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Ewing explosion lawsuit dismissed in Pennsylvania, attorneys allowed to file in New Jersey

By Mike Davis/ The Times of Trenton

EWING — The lawsuit filed by the family of Linda Cerritelli, who was killed in a March natural gas explosion that damaged 55 homes, will be heard in New Jersey, according to court filings.

Judge Mary Colins on Dec. 3 dismissed the lawsuit filed in Philadelphia by Tom Kline, an attorney representing the Cerritelli family, under forum non conveniens, agreeing with a motion made by attorneys for PSE&G that Pennsylvania was not the right place to hear the case.

According to Colins' court order, PSE&G — which was sued along with Pennsylvania-based subcontractor Henkels & McCoy — "will not contest jurisdiction in New Jersey" if a new lawsuit is filed there within 60 days.

The complaint was filed in Pennsylvania because Henkels & McCoy is headquartered in Montgomery County, Pa., and PSE&G is part of an energy consortium which purchases large quantities there, Kline said in an email on Monday.

"We are evaluating our options to determine whether to appeal that ruling to seek to keep the case in Pennsylvania or refile in New Jersey. That will be the

first thing that will happen in the litigation in 2016," Kline said.

"The actions by both defendants trapped Linda Cerritelli in her home while gas billowed out of the gas main until it reached explosive levels," he said.

In the original lawsuit, Kline argued that PSE&G and Henkels & McCoy, who were digging at the South Fork development, directly caused the natural gas explosion by failing to mark the gas line that they eventually struck or notifying emergency authorities and evacuating the area after noticing the gas leak.

The actions by PSE&G and Henkels & McCoy "amounted to reckless indifference to the life of Linda Cerritelli, as well as to that whole neighborhood," Kline said in an April interview.

"There is no excuse for the series of actions and omissions which occurred here, starting with the mismarking of lines and ended with the failure to turn off electrical and gas for over two hours after a gas pipe is ruptured," he said.

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