

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

FAYE P ABBOTT, JOHN W ABBOTT, JUDITH)
 RIVENBARK ADAMS, BARBARA ADAMSON,)
 MARK ADAMSON, JOHN T ADELMAN, SR.,)
 RITA A ADELMAN, BARBARA J AGEE,)
 EARL D AGEE, TERRY ALCRIGG, GERARD)
 AYCRIGG, ALYCE A ALEXANDER, JOHN C)
 ALEXANDER, JAMES L ALFORD, ANN)
 ALFORD, PHILIP WAYNE ALLEN, SHELBY)
 HARRELL ALLEN, MAXWELL V ALLEN,)
 DORTHY J ALLEN, VERONA DEAN)
 ALLPRESS, FRANCIS WILLIAM ALLPRESS,)
 III, LEONARD H ALSENE, JEANNE M)
 ALSENE, SARA H. ALTMAN, CLYDE)
 THOMAS AMBURN, BONNIE JEAN AMBURN,)
 DONALD E AMSLER, CAROLYN M AMSLER,)
 HILDA HANKINS ANDERSON, ALVAH)
 THOMAS ANDERSON, DONNA LEE ALINE)
 ANDREWS, FRANCES P ANGELL, PHILLIP A)
 ARMSTRONG, BETTY B ARMSTRONG,)
 CLYDE EUGENE ARNOLD, RUBY D)
 ARNOLD, ESLEY DAVIS ATKINS, MARY)
 MORGAN ATKINS, MICHAEL LYNN)
 ATKINSON, WANDA MARTIN ATKINSON,)
 KYLE AURAND, CAROLYN AURAND,)
 LOLA B AUSTIN, EFFIE HOUSTON AVERY,)
 DENIS D AYERS, LINDA M AYERS, OPAL)
 JEAN BARNARD BAILEY, JAMES D BAILEY,)
 CORA A BAILEY, JOSEPH K BAKER, FAYE D)
 BAKER, NORA E BAKER, individually and as)
 surviving spouse of PAUL W BAKER,)
 MARJOEIR ANN BAKER, IRWIN BAKER,)
 ALONZO BAKER, BEVERLY J BAKER,)
 KATHY THOMPSON, individually and as a)
 surviving child of KATHRYN M BALDRIDGE,)
 EDGILLE DOUGLAS BALDRIDGE, JANET M)
 BALDRIDGE, PAVLINE H BARBANO,)
 RALPH J BARBANO, WALLACE R BARBER,)
 BARBARA T BARBER, DOLLY ANN)
 BARKLEY, VERONA W. BASS, GERALD C)
 BATTS, JANE T BATTS, BETTIE C BEARD,)
 CLARENCE W BECRAFT, SHIRLENE K)
 BECRAFT, LOUISE MATTOCKS)
 (ANDREWS) BEHELER, ROBERT NEIL)

CIVIL ACTION

CASE NO. 11- CV-2572 JTM/GLR

COMPLAINT

BEHELER, ETHEL MAE BEINING,)
 TIMOTHY W BEINING, MARGARET SARAH)
 BELL, JOHN THOMAS BELL, RONALD L)
 BENDER, CARROLL RAY BERGMAN,)
 DOLENA A BERGMAN, JOAN A BERNARDI,)
 DONALD E BERNARDI, WILLIAM LEE)
 HOCKENBERRY, MARY CURTMAN)
 HOCKENBERRY, HELEN A BERTOLO,)
 JACQUELINE BESBITT, GARY BESBITT,)
 PATRICIA M BETHEL, ROGER BICE, PAT)
 BISCOE, CONSTANCE J. BISCOE, ALLEAN)
 ELIZABETH BLAIR, ROY L. BLAKE,)
 PATRICIA C. BLAKE, RONALD R. BLAKE,)
 SHIRLEY J BLAKE, JAMES F BLANKENSHIP,)
 JUDITH M BLAKENSHIP, PATRICIA J)
 BLEVINS, IVAN RUSSELL BLEVINS,)
 WYONA H BLOUNT, THEODORE B BLOUNT,)
 JANET K BOHMER, EILEEN M BOLES,)
 ARCHIE BOLT, HAZEL L. BOLT, JEAN S)
 BOOKER, BETTY CLAIRE BOOTH, JOHN)
 LINCOLN BOOTH, ARLENE MCARTHUR)
 BOOTH, DORREL FRED BOOTH, JOHNNY)
 DURHAM BORDEAUX, KENNETH JOHN)
 BORG, JERRY JANICE BORG, PAUL GEORGE)
 BORKOWICZ, SUSAN ANN BORKOWICZ,)
 ALLEN J BOSZE, SHARON L BOSZE,)
 GEORGE I BOTTCHER, COLLEEN M)
 BOTTCHER, TEDDY FRANKLIN BOWEN,)
 BETSY BUHN BOWEN, CARLOS VANSEL)
 BOWERS, LEROY ALPHEUS BOWERS,)
 WILLIAM H BOYD, NANNIE C BOYD,)
 MARY B BOYKIN, MARIAN BRACY,)
 MARY ANN BRAME, ADRIAN WAYNE)
 BRAME, JOSEPHONE R BRAMWELL,)
 JOSEPHINE SHINE BRATCHER, CHARLES)
 MACLAINE BRATCHER, HAROLD ANTHONY)
 BREGENZER, MARGARET ANNE)
 BREGENZER, IAN BRICKNELL, ANNA M)
 BRISCOE, MARSHALL C BRISCOE, MARY)
 BRITTON, SANDRA L BRONDSEMA, PETER)
 R BRONDSEMA, BARCLAY D BROOKS,)
 JACQUELYNN A BROOKS, CARROLL DEAN)
 BROOKS, LINDA BROWN BROOKS,)
 BRENDA CAROL JENKINS BROWN,)
 MEANON LEE BROWN, MARLENE L)
 BROWN, DENNIS H. BROWN,)

GLORIA J BROWN, LOY G BROWN,)
 ROBERT L BROWN, SR., FAITH W BROWN,)
 GARY MAC BROWN, MARGARET Q BROWN,)
 FORREST JOHNSON BROWN, JOANNE)
 HOWARD BROWN, JAMES HENRY BROWN,)
 ARRENE S BROWN, DOVETTA E BROWNING,))
 ROSALIE D BRUCE, SAMANTHA J)
 BRUMLEY, GARY BRUMMITT, individually)
 and as a surviving child of LOIS G BRUMMITT,)
 JOYCE BRYAN, BILLY CLIFFORD BRYANT,)
 SARAH KUMYONG BRYANT, CARY R BUCK,)
 ELNOR B BUCK, MARIE W BUCKNAM,)
 ROBERT W BUCKNAM, SR., GENEVA E)
 BULLOCK, LONNIE BULLOCK, AGNES S)
 BUNCH, PATRICIA BUNCH, TONY BUNCH,)
 RICHARD F BURGESS, JOYCE M. BURGESS,)
 BENJAMIN RUSH BURKE, ROBERT L)
 BURKHART, LINDA L BURKHART, ETHEL)
 ALSTON BURNS, WILLIAM J. BURNS,)
 THOMAS W BURRELL, EVA E BURRELL,)
 ORREL ETHELLE BURRIS, JESSE THOMAS)
 BUXTON, REBBECA BUXTON, WAYNE)
 MONROE BYERS, ANN B BYERS, AUBREY)
 JEAN BYRD, JOEL J BYRD, SR., JIMMY L)
 BYRD, DOLORES A BYRD, CAROL B. BYRD,)
 ROBERT C BYRD, RUTH CALLIEUTT,)
 NERMON CALLIEUTT, ANTHONY)
 CAMPAGNA, VAUGHN DEVERE)
 CAMPBELL, ELVA SUE CAMPBELL,)
 CONSTANCE L CAMPBELL, RALPH L)
 CAMPBELL, ANN P CAMPBELL, ELIZABETH)
 VINSON CARLISLE, LAURA DIXON)
 CARLTON, JUDY CARMAN, CHARLES)
 CARMAN, DONNA L. CARRINGTON,)
 WILLIAM J. CARROLL, JR., MARY L.)
 CARROLL, JOYCE HILLIARD CARROLL,)
 WILLIE FLEMING CARROLL, SR., LINDA K.)
 CARROLL, LUCILLE HOFFMAN, CARTA CEIL)
 ANN CARTER, JOSEPH CARTER, SR.,)
 GARY W CARTER, individually and as a)
 surviving child of MARGIE A CARTER, TYRE)
 DALLAS CARTER, NORA BOWERS CARTER,)
 EUNICE WHITE CASTELOW, FRED J.)
 CATANZARITE, JANICE J CATANZARITE,)
 MARGARET CAUDILL, JAMES CAUDHILL,)
 JOHNNIE MAE CAVINESS, CARL KENNETH)

CAVINESS, JOHN WESLEY CHADWICK,)
 BARBARA FLORENCE CHADWICK,)
 JUDITH A. (CLYMER) CHASE, CLARENCE W)
 CHASTAIN, DONNA M CHASTAIN, ANNE)
 PRICE CHIPPS, BARBARA R CHRISTENSEN,)
 HAROLD C CHRISTENSEN, CAROLYN)
 CHRISTY, GERALD F CHRISTY, CHARLES)
 CLYDE CLARK, SR., MARGARET CLARK,)
 KATIE MAE CLARKE, MELTON C. CLARKE,)
 LOUISE S. CLARKE, S. GEORGE CLARKE,)
 JOHN G. CLASEN, GRACE A. CLASEN,)
 JAMES R. CLAY, BARBARA S CLAY,)
 HAROLD EUGENE CLAYTON, ROBERT)
 LYNN CLEGG, ROSE DUNCAN CLEGG,)
 CULLEN COBB, ROCHELLE WHALEY COBB,)
 JOYCE R COCKRELL, BENNETT C)
 COCKRELL, ANNIE COGGINS, NAOMI M)
 COKER, REBECCA S COKER, BARBARA)
 LOUISE COLBERT, LORENZO DOW COLE,)
 SR., DOROTHY SPENCE COLEMAN,)
 CLAUDE T COLEMAN, MICHAEL COLLET,)
 LENI J COLLET, RAYMOND A COLLINS,)
 ELLIE A COLLINS, VICTORIA COCKRELL)
 COLLINS, JACK ARNOLD COLLINS, ELVIE P)
 COLLINS, HILTON D. COLLINS, CLECY)
 ALTON COLLINS, TOM COLLINSWORTH,)
 JR., SARAH E COLLINSWORTH, GRACE M)
 COLSON, JOHN P COLSON, SARAH W)
 COLVIN, MARVIN L COLVIN, LESTER L.)
 CONERLY, SADIE S CONERLY, BONNIE LEE)
 CONKEY, MARIA P CONSUEGRA, VERNA J.)
 COOK, NANCY COOK, WILLIE HERMAN)
 COOK, BILLY F COOPER, LAURA J COOPER,)
 ANN GARDNER COOPER, JIMMY LOUIS)
 COOPER, ROBERT LEE COPPINGER,)
 GERALDINE G COPPINGER, LOWEY J)
 CORVIN, DOLLY E COX, LENSAY R COX,)
 KAREN S COX, individually and as surviving)
 spouse of JAMES D COX, JULIA MAE COX,)
 ROBERT W. CRAFT, JR., MARILYN J CRAFT,)
 RALPH H CRAIG, ELVIE D CRAIG, LEE ANN)
 CRIDER, ARVEY OWEN CROCKER, JR.,)
 ROBERT T CROCKER, DEBORAH E)
 CROCKER, RAYMOND MICHEAL)
 CROCKETT, ANNA MARIE CROCKETT,)
 DOROTHY O CROSS, CARL W. CROSS, SR.,)

DOROTHY M CROWE, FORREST T CROWE,)
MARSHALL W CRUMPLER JR., CHLOE P)
CRUMPLER, MELVIN D CRUMPLER,)
ELIZABETH ANNE CRUMPLER, MICHAEL)
CULLEN, DIANE S CULLEN, LACY F)
CUMBNEY, VIRGINIA W CUMBNEY,)
MATTIE PAULINE CURRY, ROBERT)
MORTON CURTS, HAZEL V DANCY,)
MARSHALL DANCY, MARJORIE DANCY)
BETTY B DANTZLER, JOHN WILLIAM)
DAUGHTRIDGE, JANET SUTTON)
DAUGHTRIDGE, DARWIN E DAVIS, VIVIAN)
GERTRUDE DAVIS, THOMAS HUGH DAVIS,)
PATRICIA BOLEAM DAVIS, HELEN ISLES)
DAVIS, individually and as surviving spouse of)
HINTON CARLTON DAVIS, GERALD T)
DAVIS, MYRA W DAVIS, JAMES ELDRIDGE)
DAVIS, MARIE MCDANIEL DAVIS, ERNEST)
LEE DAVIS, BETTY ANN MANESS DAVIS,)
WALTER F DEAL, GLORIA MILLER DEAL,)
EDNA GRICE DEAN, JOHN DEMUTH,)
ELIZABETH DEMUTH, MARY C DENNIE,)
JAMES ALLEN DENNIE, ROBERT L)
DENSMORE, RICHARD HENRY DENTON,)
JEANNETTE S DENTON, MAXIE LEE)
DESSAINTS, RENE JOSEPH DESSAINTS,)
GAYLENE A DEVITO, GEORGE C)
VAN DEWATER, PATRICIA C)
VAN DEWATER, ARTHUR J DONALDSON,)
BERNICE F DONALDSON, GORDON DORRIS,)
PEGGY A DORRIS, FAYE STOUT)
DOUGHERTY, JAMES EDWARD)
DOUGHERTY, SR., DONALD G DOUGLAS,)
NANEY L DOUGLAS, ROBERT E DOYLE,)
GERALDINE C DOYLE, NANCY LAWRENCE)
DRAPER, DAVID G DRAPER, JULIA JOYNER)
DUKE, RICHARD J DUNN, BETTY L DUNN,)
VENICE L DURBIN, LOUISE G)
DYAL-HOBSON, MAURICE I HOBSON,)
WALTER LEE EAMES, DORIS ANNE EAMES)
MABEL EARLES, EDGAR EARLES, DOLLY)
EASTWOOD, ROY EASTWOOD, EDNA)
ROBINSON ECKARD, FINLEY EUGENE)
ECKARD, BOBBY R EDMONDSON,)
CHARLOTTE S EDMONDSON, GLORICE L)
EDWARDS, individually and as surviving spouse)

of BENJAMIN V EDWARDS, PEGGY MOORE)
EDWARDS, CAROLYN R EDWARDS,)
WILLIAM BRENT EDWARDS, EARL WAYNE)
EDWARDS, BETTY ANN EDWARDS,)
JOHN W EICK, SR., WHITNEY W EICK,)
DENNIS GORDON ELDER, ANN JEANETTE)
ELDER, COY LEE ELKS, SR., individually and as)
surviving spouse of MILDRED TANNER ELKS,)
MATHIS S ELLEDGE, JUDY B ELLEDGE, EVA)
KAYE GUPTON ELLINGTON, WILLIAM M)
ELLINGTON, LAURA BENSON ELLIOT, ED A)
ELLIOT, MICHAEL L ELLIS, LUCILLE BUNCE)
ELLIS, individually and as surviving spouse of)
LARRY THOMAS ELLIS, BETTY B)
ELMORE-STANCILL, KENNETH R STANCILL,)
AUDREY G. ELROD, HARRY H EMLINGER,)
ONEDA MAY ESTER, CURTIS R EVANS,)
NANCY L EVANS, H LAVERNE)
EVERETT-NEAL, DONALD FANELLA,)
OLIVIA FARRELL, PAUL LARUE)
FARRINGTON, ALAIRE FRANCES)
FARRINGTON, MARY P FERRARO,)
NELL LANIER FERRELL, MARY PATE)
FIELDS, individually and as surviving spouse of)
WILLIAM HUBERT FIELDS JR., ANNA M)
BRANDT FINDLEY, RUDY R FINDLEY,)
ELLSWORTH M FISCHER, MARILYNN I)
FISCHER, LUCILLE B FLEMING, WILLIAM L)
FLEMING, JOANNE FLOWERS, DIANA LEE)
FOCHT, DAVID LEROY FOCHT, TERRY L)
FOGT, JANE E FONTENOY, ALLEN V)
FONTENOY, HENRY F FORAN, KATHLEEN N)
FORAN, BOBBY FORKNER, MARY CAROL)
BRILES FORKNER, NANCY E FOSTER,)
GENEVA NADINE HOWELL FOUNTAIN,)
JAMES WESLEY FOUNTAIN, DONNA)
HOWELL FOUNTAIN, THOMAS FOWLER,)
BARBARA J FRANKS, RICHARD B FRANKS,)
JR., JUDY S FREEMAN, VERNON J FREEMAN,)
RUTH MARGARET FRIEDT, WILLIAM C)
FRITZ, ELIZABETH E FRITZ, ROBERT)
THOMAS FUQUA, RHONDA JEAN FUQUA,)
ISAAC G FUTRELL, NELDA B)
FUTRELL, JOHN C GALL, GORGEAN L)
GALLANIS, KENNETH DAVID GAMBLIN,)
DONNA LEE GAMBLIN, MARGIE ELLEN)

GARDNER, NORMA C NAHOOM, EDWIN)
 RAY GARMAN, MARY P GARMAN, LINDA A)
 GARRETT, MAGDALENE D GATEWOOD,)
 individually and as surviving spouse of)
 KENNETH W GATEWOOD, HERBET)
 LAWRENCE GAY, CHARLOTTE LEONARD)
 GAY, DONATO JOSEPH GENNANTONIO, JR.,)
 ELIZABETH SENDELIA UPTON)
 GENNANTONIO, CASSIE BURROUGHS)
 GEORGE, JAMES F GEORGE, MARION R)
 GIBSON, WILLIAM A GILBERT,)
 MARCELLINE A GILBERT, SANDRA S)
 GILLILAND, WOODROW S GILLILAND,)
 WILLIAM RUSSEL GILMORE, CAROLYN)
 GILMORE, JOSEPH S GIORDANO, ELAINE M)
 GIORDANO, BRENDA S GIVENS , SANDRA L)
 GLASSFORD , WILLIAM GENE GLASSFORD,)
 FREDRICK D GLESSNER, JUDITH C)
 GLESSNER, ELIZABETH H GODWIN,)
 ROBERT E GODWIN, PATRICIA HUDSON)
 GODWIN, HERBERT WYTHE GODWIN,)
 MARTHA E GOHARM, LUIS A GONZALEZ,)
 ESTHER M GONZALEZ, JACQUILINE SUE)
 GOODNIGHT, ROSE M GOW, individually and)
 as surviving spouse of RICHARD H GOW,)
 JOHN W. GOYERT, ANNA H. GOYERT,)
 ROBERT W GRAHAM, DIANE T GRAHAM,)
 DALE EUGENE GRAHAM, MARY ELIZABETH)
 GRAHAM, DAVID GRAMMING, BOBBY)
 HOWELL GRANT, BET GRANT, CAROLYN)
 ELIZABETH GRAY, JOHN CALVIN GRAY,)
 ROSALINE FRANCES GRECKEL, RONALD)
 EDWARD GRECKEL, ELIZABETH GREER,)
 JOHN E GREER, SR., DALE ARTHUR GREWE,)
 MARY LU GREWE, ROY SYDNEY GRIFFIN,)
 RUTH JOAN GRIFFITH, WILLIAM JOHN)
 GRIFFORE, ANGIE GRIFFORE, MONA LUANE)
 GRISHAM, LEE EDWARD GRISHAM,)
 DWAYNE E GROAT, SHIRLEY A GROAT,)
 JOHN A GUARCELLO, PATRICIA I)
 GUARCELLO, ANNIE GUNTER, LESTER)
 GUNTER, CHARLIE JACKSON GURGANUS,)
 PATTIE WILLIAMS GURGANUS, KAREN B)
 HAAS, DONALD HAAS, JACQUELINE D)
 HAINES, CHARLES EDWARD HAINES,)
 JOHN O HALL, ANGELINE G HALL,)

SHIRLEY A HALL, MILDRED ELIZABETH)
 HAMER, GERALD FISHER HAMER,)
 JIMMY C HAMILTON, FRANCES M)
 HAMILTON, HENRY Q HAMMOCK, LYNDA L)
 HAMMOCK, CYNTHIA HANKS, DIANNE)
 ALMA HANNA-RUDNICKI, ZIGMUND J)
 RUDNICKI, EARNEST A HANSON,)
 SHIRLEY A HANSON, WILLIAM E HARLSON)
 DELANE HARLSON, JOHN A HARMONY,)
 JANOLA D HARMONY, SENNIE HARPER,)
 JOHNNIE HARPER, ELIZABETH R HARRIS,)
 ENEST S HARRIS, ROSA P HARRIS, DONNIE P)
 HARRIS, DAVID E HARRIS, CAROL A HARRIS)
 BRENDA G HARRIS, individually and as)
 surviving spouse of WILLIAM B HARRIS SR.,)
 ERNESTINE H HARRIS, ROBERT HARRIS,)
 MARGIERITE HARRIS, MILLARD C)
 HARRISON, JR., EMILY R HARRISON,)
 NORMA HARRISON, ROBERT L HART,)
 DARLENE R HART, PATRICIA HARTOENCE,)
 DWAIN HARTOENCE, LEE HASHBARGER,)
 MARGIT HASHBARGER, ISABELLE HASKIN,)
 GLENN HASKIN, HELEN GREY HAWKS,)
 JEAN B HAYS, MARGARET J HAZELWOOD,)
 JUNE A HEFFERAN, individually and as)
 surviving spouse of CEORIC E HEFFERAN,)
 BILLY JOE HEFNER, BETTY JOHNSON)
 HEFNER, DONALD B HENRY, JEAN L HENRY,)
 SARAH D HENRY, ROBERT W HERBERT,)
 ANN S HERBERT, SHARON A HERRING,)
 KENNETH M HERRING, JOE CLIFFORD)
 HERRING, MARTHA LEE HERRING,)
 RALPH G HICKERSON, MARY MARGARET)
 HICKS, HELEN R HILL, BLANCHE)
 GOODMAN HILL, JUNIE H HILL, ROBERT)
 HOCK, SYBIL MOORE HODGE, JAMES)
 ALLEN HODGE, JR., CECIL STOCKTON)
 HODGE, individually and as surviving spouse of)
 EARNEST HODGE, JIMMA LOU HODGES,)
 JAMES M HODGES, MARILYN J)
 HOFSTETTER , DALE LEROY HOFSTETTER,)
 BARBARA I HOLDERREAD, DONAVON N)
 HOLDERREAD, SR., PAMELA LINEBERRY,)
 individually and as surviving spouse of)
 CHRISTINE M HOLLAND, ROBERT EVERETT)
 HOLLAND, MARY V HOLLAND, PEGGY)

WATSON HOLLAND, BOBBY JOE)
 HOLLANDSWORTH, REBECCA SPENCER)
 HOLLANDSWORTH, PATRICIA A HOLLEY,)
 individually and as surviving spouse of NILE W)
 HOLLEY, JANE FRETWELL HOLLOMAN,)
 EDDIE HONEYCUTT, LAURA HONEYCUTT,)
 FRED E HOOPS, MARIE E HOOPS, CONNIE)
 MANESS HOOVER, HAROLD DEVOY)
 HOOVER, ROIS HOPE, SAM HOPE, LILLIE)
 BECKY HORCHLER, individually and as)
 surviving spouse of DENNIS VAN HORCHLER,)
 EVELYN J HORN, DONALD HORN,)
 WILLIAM L HORN, CAROLYN MCLAURIN)
 HORTON, WILTON LAYTON HERRING,)
 THOMAS G HOSEK, KARLA D HOSEK,)
 CHARLES E HOUSEL, JANICE B HOUSEL,)
 CALLIE S. HOWARD, ROBERT E HOWARD,)
 JACQUELINE RUTH HUBBARD, ALEX)
 ROBERT HUBBARD, FRED WILLIS)
 HUBBARD, DON RAY HUBER, PATRICIA)
 LOU HUBER, DOROTHY E HUDSON,)
 LLOYD A HUDSON, NANCY ANN HUFF,)
 BARRY JUNE HUFF, RONNIE L HUFFMAN,)
 JEANNE S HUFFMAN, WESLEY E HUGHES,)
 BETTY A HUGHES, MABEL G HUGHES,)
 ARMETTA LOUISE (BLEVINS) HUNIGAN,)
 FAYE DEAN SPIVEY HURLEY, LITCHARD)
 HURLEY, DONALD HUTCHESON, MARLENE)
 HUTCHESON, ROBERT L HUTCHISON,)
 DORIS E HUTCHISON, GLORIA HYLER,)
 MERCHANT HYLER, NELLIE RUTH JORDAN)
 IRVINE, EDWARD M IRVINE, CHARLES E)
 ISLES, ELEANOR S JACKSON, JOHN E)
 JACKSON, PAUL A JACKSON, JUDITH C)
 JACKSON, ELEANOR J JARRETT, FREDERICK)
 C JARRETT, WILLIAM THOMAS JARVIS,)
 ELLA LOUISE JARVIS, JUANITA F JENKINS,)
 IVAN VERN JENNINGS, CATHERINE)
 COLLEEN JENNINGS, MELVIN J JERALDS,)
 MIRIAM F JERALDS, MARY JERNIGAN,)
 JUDITH E JESIOLOWSKI, NEIL T)
 JESIOLOWSKI, JOHN FRANKLIN JOHNSON,)
 SHARON DEE JOHNSON, MARYLENE FRANK)
 JOHNSON, BILLY GENE JOHNSON, JESSIE B)
 JOHNSON, JULIA G JOHNSON, BILLIE JOYCE)
 JOHNSON, NETTIE JOHNSON-CHILDS,)

EUNICE S JOINER, BOBBY D JOLLY,)
 KATHENIA H JOLLY, SHIRLEY L JONES,)
 WILLIAM E JONES, CAROLYN SUE JONES,)
 LINDA WARREN JONES, individually and as)
 surviving spouse of RICHARD ALLAN JONES,)
 AUBREY D JONES, MARY SUTTON JONES,)
 GREGORY WARREN JONES, NORMA C)
 JOSEY, DOLLY J JOYNER, OTHA JACKSON)
 JOYNER, JR., JEAN ARP JOYNER, LINWOOD)
 RAY JOYNER, DOROTHY BARNES JOYNER,)
 LOTIS W JOYNER, CHARLOTTE T JOYNES,)
 ASHTON P JOYNES, JUNE CORDELIA)
 JUNELL, RONALD J KARR, CORLISS A)
 KARR, FREIDRICH ERWIN KARRES, JOYCE)
 KARRES, JOSEPH M KEARLEY, NELLIE)
 COLLINSWORTH KEARLEY, GARY L)
 KEELING, SANDRA C KEELING, MARTHA)
 HONBARRIER KEEN, JOHN FRANKLIN)
 KEEN, GLENN V KEIL, HELEN A KEIL,)
 MARY ELIZABETH KELLER, JEFFREY LYNN)
 KELSHIEMER, ELIZABETH ANN)
 KELSHEIMER, GEORGE B KEMPLE, SHIRLEY)
 A KEMPLE, WALTER L KENNEDY,)
 GLENDA T KENNEDY, ARTHUR BRYANT)
 KENNEDY, DORALEE ANN (BEELER))
 KENNEDY, GEORGE H KESTNER,)
 MARGARET L KESTNER, MARIE)
 ANNETTE KEYTON, HUBERT J KIMBRELL,)
 IRMA E KING, THELMA V KING, WILLIAM M)
 KING, RALPH E KING, LAUREL L KING,)
 JUANITA MILDRED KINSEY, BRUCE R)
 KIRKWOOD, LORRAINE E KIRKWOOD,)
 EITEL J KIRSCH, ADELINE KIRSCH,)
 CAROLYN G. KISSEL, DONALD L KISSEL,)
 DONALD E KLINGLE, JACQUELINE J)
 KLINGLE, GEORGE KNAPIC,)
 JOSEPHINE E KNAPIC, JANICE S)
 KNECHT, MICHAEL G KOCHVAR,)
 WARREN L KOGLER, LOIS J KOGLER,)
 SHARON ANN KOUBELE, MICHAEL P)
 KOWAL, VERA L KOWAL, AMELIA E)
 KOWALCZYK, DOUGLAS CARL KRAUSE,)
 MARTHA R KRAUSE, LAURA M KREBS,)
 individually and as surviving spouse of)
 DONALD C KREBS, VALERIE ANN KREPPS,)
 CHARLES DANIEL KREPPS, ROBERT W)

KREUZER, SHIRLEY S KROHN, IRENE D)
 LAMBERTZ, MARTHA C LAMM, JAMES R)
 LAMM, THOMAS S LAMOTTE, WILLA D)
 LAMOTTE, BRENDA LANE, JAMES DAVID)
 LANGLEY, LINDA B LANGLEY, CLAIRE W)
 LARSON, SHEILA J LARSON, JOYCE GRAVES)
 LAUX, DENNIS ADRIAN LAUX, WILLIAM)
 KOSTAS LAW, RUBY LEE LAW, HELEN J)
 LAWRIN, JOHN LAWRIN, JEANNE L.)
 LEARHART, MILTON E LEE, MARJORIE W)
 LEE, CARMEN A LEFFLER, DIXIE DELL)
 LENAMOND, CLELL K LENAMOND,)
 JANYCE L LENZEN , WILLIAM ERNEST)
 LEONARD, SANDRA VAUGHAN LEONARD,)
 LEROY RICHARD LEONARD, ADA JANE)
 LEONARD, BETTY D LEWIS, OSWALD G)
 LEWIS, REPPES EDWARD LEWIS, GLORIN)
 CRUTCHFIELD LEWIS, LINDA E LIGHTFOOT,)
 individually and as surviving spouse of)
 WILLIAM T LIGHTFOOT, KATHERINE V)
 LILLEY, MARY A LINDSEY, SHIRLEY)
 JEANETTE LINGLE, WILMA S LINTON,)
 VELMA S LINTON, DONALD D LIPASEK,)
 MARY J LIPASEK, GORDON LITTLE, ELAINE)
 LITTLE, THOMAS EARL LITTLETON,)
 GERALD T LOCKAMY, LEON F LOCKAMY,)
 CAROLY W. LOCKAMY, CLAUDE E LOCKE,)
 CHARLEEN C LOCKE, DARRELL B LOONEY,)
 WANDA J LOONEY, JOANNE WILLIAMS)
 LOVE, individually and as surviving spouse of)
 RAYMOND LEE LOVE, JAMES LOVELL,)
 MARILYN LOVELL, LUCILLE C LOVING,)
 CALVIN E LOVING, EMMETT R LOWERY,)
 LYNDA S LOWERY, KAREN M LUTZ,)
 EDISON N LUTZ, RONALD JACKSON MABE,)
 VICTORIA MAY MABE, JACK C MACKLIN,)
 NANCY K MACKLIN, JAMES K MADDOX,)
 SANDRA H MADDOX, IRENE MARIE)
 MALONE, ELAINE H MANLEY, VERNON)
 LEVI MANSFIELD, JR., LUCY O MANTAS,)
 DONALD E MARCH, PATRICIA A MARCH,)
 SYBLE P MARCUM, GEORGE MARCUM ,)
 BEVERLY S MARSHALL, JAMES W)
 MARSHALL, JOE E MARTIN, PATRICIA P)
 MARTIN, THOMAS DEAN MARTIN,)
 MIRRIAM LYNN MARTIN, BARBARA)

MASHBURN, JAMES BARTON MASHBURN,)
 CLARENCE LINWOOD MASON, LINDA P)
 MASON, KENETH DAVID MASON, JR.,)
 KATHRYN E MATTHEWS, RONALD E)
 MATTHEWS, PHILLIP B MAY, ROXANNE)
 MAY, GEORGE PHILMORE MAY, SHARON)
 HORCHLER MAY, JAMES A MAYES,)
 MARY E MAYES, JANIS S. MAYO,)
 CHARLOTTE LOIS MAYWALD, JAROLD A)
 MAYWALD, JAMES L MAZE, ARLENE K)
 MAZE, MEREDEITH L MCBRIDE, BRENDA W)
 MCBRIDE, ALVETA ORPHA MCBRIDE ,)
 BARBARA D MCCANN, JOHNNY D)
 MCCANN, ONITA J LEDFORD MCCLURE,)
 BOBBY L MCCLURE, VOLNEY BECKNER)
 MCCLURE, JR., FAY CONNER MCCLURE,)
 MAE VONNE MCCLURE, EARL HOOD)
 MCCLURE, DOROTHY J. MCCOWN, EVELYN)
 MCCULLEN, ZACK MCCULLEN, WILLIAM J)
 MCCULLOUGH, JOAN N MCCULLOUGH,)
 DONNA HODGES MCCULLOUGH, MILTON E)
 MCDANIEL, RUTH H MCDANIEL, JOHNNY)
 EDWARD MCDANIEL, CAROL SUE)
 MCDANIEL, GERALD B. MCDONALD,)
 JANET H. MCDONALD, SAMUEL)
 MCDONALD, JR., PRISCILLA MCDONALD,)
 ROBERT JACK MCGANN, SHERYL LEE)
 MCGANN, MARY C MCGRADY, SAMUEL J)
 MCGRADY, JOYCE ELLEN MCGRAW, JAMES)
 LEROY MCGRAW, CATHERINE MCGUIRE,)
 JOSEPH MCGUIRE, HELEN MCHAMB, SUE)
 MCKEE, GLEN C MCKEE, FREDERICK W)
 MCKENZIE, KATHLEEN A MCKENZIE,)
 DAVID E MCKENZIE, MYRTLE MCKENZIE,)
 DANIEL B MCLAMB, BEATRICE W MCLAMB)
 MARGARET M MCLENDON, JOHN A)
 MCLENDON, MARILYN JANE MCNAMEE,)
 ROGER EUGENE MCNAMEE, KENNETH RAY)
 MEADE, NANCY ELLEN MEADE, BRUCE E)
 MEADOWS, JANE E MEADOWS, LATTY L)
 MECKLEY, DORIS F MECKLEY, BRYAN B)
 MELTON, DALE HENRY MEREDITH, LOIS)
 MAY MEREDITH, PETER J MERKLE,)
 LOUISE H MERKLE, EDNA WOOD MESSICK,)
 CARLTON V METTS, FRANCES A METTS,)
 DAVID L MEYER, CAROLE A MEYER, JOYCE)

ANN MEYERS, DENIS EDWIN MEYERS,)
 EDITH F MICHAEL, ROBERT E MICHAEL,)
 LEON GENE MILLER, EDNA KENNEDY)
 MILLER, MARY M MILLER, JAMES TRUETT)
 MILLER, JOAN WHITE MILLER, NANCY N)
 MILLS, THOMAS H MILLS, SR., HALFORD)
 DEAN MILLS, CHERYL W MILLS, DARLING)
 DAVID MILLS, BONNIE M MILLS,)
 LOWELL R MINK, CHRISTINE C MINK,)
 JOANNA M MISE, ROSALEE MITCHELL,)
 ROGER B MITCHELL, JAMES HORACE)
 MIZELLE, LINDA HILL MIZELLE, CAROL)
 MONGELLO, MERL MONTEL, LESSIE M)
 MONTEL, GILBERT T MONTOYA, DONNA)
 LOUISE SHELLENBERGER (MOORE),)
 MICHAEL LEE SHELLENBERGER, JOHN T)
 MOORE, IDELLA E MOORE, WILLENE)
 FRANCES MOORE, individually and as surviving)
 spouse of WALLACE R MOORE SR., GEORGE)
 MOORE, JR., RENA DELL MOORE,)
 LORETTA A MORGAN, HORACE D MORGAN,)
 DAVID F MORGAN, RITA A MORGAN,)
 JACKIE D MORRIS, JULIA H MORRIS,)
 MARGARET ELIZABETH MORRIS,)
 CHARLOTTE A MORRIS, WARREN T MORRIS)
 JERRY DOYLE MORRISON, PATRICIA)
 MORROW, WILLIAM F MORSE SHARON L)
 MORSE, FRANK MUHLEBACH, LORRAINE)
 MURNANE, HARRIET L MURO, WADE A)
 MYERS, LINDA S MYERS, LLOYD G. MYERS)
 JOHN MYERS, SHARON MYERS, GLORIA D)
 NAFZIGER, LONNIE R NELMS, DORIS)
 MINSHEW NELMS, BARBARA JOAN NELSON)
 GARY LEE NELSON, DOROTHY MALESSIA)
 NELSON, JUNE WOOTEN NEWBERRY,)
 LARRY W NEWBERRY, SHIRLEY ANN)
 NEWLAND, ROBERT L NEWTON, ANNIE)
 JOYCE NEWTON, BLANCHE E NEWTON,)
 EVELYN W NICHOLSON, ANTHONY C)
 NICOLOSI, ANNE M NICOLOSI, CHARLES L)
 NIEFT, JR., MARIE B NIEFT, WILLIAM)
 HAYWOOD NOBLES, ELIZABETH D NOBLES)
 JOHNNY E NOLEN, LINDA D NOLEN,)
 CHARLES NORMAN, SR., MAJORIE NORMAN)
 SIGRID V ODLE, JOHN H. O'FLAHERTY ,)
 GRACE P O'GEARY, JAMES D O'GEARY,)

MARVIN LAWTON OLIVER, PATRICIA)
 BEVILLE OLIVER, AUDREY NADINE OLIVER)
 BARBARA G OLSEN, MARLENE DIANE)
 OLSON, ROBERT DWAYNE OLSON,)
 JACQUELINE LINK O'NEAL, PAUL G O'NEAL,)
 SR., ARLINE K ORCHOWSKI, JOAN F)
 OUTLAND, BARBARA B OVERBY,)
 individually and as surviving spouse of)
 CHARLES G OVERBY, JOYCE HARREL)
 OWENS, GEORGE W OWENS, ALICE B)
 OWENS, CHARLES EDWARD PAGE, SR.,)
 LOIS JERIVIGAN PAGE, JEAN HAWN)
 PAINTER, ROBERT FRANKLIN PAINTER,)
 WILLIAM PARHAM, JULIETTE PARHAM,)
 JAMES W PARKER, SHIRLEY A PARKER,)
 MARGARET BLACKWELL PARKS, STUART)
 WOOD PARKS, BOBBY FURMAN PARRISH,)
 BEVERLY OVERBY PARRISH, COURTNEY E)
 PATTON, LAVON M PATTON, WILLIS RAY)
 PEADEN, POLLY WHITEHURST PEADEN,)
 SIDNEY SCOTT PEAKS, DENNIS J)
 PENDARVIS, JACK LEE PENDROY, LANORA I)
 PENDROY, RAYFIELD PERKINS, DELIA J)
 PERKINS, JOHN W PERRY, CHARLOTTE L)
 PERRY, LINDA PRICE PERRY, BRUCE PERRY,)
 MARY RUTH PETTIETTE, CLARENCE E)
 PFEIFFER, LORNA L PFEIFFER, JAMES J)
 PFIEFFER, SANDRA K PFIEFFER, CHARLES)
 PHILLIPS, DEBRA PHILLIPS, DARLENE)
 PARIS PIPKIN, NATHAN E PIPKIN, SR.,)
 JIMMY DONALD PITTS, WILLIAM F)
 PLATVOET, CAROLINE M PLATVOET,)
 SUSAN J PLUMMER, WILLIAM D PLUMMER,)
 JR., RONALD L POAGE, BRENDA S POAGE,)
 ALMA MAE POINDEXTER, ALICE M)
 POSTANS, GEORGE L POSTANS,)
 ELIZABETH ANN POYTHRESS, RETHA A)
 PRICE DONALD R PRICE, JANICE HANKINS)
 PRICE, DONALD WAYNE PRICE, GAIL P)
 PRICE, JESSE E PRICE, HOWARD P PRICE,)
 HILDA B PRICE, BETTY JANE PRICE, BEN H)
 PRICE, IRENE M PRICE, NELSON WAYNE)
 PRIDDY, FRANCES M PRIDDY, JOHN PRINCE)
 ALICE PRINCE, ROBERT C. PRINE,)
 FRANKIE S PROPES, EDWIN RICHARD)
 PRYER, MARY M PRYER, RITA M PUCKETT,)

individually and as surviving spouse of)
RAYMOND L PUCKETT, BETTY U PUGH,)
TERESA B. PUGH, ARNOLD D PUGH,)
CHARLIE H PURYEAR, RUTH G PURYEAR,)
FRANCES M VAN PUymbROUCK,)
CAROLYNE MARIE QUISENBERRY, RAY)
DAVID QUISENBERRY, THOMAS P)
RACKERS, BARBARA G RACKERS,)
BARBARA RACKLEY, JOHN RACKLEY,)
JANET A RAICHE, DAVID R. RAMP,)
JOSEPHINE RAMP, GLENARD WILFORD)
RANDALL, MARGARET S RANDALL,)
GENENE DUSENBURY RAWLS,)
KENNETH E RAY, MARILYN J RAY,)
PATRICIA LOUISE REA, ROBERT B)
REDDICK, NEATER F REDDICK, WILMA M)
REDDING, RICHARD VERLE REEVES,)
ILLYS ANN REEVES, SHIRLEY A REGISTER,)
GWYN A REID, SCHERYL A REIDENBACH,)
LEONARD E RENQUIN, BESSIE M REVEAL,)
NORMAN E REVEAL, BEVERLY A RHINE,)
PALMER K RHINE, MARY A RHODES,)
JOSEPHINE RHODES, HARRY W RHODES,)
BEVERLY ANN RICE, WALDRON STREET)
RICHARDSON, PEGGY NOBLES)
RICHARDSON, LILA E RICHARDSON,)
MARVIN LOY RICKERSON, CECIL T)
RIGDON, NELLE F RIGDON, PAULETTE)
VICTORIA HONEYCUTT RIGGS, JAMES)
RIGGS, PEGGY K ROBERTS, FOLYD D)
ROBERTSON, DOROTHY H ROBERTSON,)
BROWNING ROBERTSON, JANET)
ROBERTSON, ETHEL C ROBINSON,)
WILLIAM MURRAY ROBINSON, CHARLES V)
ROBINSON, RULON MICHAEL ROBISON,)
HENRY JOHN ROEHR, SR., LAWRENCE A)
ROGALIA, BARBARA ROGALIA,)
GWENDOLYN H ROGERS, RONNIE ROGERS,)
JAMES H ROGERS, DEDRA A ROGERS)
ROSEMARY WERONICA ROMANUS, JUDY B)
ROSE, GARLAND D ROSE, JR., NAOMI)
MOORING ROUNDTREE, JOHN THOMAS)
ROUNDTREE, CLIFTON E RUFFIN, LINDA D)
RUFFIN, HERMAN WAYNE RUSHING,)
BETTY STEWART RUSSELL, HENRY L)
RUSSELL, VENNA M RUSSELL, VINCENT)

SALVATO, LOUISE C SALVATORE,)
 CARMINE SALVATORE, LEWIS D SAMS,)
 MARTHA M SAMS, FRANCES MARIAN)
 SANDERS, MONA STEGALL SANFORD,)
 SHERRY A SASSE, CHARLES E SASSE,)
 PATRICIA ANN SAUER, individually and as)
 surviving spouse of JERRY JAY SAUER,)
 NAIFEY M SAUNDERS, ANNIE SAYLOR,)
 WILLIM F SCHLAGBAUM, LADONNA H)
 SCHLAGBAUM, MARGARET B)
 SCHMIEDELER, PATRICK A SCHMIEDELER,)
 JAMES A SCHNELL , KATHERINE E)
 SCHNELL, FRANK H SCHOLL, DIANNE L)
 SCHOLL, BENJAMIN F SCITT, JR., NINA)
 OAKLEY SCOTT, MYRTLE JEANN SCOTT,)
 RICHARD C SEMMES, CARMEN B SENEY,)
 individually and as surviving spouse of RODGER)
 E SENEY, JACK CHOATE SETZER, MARILYN)
 CHAPMAN SETZER, WALTER L SEXTON,)
 PATRICIA S SEXTON, GARY D SHAMBO,)
 GERALDINE M SHAMBO, ANN M SHANER,)
 SHIRLEY SHARPE-TERRELL,)
 MARILYNN K SHAW, WALLACE F)
 SHEARER, JEANNE O SHEARER, AUBREY)
 SHIFLETT, ANN L SHIFLETT, BEATRICE L)
 SHOLES, JERRY G SHUETZ, OPAL MARINE)
 SHUETZ, MILFORD L SIMMONS REGENIA B)
 SIMMONS, GEORGE L SINCLAIR , ALICE)
 SINCLAIR, GERALD R SKINNER, SR.,)
 JOANN L SKINNER, NANCY G SLEGAR,)
 JERRY C SLUSS, JOYCE A SLUSS, JERRY G)
 SMITH, MERCEDES J SMITH, CECILIA SELPH)
 SMITH, BEDFORD R SMITH, FRANCES)
 JUNANN SMITH, BETTY N SMITH, JAMES)
 "JACK" ALLEN SMITH, LACY T SMITH,)
 NANCY C SMITH, GLORIA G SMITH,)
 EDWARD F SMITH, MARY ALICE SMITH,)
 FRANKLIN D SMITH, CASSA SMITH,)
 MILDRED S SMITHERS, GENE R SMITHERS,)
 JAMES R SMOKER, II, JOYCE E)
 SUGAR-SMOKER, KARL EUGENE SNYDER,)
 SHARON STARNER SNYDER, ROBERT)
 MICHAEL SOFRANKO, RUTH LYN)
 SOFRANKO, CHARLES R SOUDERS, MARY C)
 SOUDERS, DOLORES B SOUTHARD, BILLY J)
 SOUTHARD, JAMES ADRIAN SPRUILL,)

BARBARA COLSON SPRUILL, RICHARD)
 NORRIS SPYKER, ELIZABETH ROSE SPYKER,)
 CURTIS V STALLINGS, JAMES ERVIN)
 STANLEY, LOUIS SUMMERLIN STANLEY,)
 JACK ROGER STAPLETON, ESTHER MARIE)
 STEDNICK, PAUL STEDNICK, BARBARA J)
 STEGALL, JERRY B STEGALL, JAMES)
 STEINER, PEGGY ANN STEWART, PHILLIP)
 LYNN STICKEL, PATRICIA ANN STICKEL,)
 MERVIN G STIERS, LINDA M STIERS,)
 CLARLES EDWARD STINSON, DEBORAH)
 SHEALY STINSON, MARY E STOKLEY,)
 STANLEY M STONE, SR., HAZEL J STOX,)
 THURMAN STOX, BEVERLY E STRAIT,)
 DAVID F STRAIT, PAUL ALBERT STRAKE,)
 KATHLEEN MARY STRAKE, VICKI J)
 STRICKLER-LONG, VELMA JUNE STUBBS,)
 JERRY E STULTZ, BETTY J STULTZ, DIANNE)
 MARIE SUMMERLIN, MICHAEL J SUMNER,)
 BETTY L SUTHERLAND, EUGENE)
 SUTHERLAND, PEGGY J SUTTON, SETH W)
 SUTTON, ROBERT G SWARTS, ROB SWEAD,)
 ADELE SWEAD, CECIL E SWINSON,)
 REBECCA R SWINSON, LINDA L SYKES,)
 TOMMY D SYKES, ELVIN J TAYLOR,)
 HAZEL CARROL TAYLOR, THELMA)
 COLLINS TAYLOR, JAMES A TAYLOR,)
 CHRISTINE A TAYLOR, WILLIAM T TAYLOR,)
 HOLLIO TEEL, JOSEPH B TEFFNER, SR.,)
 WILMA L TEFFNER, SUZANNE J TEJCHMAN,)
 WALTER A TEJCHMAN, ROSELLA CAROL)
 MANN TENCH, GEORGE F TERPSTRA,)
 SHARON E TERPSTRA, HENRY TERPSTRA,)
 MARIE TERPSTRA, HUBERT DALLAS TERRY,)
 MARTHA ANNA PARKER TERRY,)
 RICHARD C TERRY, OMEN RANDOLPH)
 THAMES, AUDRIE L THARP, LOIS A.)
 THOMAS, JAMES CARSON THOMAS,)
 VALINDA THOMAS, JAMES D)
 THOMPSON, NANCY L THOMPSON,)
 RICHARD I THOMPSON, JO L THOMPSON,)
 JOYCE LYNN THOMPSON, LONA MAE)
 THOMPSON, CAROLE B THUM, AUDREY)
 HATCHER TIMBERLAKE, LEWIS MASON)
 TIMBERLAKE, JERACO TINDELL,)
 THERESE M TINDELL, TERRY W)

TODHUNTER, MARY A TODHUNTER,)
 VELMA LOUISE TOMLINSON, WILLIAM)
 MAURICE TOMLINSON, JOAN M TOSTEN,)
 individually and as surviving spouse of BARRY L)
 TOSTEN, PEGGY H TREEN, ROSE K)
 TRIVETTE, JACK H TRIVETTE, SUSAN J)
 TRUEBLOOD, SHIRLEY L TUCKER,)
 DEXTER P TURMAN, JUDY W TURMAN,)
 JESSE L TURNER, NOLA A TURNER,)
 VIRGINIA LEE TURNER, RAYMOND)
 EDWARD TURNER, JR., LESTER E TURNER)
 LINDA S TURNER, VELMA VALLEY,)
 JUANITA M VANCE, DONALD R VANCE,)
 MARJORIE E VANDINE, ROBERT W)
 VANDINE, RICHARD L VANSELOUS,)
 ANNA M VANSELOUS, JOANN A VAUGHAN,)
 MARYANN VITALI, MARY A. WACHOWSKI,)
 LOIS WADDLE, DAVID WILLIAM WAGNER,)
 JACQUELINE SUE WAGNER, JEAN M JONES)
 WALDEN, DONALD T WALKER, SHARON B)
 WALKER, LINDA L WALKER, individually and)
 as surviving spouse of ROBERT H WALKER,)
 RUTH I WALKER, ANGELA MCSORLEY)
 WALKER, DONALD T WALKER SHARON B)
 WALKER, ROSA ABBOTT WALKER,)
 WILLIAM EARLY WALKER, KAHLER M)
 WALLERY, CAROL A WALLERY, CARY)
 SHELBY WALSH, EDWIN COLBY WALTERS,)
 JOYCE DAY WALTERS, ANNE WILKINSON)
 WAMPLER, DALLAS W WAMPLER, ODIS L)
 WARD, MARGARET O WARD, DELORIS O)
 WARD, ASA S WATERS, JR., BETTY G)
 WATERS, MARGARET THERESA WATKINS,)
 HAROLD ROGERS WATKINS, WILLIAM)
 POWELL WATSON, JOY POINDEXTER)
 WATSON, FRANCES H WATSON, ALBERT F)
 WATSON, ROBERT L WATTENBARGER,)
 JUDITH E WATTENBARGER, DARLENE J)
 WEARHARRY A WEAR, RICHARD B)
 WEATHERINGTON, III, AVA V)
 WEATHERINGTON, LARRY WERT, CHERY H)
 WERT, FRANCES S. WESLEY, LINDA GAYLE)
 WESTBROOK, WALTER THOMAS WHEELER,)
 JOAN BROWN WHEELER, ALFRED E)
 WHELESS, CAROLE H WHELESS, GINA M)
 WHITE, JAMES R WHITE, SHERYL A WHITE,)

KENNETH LEON WHITE, LINDA HANSLEY)
 WHITE, MARY M WHITE, HENRY)
 MARSHALL WHITE, MARY MARGARET)
 WHITE, ELLEN C WHITE, individually and as)
 surviving spouse of THOMAS W WHITE,)
 RITA T WHITE, EDITH WHITE, CHARLES)
 WHITE, BENNY G WHITTINGTON,)
 SHIRLEY F WHITTINGTON, CYRUS E)
 WICHAEL, AGNES P WICHAEL, LOVELLE S)
 WILKERSON, ROBERT G WILKERSON,)
 GORDON E WILKINS, JR., AVA S WILKINS,)
 BETTY R WILLARD, ELMER L WILLARD,)
 LONNIE E WILLARD, THELMA A WILLARD,)
 FRANK J WILLIAMS, KAY L WILLIAMS,)
 OLIVERA DAVIS WILLIAMS, HAZEL)
 CARROW WILLIAMS, JESSE A WILLIAMS,)
 BETTY A WILLIAMS, JAMES DANIEL)
 WILLIAMS, GENEVA CRAWFORD)
 WILLIAMS, JAMES B WILLIAMS, MARIE)
 ELIZABETH WILLIAMS, BESSIE A)
 WILLIAMS, WANDA E WILLIAMS,)
 BETTY ANN WILLIAMS, BENNIE GENE)
 WILLIAMS, MARY SUE WILLIAMSON,)
 ALICE LEE WILLIFORD, OWEN C WILLIFORD)
 EDDIE C WILLIFORED, BIVION WILLIFORD,)
 FLORINE E WILLIS, SAMUEL WILLIS, IRENE)
 WILLITS, JANIE M WILMOTH, BILLY P)
 WILMOTH, RICKEY SYLVESTER WILSON,)
 FLORENCE A WILSON, MARGARET L)
 WILSON, DONALD E. WILSON, HELEN)
 GARDNER WILSON, ERNEST M WILSON, JR.,)
 KATHLEEN L WILSON, MARY F WISE,)
 RUSSELL B WISE, SELMA MAE WITHERS,)
 DANIEL F WITTMAN, DONNA K WITTMAN,)
 DARLENE E WOJCIESZEK, CAROL)
 WOLCHIK, individually and as surviving spouse)
 of FRED WOLCHIK, MARJORIE LOUISE)
 WOLF, ANNA H WOLFORD, JOHN F)
 WOLFORD, ELBERT REDD WOMACK,)
 BARBARA ANNE WOMACK, BETTY WONDS,)
 ROBERT WONDS, CLARA A WOODCOCK,)
 WALTER JAMES WOODCOCK, RALPH T)
 WOODS, LYNETTE S WOODS, WENDELL D)
 WOODY, EUNICE RUTH WOODY,)
 BILLY B WORLEY, CHRISTEEN H WORLEY,)
 PHYLLIS GUPTON WORTHAM, ANDREW)

LYNN WORTHAM, PAMELA A WRAY,)
 WAYNE WRAY, BARRY RICHARD WRIGHT,)
 IRETTA WRIGHT, ANNIE TAYLOR WYNNE,)
 JESSE F YARGER, PATTY L YARGER,)
 JUDITH M YETSKY, VENITA S YOUNG,)
 WILLIAM B YOUNG, CORLAN YOUNG ,)
 DONALD HOWARD ZEHNDER, EDNA)
 JUANITA ZEHNDER, PHILLIP HENRY)
 ZERWAS, JEAN MARIE ZERWAS, RONALD L)
 ZIMMERMAN, JANET J ZIMMERMAN, and)
 ROSEMARY ZIMMERMAN)
)
)
 Plaintiffs,)
)
)
 v.)
)
)
 SPRINT NEXTEL CORPORATION, and)
 RANDALL T. PARKER, in his capacity as)
 former Plan Administrator of all of the)
 subject benefit plans of Sprint Nextel Corporation)
 and its predecessors in interest,)
)
)
 Defendants.)
)
 _____)

COMPLAINT

This action is brought by former long-service employees of formerly independent regional and local telephone companies that were wholly-owned subsidiaries of defendant Sprint Nextel Corporation and its predecessors in interest (collectively “Sprint Nextel” or “the company”), and the spouses and surviving spouses of these employees, who were participants in Sprint Nextel’s retiree medical, prescription drug and retiree life insurance plans (collectively “the retiree benefits”). These plans were sponsored and administered by the company and provided medical, prescription drug and life insurance benefits during retirement and disability to former employees of the company and their eligible spouses and dependents. Each of the Plaintiffs is a member of the Class certified on January 4, 2011 in the parallel pending action, *Fulghum, et al. v. Embarq, et al.*,

No. 07-2602 (EFM), which alleges, *inter alia*, that the retiree benefits were secure from reduction and termination during retirement under the terms of the plans governing these benefits. If that claim is not ultimately determined in favor of Plaintiffs, then the company systematically misrepresented the nature of these retiree benefits to Plaintiffs, falsely assuring them that the company would provide them secure medical, prescription drug and life insurance coverage for the rest of their lives. Without prejudice to their claims in the parallel action, Plaintiffs in this action allege that if these retiree benefits were not in fact secure, vested, lifetime benefits, then the company and its managers who were responsible for providing benefits-related information knew or should have known that these representations were false, and they also concealed and otherwise failed to disclose the fact that the retiree benefits provided to Plaintiffs during retirement or disability could be reduced or terminated at any time following their retirement or disability. As a result of this pervasive violation of ERISA's strict fiduciary duties, Plaintiffs have suffered and continue to suffer significant financial harm. This action seeks declaratory, injunctive and other equitable relief to remedy Defendants' violation.

JURISDICTION AND VENUE

1. This Complaint arises under Sections 404 and 502(a) of ERISA, 29 U.S.C. §§ 1104 and 1132(a). This Court has jurisdiction over the subject matter of this action by operation of 29 U.S.C. § 1132(e)(1) and 28 U.S.C. § 1331.

2. Venue is proper in this district under ERISA § 502(e)(2), 29 U.S.C. § 1132(e)(2), in that the breaches of fiduciary duty and violations alleged herein occurred in this district and the defendants reside, do business, and are found in this district, and under 28 U.S.C. § 1391(b), in that the cause of action arose in this district.

PARTIES

3. Each of the Plaintiffs enrolled in and was a participant in the company's retiree medical, prescription drug and/or life insurance plans and is either a former employee of the company or the spouse or surviving spouse of such an employee. Each of the Plaintiffs is a member of the Class certified by Order dated January 4, 2011 in *Fulghum, et al. v. Embarq, et al.* (No. 07-2602 (EFM)) (Doc. 199). The address, date of birth, hire date, last day of work, year of retirement, and other personal information for each retiree is set forth in the database produced by defendants in that action, identified as EQ_FUL_195022 and dated July 28, 2011, which is incorporated herein by reference to the extent necessary. The personal identifying information for each retiree is voluminous. In order to avoid undue complexity and disclosure of private information, it is not set out in this public pleading.

4. Defendant Sprint Nextel Corporation ("Sprint Nextel") is a corporation incorporated under the laws of the State of Kansas, with its principal places of business in Overland Park, Kansas and Reston, Virginia. It may be properly served with process through its Kansas Registered Agent, c/o Corporation Service Company, 200 S.W. 30th Street, Topeka, KS 66611. Upon information and belief, Defendant Sprint Nextel was formerly known as United Utilities, Incorporated, then as United Telecommunications, Inc., and then as Sprint Corporation, before becoming Sprint Nextel Corporation. Upon information and belief, Defendant Sprint Nextel is one of the largest telecommunications companies in the United States with more than \$43.6 billion in annual revenues. Plaintiffs understand that responsibility for the fiduciary conduct complained of resides with Sprint Nextel rather than with Embarq Corporation, because the conduct occurred before the establishment of Embarq in 2006. In the event that Embarq

assumed any liability for the fiduciary conduct complained of, Plaintiffs will add Embarq as a defendant.

5. Upon information and belief, during some or all of the times pertinent to this lawsuit, Defendant Sprint Nextel and its predecessors in interest were the Plan Administrators and Plan Sponsors of the plans covered by this Complaint within the meaning of ERISA § 3(16), 29 U.S.C. § 102(16)(A) and (B), and were fiduciaries of the plans within the meaning of ERISA § 3(21), 29 U.S.C. § 1002(21), in that they exercised discretionary authority or control respecting the management of the plans, exercised authority or control respecting management or disposition of the plans' assets, and/or had discretionary authority or responsibility in the administration of the plans, including activities relating to the communications of benefits under the plans and their limitations.

6. Employees and agents of Defendant Sprint Nextel and its predecessors in interest, including Defendant Randall T. Parker, acting in a fiduciary capacity, explained the company's retiree benefits and made numerous promises and representations to Plaintiffs regarding their lifetime rights to post-retirement benefits from the plans at issue in this Complaint. Such statements were within the course and scope of the employment and fiduciary agency of these Sprint Nextel employees and agents. As hereinafter alleged, if the benefits were not in fact secure from reduction or termination during retirement, then Defendant Sprint Nextel and its predecessors in interest systematically misrepresented these benefits to Plaintiffs, either by affirmative misrepresentations of material information about the benefits and/or by misleading failures to disclose material information about the benefits.

7. Upon information and belief, Defendant Randall T. Parker is a Kansas resident and served as the Plan Administrator for all of Sprint Nextel's retiree medical, prescription drug

and retiree life insurance plans during the relevant time period before the company reduced and eliminated these benefits. In this capacity, Defendant Parker was a fiduciary of the plans within the meaning of ERISA § 3(21), 29 U.S.C. § 1002(21), due to the fact that he exercised discretionary authority or control respecting the management of the plans, exercised authority or control respecting management or disposition of the plans' assets, and/or had discretionary authority or responsibility in the administration of the plans. Defendant Parker, acting in a fiduciary capacity to explain the retiree benefits provided by the plans, authorized, ratified, or made numerous misrepresentations to Plaintiffs regarding their lifetime rights to post-retirement benefits from the plans at issue in this Complaint. Such conduct occurred within the course and scope of his employment and fiduciary agency with Defendant Sprint Nextel and their predecessors in interest. As hereinafter alleged, if the benefits were not in fact secure from reduction or termination during retirement, then Defendant Parker systematically misrepresented the benefits to Plaintiffs, by misleading failures to clearly and conspicuously disclose material information about the benefits and/or by affirmative misrepresentations of material information about the benefits.

TOLLING DUE TO PENDENCY OF *FULGHUM* ACTION

7. Each of the Plaintiffs is a member of the proposed Class asserted in, and the actual Class certified by Order dated January 4, 2011 in, *Fulghum, et al. v. Embarq, et al.*, No. 07-2602 (EFM). In that Order, the Court granted in part Plaintiffs' motions for class and collective action certification, and denied Plaintiffs' motion for class certification of Plaintiffs' breach of fiduciary duty claims pursuant to ERISA § 502(a)(3), 29 U.S.C. § 1132(a)(3). All statutes of limitations applicable to Plaintiffs' claims in this action have been tolled during the pendency of the *Fulghum* action.

FACTUAL BACKGROUND

8. During the employment of those Plaintiffs who were employed by the company, and the employment of the deceased spouses of those Plaintiffs who were not themselves employed by the company, and continuing to and beyond the dates of their cessation of employment, the company engaged in a systematic, pervasive, and continuing course of conduct of actively misinforming and misrepresenting, both orally and in writing, to the employees and their spouses that the company would provide them secure, lifetime retiree medical, prescription drug and life insurance benefits, and that they could depend upon the continuing availability of these valuable benefits throughout their retirements. The company's written and oral misrepresentations were emphasized by the company as strong reasons for employees to, *inter alia*, remain employed by the company, tolerate lower rates of pay than could be obtained with other employers, resist union organizing, accept voluntary terminations or lay-offs from employment, and/or choose early retirements in lieu of continuing to work. The company gained substantial economic advantages from its conduct by, *inter alia*, curtailing its expenses for salary, fringe benefits, payroll taxes, severance benefit obligations, and pension and savings plan benefit accruals.

9. The company made numerous affirmative and material misrepresentations, both oral and written, to the plaintiff employees and their spouses. These misrepresentations occurred in, *inter alia*, pre-retirement individual and group meetings in which the speaker assured the audience that the retiree benefits would last for a lifetime; oral misrepresentations to employees; documents stating that the retiree medical and prescription drug benefits would be continued for the retiree's lifetime; documents that retiree life insurance would remain at a set amount for the remainder of the retiree's lifetime or were payable at the time of the retiree's death; and the

continuing practice of human resources and other personnel to assure employees that the company provided these retiree benefits for life.

10. Unknown to Plaintiffs, the company purported to reserve the right to change, reduce or terminate the promised retiree benefits at any time and for any reason, even after the retirement or disability of an employee. Thus, the company believed that the retiree benefits were in fact terminable at will by the company and were not at all secure or dependable. Notwithstanding the high degree of materiality of these facts to reasonable employees, and the company's simultaneous awareness that employees believed and were acting upon the company's misrepresentations of secure, low-cost or free, lifetime benefits, the company did not disclose the material fact that the company believed it retained the ability to terminate the benefits at will, or take any other steps to correct the false information it systematically disseminated about the benefits.

11. For at least thirty years, from at least 1977, if not earlier, until July 26, 2007 (when most of the benefit changes at issue in this lawsuit were announced), Defendants repeatedly misrepresented these benefits to Plaintiffs. As a result, Plaintiffs were induced to understand that they would continue after and throughout retirement to receive the company-subsidized and company-paid medical, prescription drug and life insurance benefits for their lifetimes.

12. On information and belief, from 1977 until the retirements of Plaintiffs, Defendants also offered employees and retirees the opportunity to purchase optional life insurance benefits at group rates, but solely at the employee's or retiree's own expense.

13. The majority of Plaintiffs were induced by Defendants' misrepresentations about the company-paid life insurance benefits to understand that these benefits and coverages were

secure and adequate protection for their surviving spouses and dependents, and they generally declined their opportunity to obtain optional life insurance coverage, either through Defendants' own programs or on the open market.

14. By way of example of the conduct complained of, on or about September 11, 1989, United Telecom announced that it was rolling out a new "Flexcare" benefit plan to provide health and pharmacy benefits to the employees in a "cafeteria" style plan.

15. On October 26, 1989, United Telecom President and Chief Executive Officer William T. Esrey announced to employees that the retiree medical plan was going to change and become less valuable due to a new premium-sharing method, effective with retirements occurring on and after January 1, 1991.

16. The changes that were prospectively announced in October 1989 also were intended to induce and did induce employees to retire early in order to retain their retiree medical benefits in their pre-change form throughout retirement.

17. Employees who retired during calendar year 1990 were provided with handouts representing or strongly implying that they would continue to receive subsidized medical and prescription drug benefits and the retiree life insurance throughout the duration of their retirements up until their deaths.

18. Employees retiring after January 1, 1991 were to receive their healthcare benefits under a Flexcare plan (cafeteria plan) allowing them credits toward the premiums for their years of service and a choice of different indemnity health insurance plans. Defendants did not reserve, or did not clearly and conspicuously communicate the right to reduce or terminate these subsidized health and prescription drug benefits offered to retirees or warn Plaintiffs of the existence of any such right.

19. In 1992, Sprint Corporation acquired and merged with Centel Corporation (formerly known as Central Telephone Co.), another major independent local telephone company and cellular provider. Before its acquisition by Sprint, Centel likewise sponsored benefit plans providing company-paid medical, prescription drug, and life insurance benefits to its retired employees. Centel likewise repeatedly misrepresented these benefits to Plaintiffs employed by Centel at the time, thereby inducing them to understand that they would continue after and throughout retirement to receive the company-subsidized and company-paid medical, prescription drug, and life insurance benefits for their lifetimes. These representations included promises that employees who retired before the merger with Sprint would retain their Centel retiree medical, prescription drug and life insurance benefits throughout their retirement, and that those who remained employed with the company after the merger would be grandfathered into the level of retiree life insurance provided to Centel retirees.

20. On or about December 15, 1993, Defendant subsidiary Sprint Mid-Atlantic announced prospective changes in its retirement plans to induce employees to retire early. Those changes included additional changes in the retiree benefit plans, but they did not alter the promise to provide Plaintiffs with subsidized medical and prescription drug benefits, and fully paid retiree life insurance.

21. On or about October 17, 2001, Defendant Sprint Nextel announced further, prospective changes in the retiree welfare benefit plans and new incentives to retire early. Sprint Nextel announced that it was changing the medical and prescription drug benefits program to a “SHARE” program and that employees who did not elect to retire by December 31, 2001 would no longer be eligible to retire with the traditional plan of company-paid and subsidized medical and prescription drug benefits, and would lose entitlement to retiree life insurance benefits in

excess of \$15,000. Defendant Sprint Nextel also announced that retiree life insurance was being phased out for later-retiring employees, and those who retired after 2003 would not be entitled to any retiree life insurance. The company, however, allowed unionized employees to retire under the traditional medical, prescription drug and company-provided life insurance benefits until their respective Collective Bargaining Agreement (CBA) expired, resulting in some plaintiffs being told as late as 2003 that if they retired before the expiration of their CBA, they would be entitled to their current retiree benefits for life. Some retirees, including some Plaintiffs, also were forced to give up accumulated vacation pay in order to secure a date of retirement before the new program took effect.

22. Through their prospective announcements of changes in benefits for employees who would retire after 2001, or after the expiration of their current CBA, Defendants induced many employees, including some Plaintiffs, to end their productive careers and retire early in order to retain the existing program of company-paid medical, prescription drug, and life insurance benefits.

23. Between December 2001 and November 2005 if not later, Defendants continued to systematically misrepresent the subject retiree benefits, so that employees and retirees were led to believe that they would have a right to company-paid and subsidized medical, prescription drug and life insurance benefits. Defendants' conduct also concealed the fact that Defendants believed they retained the ability to reduce or terminate the benefits that were being received by retirees at any time during their retirements. Accordingly, Plaintiffs had no reason to believe either that Defendants had misrepresented the benefits, that their rights had been violated by Defendants, that they needed to seek legal counsel to determine their rights, or that legal action was necessary to protect their rights.

24. The benefits information that was the subject of Defendants' misrepresentations was material, because reasonable employees and retirees, including Plaintiffs, viewed this information as important to their personal decision-making. As a result of Defendants' misrepresentations, Plaintiffs were induced to act on their understanding that they would have a right to receive throughout retirement and for their lifetimes company-paid and subsidized medical, prescription drug and life insurance benefits. As a further result of the misrepresentations, they made important personal decisions relating to their retirement, their own and their spouses' post-retirement employment, their investments, their purchase of personal and real property, their purchase of life and health insurance, and made other decisions pertinent to household budgeting and finances. Plaintiffs thereby suffered financial harm from these decisions, which continued throughout their periods of retirement. In addition, each Plaintiff suffered harm due to Defendants' violation of their right under ERISA to receive clear and accurate information about their retiree benefits from the fiduciaries of the plans.

25. In or about November 2005, Defendant Sprint Nextel informed Plaintiffs that it was terminating its program of company-paid prescription drug benefits for Medicare-eligible retirees and dependents, effective January 1, 2006. The prescription drug program was replaced by an inferior program providing only a monthly allowance of \$ 41.67 (equal to \$ 500 per year) to each Medicare-eligible retiree and dependent to assist them in securing their own prescription drug coverage under Medicare Part D.

26. On or about July 26, 2007, non-defendant Embarq Corporation, created as a spinoff of the local telecommunications carriers owned by Defendant Sprint Nextel on May 17, 2006, informed Plaintiffs that it was unilaterally terminating or reducing their retiree medical, prescription drug, and life insurance benefits and/or subsidies. The termination of life insurance

benefits that were provided to participants in a Voluntary Employee Beneficiary Association, became effective on September 1, 2007. The termination of medical and prescription drug benefits and subsidies, and the reduction of the amount of life insurance benefits provided to all other Plaintiffs became effective on January 1, 2008.

COUNT ONE

**VIOLATION OF ERISA FIDUCIARY DUTIES
PURSUANT TO ERISA § 502(a)(3), 29 U.S.C. § 1132(a)(3)**

27. Plaintiffs incorporate paragraphs 1 through 26 by reference as though fully set forth herein.

28. ERISA § 502(a)(3), 29 U.S.C. § 1132(a)(3), permits a participant or beneficiary to bring suit to enjoin any act or practice that violates any provision of Title I of ERISA or the terms of a plan, and to obtain other appropriate equitable relief to redress such violations or to enforce any provision of ERISA.

29. ERISA § 102(a) and (b), 29 U.S.C. § 1022(a) and (b), required Defendants, as plan sponsors and plan administrators to furnish to plan participants and beneficiaries a summary plan description that is (a) written in a manner calculated to be understood by the average plan participant, and (b) sufficiently accurate and comprehensive to reasonably apprise plan participants and beneficiaries of their rights under the plan, including the circumstances which may result in the denial or loss of benefits. The regulation adopted by the U.S. Department of Labor to implement these requirements, 29 C.F.R. § 2520.102-2, prohibits summary plan descriptions that “have the effect of misleading, misinforming or failing to inform participants and beneficiaries.” Under the regulation, “Any description of exceptions, limitations, reductions or restrictions of plan benefits shall not be minimized, rendered obscure, or otherwise made to

appear unimportant.”

30. ERISA § 404(a)(1), 29 U.S.C. § 1104(a)(1), required Defendants as plan fiduciaries to discharge their duties with respect to the plans solely in the interest of the participants and beneficiaries and (1) for the exclusive purpose of providing benefits to participants and their beneficiaries, (2) with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and like purpose, and (3) in accordance with the documents and instruments governing the plan. Explaining and describing the subject retiree benefits is an essential fiduciary act of plan administration which is subject to these strict fiduciary duties.

31. If the subject medical, prescription drug and life insurance benefits and subsidies were not in fact secure from reduction or termination during retirement, then Defendants violated ERISA § 102(a) and (b), 29 U.S.C. § 1022(a) and (b), by failing to issue summary plan descriptions which prominently, clearly and accurately disclosed this fact in a manner that could be understood by the average plan participant. During the time period when Plaintiffs were approaching retirement and electing to retire, Defendants repeatedly issued summary plan descriptions that did not make clear that the subject retiree benefits could be amended or terminated during a participant’s retirement, but rather misinformed and misled participants and beneficiaries into believing that they would receive their benefits until death. To the extent that summary plan descriptions made any disclosure about the possibility of amendment or termination of benefits or the plan, Defendants employed vaguely worded and obscurely placed phraseology that did not prominently and clearly disclose the applicability of such potential actions to the benefits of participants who already were retired.

32. If the subject medical, prescription drug and life insurance benefits and subsidies were not in fact secure from reduction or termination during retirement, then Defendants also violated ERISA § 404(a), 29 U.S.C. § 1104(a), because each was aware of this highly material fact but misrepresented the terms of the Plans to Plaintiffs by their misleading failures to clearly and conspicuously disclose this material information about the benefits and/or by affirmatively misrepresenting or strongly implying that these benefits would be provided for the lifetimes of the retirees. Defendants knew (or as reasonable fiduciaries should have known or foreseen) that their conduct in so describing the benefits was false and misleading. Defendants also knew (or as reasonable fiduciaries should have known or foreseen) that the benefits information was important to reasonable employees and retirees, including Plaintiffs, and was influencing their important personal decisions such as whether and when to retiree, and that Defendants' misrepresentations were confusing them, both before and after retirement, into understanding that their retiree benefits were secure. Defendants intended and expected that Plaintiffs would have acted on this understanding. Notwithstanding the highly material nature of the benefits information that Defendants misrepresented, Defendants did not act to correct the understanding of Plaintiffs but instead acted to reinforce their understanding of secure benefits through their continued, pervasive misrepresentations.

33. If the subject medical, prescription drug and life insurance benefits and subsidies were not in fact secure from reduction or termination during retirement, then Defendants breached their strict fiduciary duties to Plaintiffs on a continuing basis by misrepresenting the benefits through their failure to clearly and conspicuously disclose to Plaintiffs (a) complete, accurate and non-misleading material information regarding the possibility of future adverse changes to their retiree medical, prescription drug, and life insurance benefits, (b) the material

information that these benefits were not secure and that changes to the retiree medical, prescription drug, and life insurance benefits were possible and/or were under serious consideration. Defendants also committed related acts of continuing affirmative, uniform misrepresentations about the benefits and concealed material information. This conduct constituted “fraud or concealment” within the meaning of 29 U.S.C. § 1113.

34. In addition, each of the Defendants was a “co-fiduciary” and is jointly liable for all breaches committed by each other fiduciary Defendant and each other non-defendant fiduciary, including each of Defendant Sprint Nextel’s employees and agents, which misrepresented material information about the benefits, under Section 405 of ERISA, 29 U.S.C. § 1105. Under this provision, each fiduciary Defendant is liable because each (a) knowingly participated in, or knowingly undertook to conceal, acts or omissions of one or more other fiduciaries regarding the benefits misrepresentations, knowing such acts or omissions were a breach; (b) by the failure to train, supervise and monitor the other fiduciaries, enabled one or more other fiduciaries to commit a fiduciary breach in misrepresenting material benefits information and thereby failing to comply with its own fiduciary duties in the administration of its specific responsibilities to accurately and clearly provide the benefits information; and/or (c) knew of a breach by one or more other fiduciaries in the misrepresentation of material benefits information but failed to make reasonable efforts under the circumstances to adequately correct and cure the misrepresentations and otherwise remedy the breach.

35. As a direct and proximate result of Defendants’ violations of their ERISA duties to prepare and distribute understandable summary plan descriptions and their violations of their strict fiduciary duties by misrepresenting and concealing material benefits information, Plaintiffs have been harmed.

36. Plaintiffs are entitled to equitable relief to fully remedy Defendants' violations, including an Order enjoining Defendants to reinstate, restore and provide to them the subject retiree medical, prescription drug, and life insurance benefits and subsidies.

37. Plaintiffs are also entitled to further equitable relief, including entry of an Order requiring an accounting by Defendants of all profits and savings attributable to their fiduciary violations, including all profits and savings resulting from their inducement of early retirements and from elimination of company-paid and subsidized retiree medical, prescription drug and life insurance benefits; disgorgement of all such profits; other surcharges on Defendants and all forms of monetary relief to make Plaintiffs whole for all losses and harms caused by the fiduciary violations; an award of reasonable attorneys' fees, expenses and costs pursuant to 29 U.S.C. § 1132(g); and such other and further relief as the Court may deem equitable and just.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that the Court grant the following relief:

1. Declare that the actions of Defendants as set forth herein are in violation of ERISA, and issue a preliminary and permanent injunction reinstating and restoring to Plaintiffs the subject medical, prescription drug and life insurance benefits and compelling Defendants to provide these benefits to them for the remainder of their lifetimes;

2. Order equitable reformation of the subject Plans described in this lawsuit to reinstate these benefits and provide that these benefits shall not be reduced below the levels provided to Plaintiffs as of December 31, 2005;

3. Enjoin Defendants to reinstate the Plans as so reformed;

4. Order an accounting of all profits and savings realized by the fiduciary Defendants and attributable to their misrepresentation of material information about the benefits, or

attributable to their elimination of retiree medical, prescription drug, and life insurance benefits or their inducement of Plaintiffs to retire early, including all such profits and savings relating to salary, compensation, pension benefits, fringe benefits, and all other payroll and overhead costs that were avoided as a result of inducing them to retire early;

5. Order a surcharge on Defendants, and grant restitution and other monetary relief, to make Plaintiffs whole for all losses caused by the unlawful actions of Defendants, including payment of all medical benefits, prescription drug benefits and subsidies, and life insurance benefits, that have been improperly withheld from Plaintiffs as of the time of judgment;

6. Declare that Plaintiffs are entitled to receive in the future retiree medical benefits, prescription drug benefits and subsidies, and life insurance benefits, unreduced from those promised to them at the time of their retirements;

7. Award reasonable attorneys' fees and expenses/costs under 29 U.S.C. § 1132(g);

8. Award pre-judgment and post-judgment interest; and

9. Grant such other relief as the Court deems equitable and just.

Dated: October 14, 2011

Respectfully submitted,

**DOUTHIT FRETS ROUSE GENTILE &
RHODES, LLC**

s/ Mary C. O'Connell

Mary C. O'Connell

R. Douglas Gentile

903 East 104th Street, Suite 610

Kansas City, MO 64131

Telephone: (816) 941-7600

Facsimile: (816) 941-6666

Email: moconnell@dfrglaw.com

dgentile@dfrglaw.com

KENNER SCHMITT NYGAARD, LLC

s/ Diane A. Nygaard

Diane A. Nygaard (Kansas Bar No. 10997)
117 West 20th St., Suite 201
Kansas City, MO 64108
Telephone: 816-531-3100
Facsimile: 816-531-3600
E-mail: diane@ksnlegal.com
SANDALS & ASSOCIATES, P.C.

s/ Alan M. Sandals

Alan M. Sandals
Scott M. Lempert
One South Broad Street, Suite 1850
Philadelphia, PA 19107
Telephone: (215) 825-4000
Facsimile: (215) 825-4001
E-mail: asandals@sandalslaw.com
slempert@sandalslaw.com

GLENN, MILLS, FISHER & MAHONEY, P.A.

s/ Stewart W. Fisher

Stewart W. Fisher
Post Office Drawer 3865
Durham, NC 27702
Telephone: (919) 683-2135
Facsimile: (919) 688-9339
E-mail: sfisher@gmf-law.com
**LAW OFFICE OF RICHARD T. SEYMOUR,
PLLC**

s/ Richard T. Seymour

Richard T. Seymour
Suite 900, Brawner Building
888 17th Street, N.W.
Washington, DC 20006-3307
Telephone: (202) 862-4320
Facsimile: (800) 805-1065
Email: rick@rickseymourlaw.net

NORRIS & KEPLINGER, L.L.C.

s/ Bruce Keplinger

Bruce Keplinger

Christopher J. Lucas

6800 College Boulevard, Suite 630

Overland Park, KS 66211

Telephone: (913) 663-2000

Facsimile: (913) 663-2006

Email: bk@nkfirm.com

cjl@nkfirm.com

Attorneys for Plaintiffs