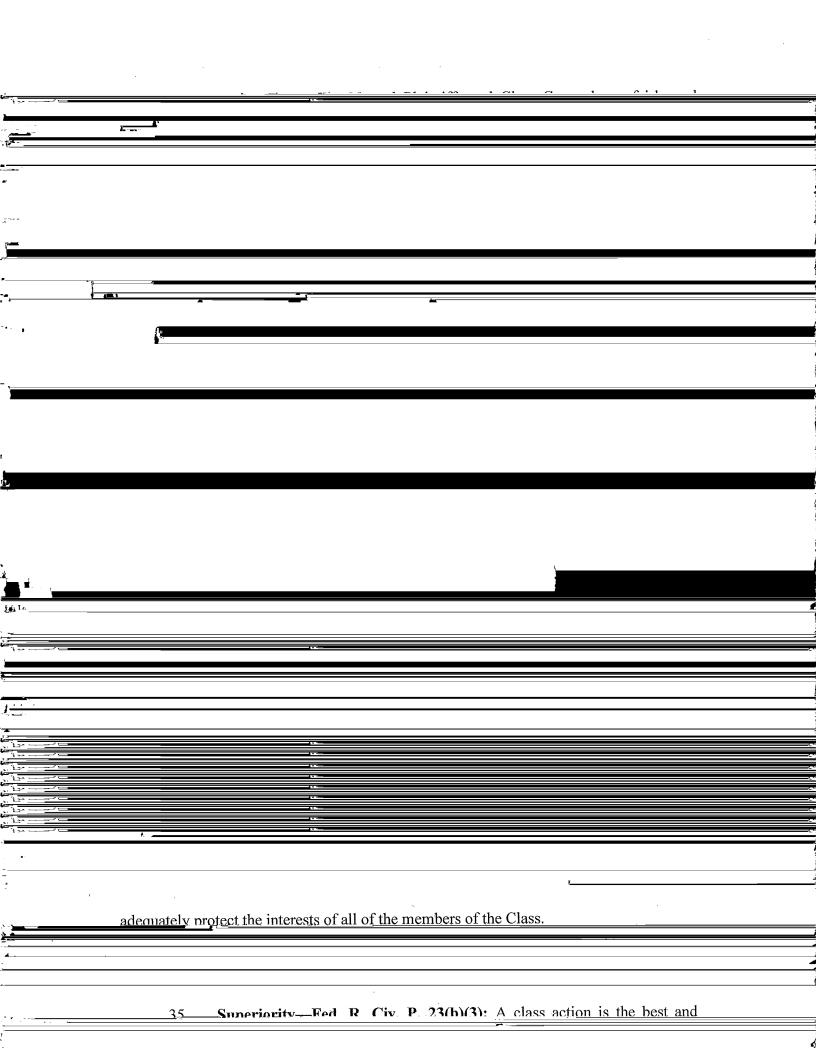
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	personally responsible for ensuring that members of MINUSTAH complied with Haitian
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	law as mandated by the SOFA Unon information and belief. Defendant Mulet
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<u>C</u> LASS ACTION ALLEGATIONS							
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	1. H. W. and a few October 0, 2010
 	babilled by cholera contracted in Haiti on or after October 9, 2010.
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5° x	Plaintiffs Georges, Joseph, and Paul are the named representatives
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	of this Subclass.
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on the contract of the contrac	d	
		and II Subclass members to suffer physical, emotional and/or
		pecuniary harm as alleged herein;
	Ĉ	Whether Defendants' actions constituted a public or private
	f	nuisance; Whether Defendants' actions give rise to liability under state law;
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		and

Whather Defendants illegally sought to cover un their actions.



Landing to the Class making final injunctive, declaratory,	
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compensatory, and punitive relief appropriate.	
General Facts	
38. The Republic of Haiti is located on the western third of the Caribbean	

island of Hispaniola. As documented by Defendant UN, it is the poorest country in the

	severely damaged or destroyed many public buildings and institutions and key parts of
	S ULIL TICLIFE THE COLUMN TO THE COLUMN THE
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	Haiti's infrastructure.
	42. The WHO, an agency of the UN, assessed the public health risks in Haiti
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	shortly after the earthquake and found that the earthquake had exacerbated already poor
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es.	conditions by severely damaging water, sanitation, and health infrastructure, thereby
_	increasing the country's vulnerability to waterborne diseases.
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Humanitarian workers and medical experts also publicly stressed Haiti's

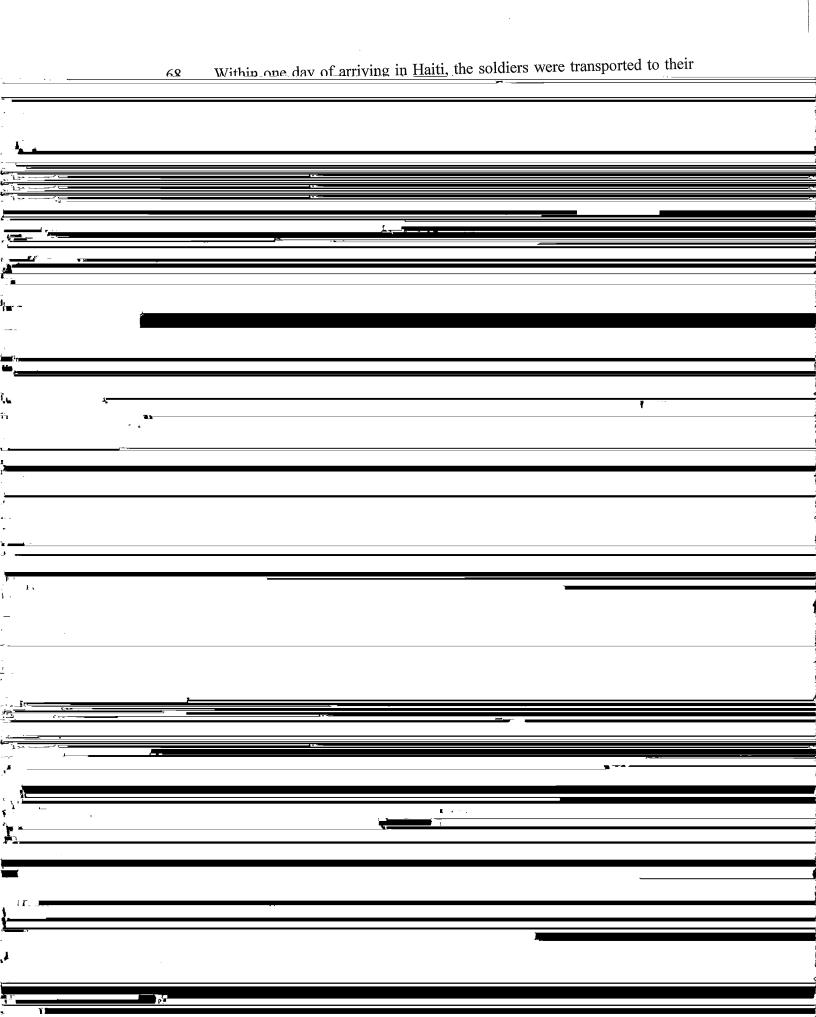
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5- 3	46 The need to prevent the transmission of cholera has been internationally
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	recognized since at least 1851 and Defendant UN has long known of this need. Since
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	1948. Defendant UN's health agency has been responsible for promulgating international
(\)	regulations to prevent the transmission of cholera, and the present International Health
<u>, </u>	regulations to prevent the transmission of cholera, and the present International Health
	regulations to prevent the transmission of cholera, and the present International Health
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	51 The SOFA specifically provides that MINUSTAH shall cooperate with the	
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	Grant of Hoiti "with respect to sanitary services and shall extend to each other the	
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	drinking-water installations and supplies."
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62. Upon information and belief, after completing their training in Panchkhal,
the Nenalese soldiers spent ten days visiting their families. Many traveled to the
 Kathmandu Vallev and other cholera-infected areas directly prior to their deployment to
 Haiti.
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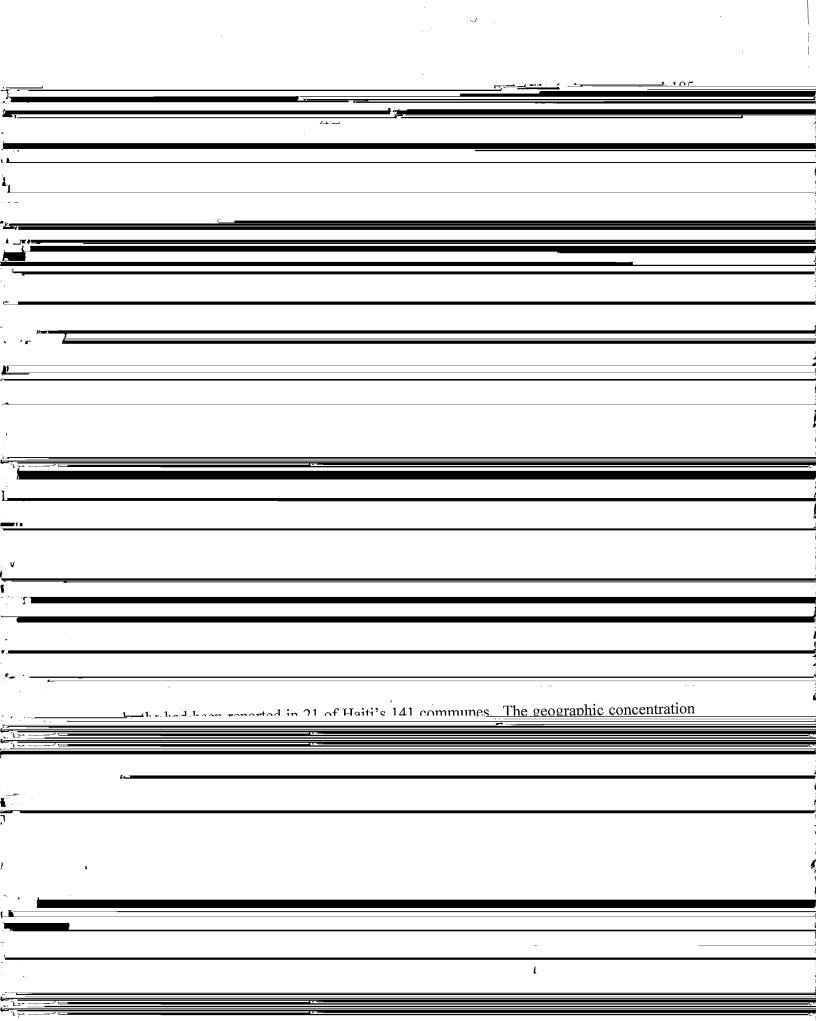




	high risk that blackwater waste would either flow back through the pipes and up the	
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	toilets or otherwise empty into the surrounding environs.	
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	79 Defendant MINUSTAH or its agents periodically emptied the septic tanks	
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	on the head by numbing the imfrequent water that a frunk and teanglouring it artists notice	
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onset of the symptoms.	•
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Enidamiologists from Partners In Health. a Boston-based non-profit	health



	twenty three cases of cholera
	103As_of April 2011. researchers had confirmed twenty-three cases of cholera
# 	in the United States associated with the Haiti epidemic, four of which were confirmed in
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1.	104 Upon information and helief many cases go unreported because infected
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and MINUSTAH did not respond to allegations prior to October 26, 2010, because "it	
was such a minor thing."	
110. The October 26 Statement incorrectly and misleadingly claimed that the	
Meille Base had "septic tanks [that] conformed to construction standards of the [U.S.]	
Environmental Protection Agency ["EPA"]," and that the management of waste was	

"consistent with established international standards."

	overflowing septic tank. He observed "reeking, dark liquid flow[ing] out of [the] broken
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MINUSTAH soldier working on the pipe is seen wearing a mask over his nose and

	mouth.				
· · · · · · · · · · · · · · · · · · ·	1.2.1	Walker also observed	liquid running from	stalls on the perimeter of	the
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evidence most notably the smell." The soldiers "admitted to having undertaken repairs	
evinence most noisory me shielf. The soldiers admitted to having undertaken repairs	
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on the eye of [Katz's] visit, including replacing the broken PVC pipe from the back of the	
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base and scrubbing a drainage canal that emptied into the river."	
base and scrubbing a drainage canal that emptied into the river."	
base and scrubbing a drainage canal that emptied into the river." 128. Katz also noted that "the repairs had been superficial at best. When we	
128. Katz also noted that "the repairs had been superficial at best. When we	
128. Katz also noted that "the repairs had been superficial at best. When we	
128. Katz also noted that "the repairs had been superficial at best. When we	
128. Katz also noted that "the repairs had been superficial at best. When we	
128. Katz also noted that "the repairs had been superficial at best. When we went out back, we noted that a series of cracked aboveground pipes that originated at the	
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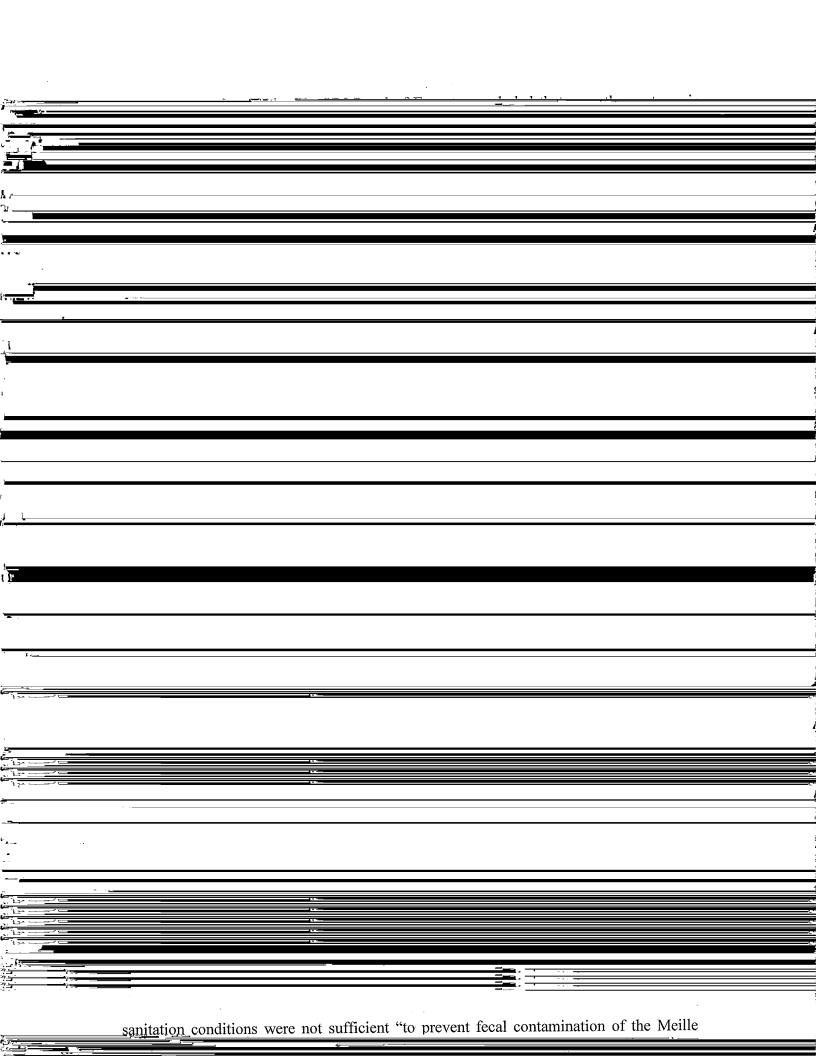


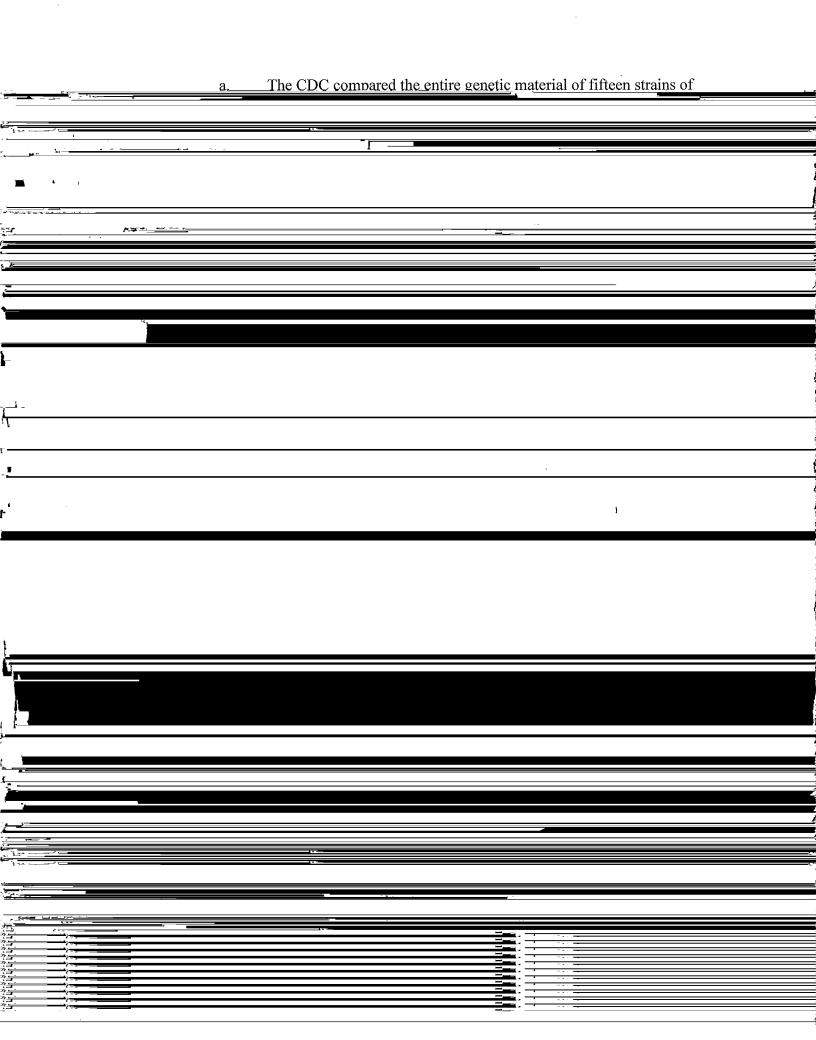
	136. Moreover, upon information and belief, MINUSTAH sent the water
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•	ADMIGITARY contracted nations treatment facility in
	specializes in treating obesity at a MINUSTAH-contracted patient-treatment facility in
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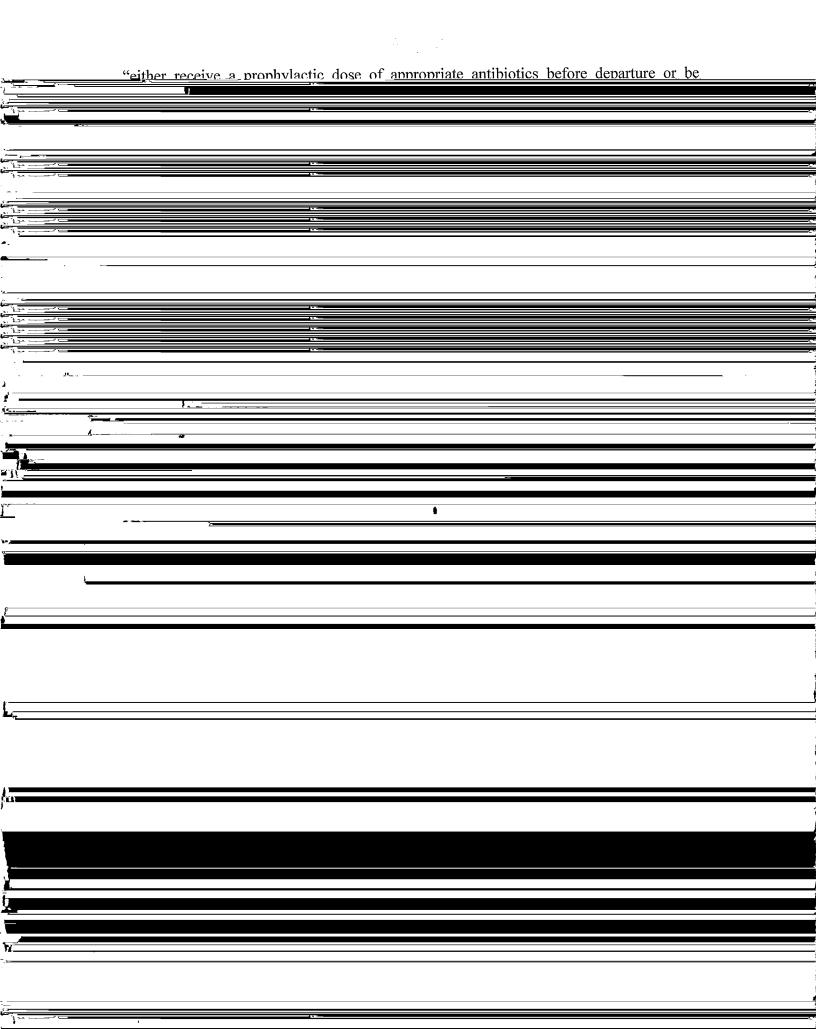
1.40 Around November 2010 as death rates were soaring aro	und Haiti,
Defendant Mulet told Time Magazine that "[i]t's really unfair to accuse the	e U.N. for
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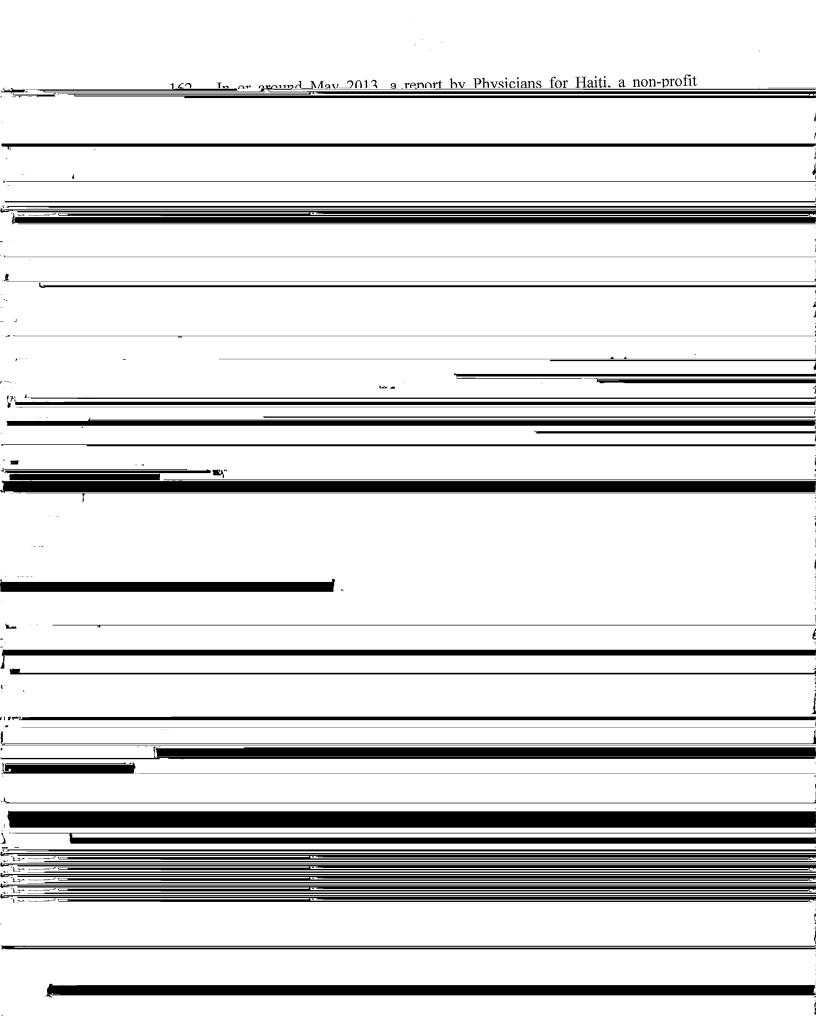


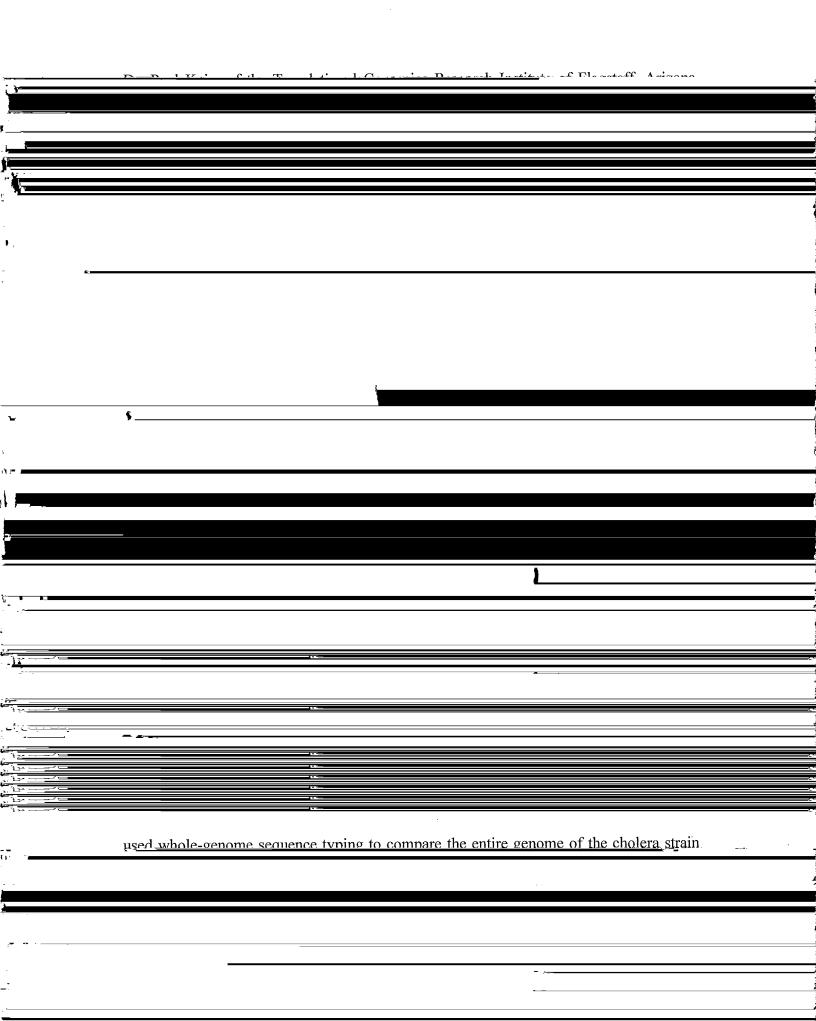
	140 On or about January 14, 2011 Nigel Fisher, Defendant Ban's Under	
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<u> </u>	The evidence that the Nenalese UN neacekeeping troops brought cholera
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	the nanel concluded that "the preponderance of the evidence and the weight of the	
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	oisonmatortial evidence does lead to the conclusion that personnel associated with the	
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·	Mirobolois MINIUSTAH facility were the most likely source of introduction of cholera	

	176 On or about Nove	ember 3 2011, approximately	5.000 victims of cholera	
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	("Petitioners") all of whom a	re members of the proposed	Class and who were	
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Destrictions had not accorded one political or policy-related claims. Putitioners also	•	legal instification for refusing to receive the Petitioners' claims and explained that	
Desirioness had not ascerted any political or policy-related claims. Petitioners also	·		
Desirioness had not ascerted any political or policy-related claims. Petitioners also			
notice had not accorded any political or policy-related claims. Petitioners also			
Composited (1) a mosting with the UN's Office of Local Affairs. (2) the engagement of a			,
granated (1) a meating with the IIN's Office of Leval Affairs (2) the engagement of a	9	Detitioners had not asserted any political or policy-related claims. Petitioners also	
granated (1) a meating with the IIN's Office of Leval Affairs (2) the engagement of a	, *		
granated (1) a meating with the IIN's Office of Leval Affairs (2) the engagement of a			
proposated (1) a mosting with the UN's Office of Legal Affairs (2) the engagement of a			
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manuscool (1) a meating with the UNI's Office of Legal Affairs. (2) the engagement of a	· · · · · · · · · · · · · · · · · · ·		
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	the UN to fund the Plan. representing one percent of the total amount needed to eliminate
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·	the cholera introduced to Haiti by Defendants UN and MINUSTAH. Defendant Ban also
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ALLEGED INJURIES

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	Named Plaintiffs and other members of the proposed Class.
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	The Death of Fritznel Paul
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	201. Fritznel Pa	ul is survived b	v his spouse: th	eir two minor ch	ildren; his	
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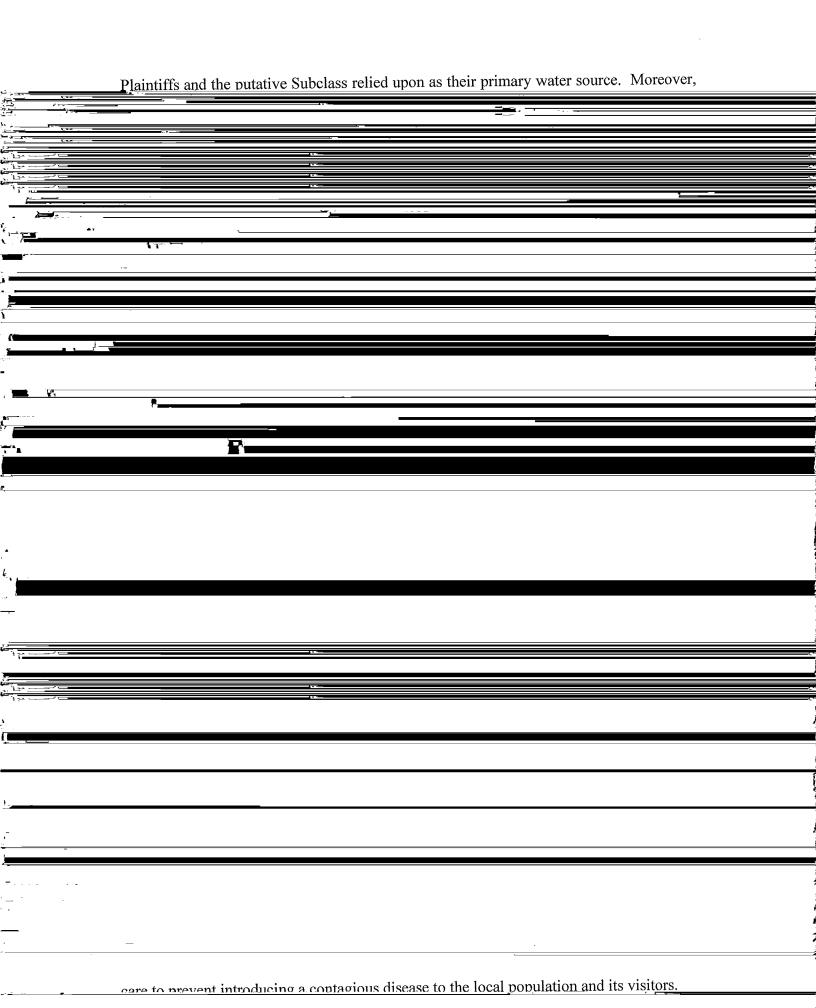
	215. Desilus Georges was married to Amarante Parisse Georges and had four	
	adult children: Plaintiff Delama Georges, Junel Georges, Marie-Claude Georges, and	
	audit children. Flamen Delama Georges, Junei Georges, Marie Chade Georges, and	
(5- -	Yanick Georges.	
3	216. In November 2011, Desilus Georges and his wife were in Haiti visiting	
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	their deviator Venials. While there they stoyed in Res de Sainte Anne a rural area on	
	their daughter Yanick. While there, they staved in Bas de Sainte-Anne, a rural area on	
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	the northern coast.	
	the northern coast.	
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122	the northern coast.	
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	the northern coast. 217. On or about November 8, 2011. Amarante Georges experienced a sudden	
	the northern coast. 217. On or about November 8, 2011. Amarante Georges experienced a sudden	
	the northern coast. 217. On or about November 8, 2011. Amarante Georges experienced a sudden	
	the northern coast. 217_On or about November 8, 2011. Amarante Georges experienced a sudden onset of vomiting and had profuse, continuous diarrhea. Within a few hours, she became	
	the northern coast. 217_On or about November 8, 2011. Amarante Georges experienced a sudden onset of vomiting and had profuse, continuous diarrhea. Within a few hours, she became	

<u></u>	221 On or about November 10, 2011, while his wife lav unconscious by his	
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3 20	side Desilve Georges then age 79 died Prior to contracting cholers, he had been in	
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	good health.	
**************************************	222. The medical personnel did not permit Yanick to touch Desilus Georges'	
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	She has also experienced unusual changes such as loss of appetite, changes in weight,
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<u> </u>	nervousness and nausea. She is no longer able to work as she did prior to contracting
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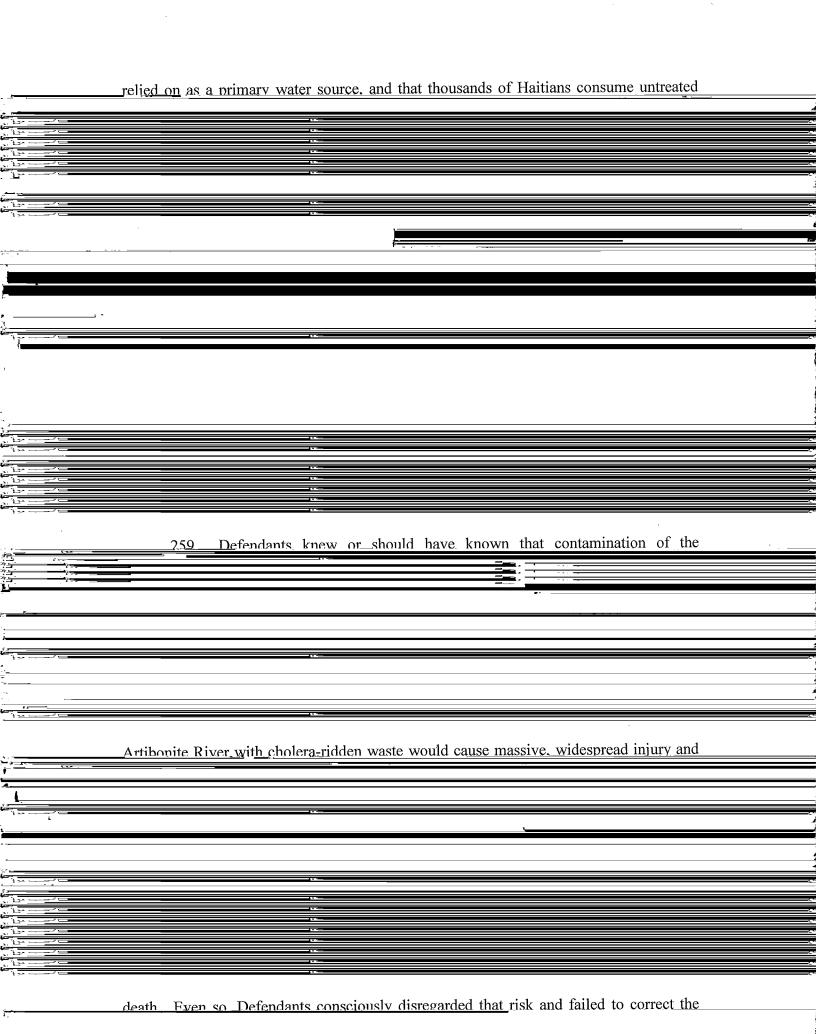
Shortly thereafter, Plaintiff Silfort began experiencing a sudden onset of 240. 1



· =	247 Defendants also breached their duties by defectively and inadequately
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	designing constructing operating and maintaining their facilities on the Meille Base.
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-	outbreak thus causing further harm to Plaintiffs and the nutative class by impeding a
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	more <u>quick</u> and effective response to the epidemic.
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	longstanding n	natter of concern und	der international la	w. and that WHO	regulations, which	
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<u> </u>	d Plaintiffs Joseph and Paul sustained pecuniary losses, when they	
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•	contracting cholera prior to their deaths.	
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	272. Defendant Mulet, as the Special Representative to the Secretary-General
	En MINISTAIL had a duty under the SOFA to oversee all of MINISTAH's onergions
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	in Haiti and to ensure that it did not cause harm to the local population or those visiting
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	there Specifically Defendant Mulet had a duty under the SOFA to respect all local laws

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	First Claim for Relief
	First Claim for Relief.
·	First Claim for Relief. 279. As a result, the Named Plaintiffs and other members of the Class or their
	279. As a result, the Named Plaintiffs and other members of the Class or their
	279. As a result, the Named Plaintiffs and other members of the Class or their
	279. As a result, the Named Plaintiffs and other members of the Class or their
	279. As a result, the Named Plaintiffs and other members of the Class or their immediate family members contracted cholera.
	279. As a result, the Named Plaintiffs and other members of the Class or their
	279. As a result, the Named Plaintiffs and other members of the Class or their immediate family members contracted cholera.
	279. As a result, the Named Plaintiffs and other members of the Class or their immediate family members contracted cholera. 280. Experiencing, or watching their close family members experience, acute
	279. As a result, the Named Plaintiffs and other members of the Class or their immediate family members contracted cholera. 280. Experiencing, or watching their close family members experience, acute

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	tious odors have caused these plaintiffs to lose sleep
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290. Defendants knew or	should have known, and consciously disregarded the
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	stion of the Antibonite Dissess with abotton and
Jinreasanable risk that confamina	ation of the Artibonite River with chalers was

· · · · · · · · · · · · · · · · · · ·	29 <u>7.</u> By c	ontaminating the	Artibonite	River with	the cholera	bacteria.	
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	4 — Defendant	s IIN and Ran breached the SOI	EA by refusing to establish a	
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	standing claims commis	ssion to receive and settle clair	ms. Members of the Class	
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4. Awarding pre-judgment and post-judgment interest, to the extent	
allowable by law; and	
5. Granting all other and further relief as this Court may deem necessary and appropriate.	
DEMAND FOR JURY TRIAL	-
Date 100 1 1 001. Others demand a wiell be imme on all immedian thinkles	
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Joseph. Lisette Paul. Felicia Paule, and Jean Rony

Silfort