

# The Trentonian

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## Family of woman killed in Ewing gas explosion hires attorney

**By Isaac Avilucea,  
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TRENTON —New Jersey, not Pennsylvania, is the appropriate venue for a civil trial of a Ewing woman who was killed last March when a fiery explosion leveled her condominium complex, a Pennsylvania judge has ruled.

Earlier this month, Judge Mary Colins of the Philadelphia Court of Common Pleas agreed with attorneys for defendants PES&G and Henkels & McCoy that a lawsuit filed earlier this year in Philadelphia by relatives of Linda Cerritelli should be dismissed because it was brought in an “inconvenient forum” and better suited to be heard by a jury closer to home despite the companies’ ties to the Keystone State.

In addition, the defendants’ attorneys said a backlog of litigation in Pennsylvania would prevent the case from being handled expeditiously, according to court filings obtained by The Trentonian.

Colins was swayed, and on Dec. 3, granted the defendants’ request. But she reserved the right for the family to refile the lawsuit in Mercer County and said the defendants agreed not to oppose the lawsuit being served as long as it’s refiled within 60 days.

Tom Kline, the Philadelphia attorney tapped by relatives of Linda Cerritelli to investigate the March 4 blast that ended her life, said an appeal must be filed within 30 days of the judge’s order but doing so could delay him from simply re-filing the lawsuit in New Jersey.

“This case raises tremendous public safety issues,” he said in an email.

“Through the civil discovery process, whether in a Pennsylvania or New Jersey courtroom, we intend to expose both PSE&G and Henkels to a jury for their respective contributions to this tragedy and to hold them accountable for Linda Cerritelli’s death.”

Cerritelli’s son, Michael Morley, filed a lawsuit on behalf of his mother shortly after an

investigation by the law firm, Kline & Specter, revealed utility workers didn’t alert authorities or make efforts to evacuate the South Fork neighborhood when they realized they had ruptured a two-inch gas while working to restore electricity to the woman’s home.

Cerritelli, 62, was working from home when the midday blast rang out, killing her and injuring seven utility workers. Her badly charred body was found on the hood of a car, covered in debris.

The explosion also damaged or destroyed as many as 55 homes, leaving others displaced while authorities sifted the rubble for answers.

The law firm’s investigators took pictures of the gas line, which ran perpendicular to Cerritelli’s home to Crockett Lane, and noted it was incorrectly marked by a PSE&G worker. It spewed gas for nearly two hours after it was struck by utility workers who used heavy machinery to excavate the ground to access an electrical line, the lawsuit said.

In court filings, both companies blamed each other for the blast, with PSE&G trying to drive a wedge between it and Henkels & McCoy.

“The negligence of others was greater than any alleged negligence of PSE&G and therefore any damages to which plaintiff may be entitled against PSE&G should be barred and/or reduced proportionately,” attorneys for the company wrote in July, responding to the lawsuit.

The companies filed a motion in October to have the lawsuit dismissed, saying all but two witnesses — a Henkels representative and PSE&G employee — and first responders who could be called to testify at trial reside in New Jersey. In addition, the Mercer County Prosecutor’s Office, which is in charge of an investigation into the explosion, has jurisdiction over the matter, according to court papers.

“The parties will have to take additional steps to compel the attendance of any unwilling New Jersey witnesses to attend trial in Pennsylvania,” the attorneys wrote in court papers. “The lawsuit has little, if any, connection to Pennsylvania and the cost and inconvenience to the court and the parties will be far greater if the trial is held

in Pennsylvania than in New Jersey.”

Kline argued the venue should remain unchanged because Henkels & McCoy, which is located in Blue Bell, Pennsylvania, distributed a “woefully deficient” employee handbook for how to address safety issues that impacted residents wherever the company performed work.

Company employees would have to be deposed to answer questions about safety protocol, he said, and New Jersey witnesses could have their testimony taped and shown in a Pennsylvania courtroom.

“The Pennsylvania courts have a strong interest in the subject matter of this case as it involves the grossly inadequate corporate safety plan created in Pennsylvania by a Pennsylvania corporation that jeopardizes the safety of many people, including Pennsylvania residents,” he wrote.

After the blast, Henkels issued a safety bulletin instructing employees to immediately cease work, alert authorities and evacuate residents if they suspect a possible gas leak, according to court papers. Ewing police have said the first indication

they received that something was wrong came in after the explosion.