

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

_____, on behalf of itself
and all others similarly situated,

Plaintiff,

v.

KNAUF GIPS KG, KNAUF
PLASTERBOARD (TIANJIN) CO. LTD., and
TAISHAN GYPSUM CO., LTD.

Defendants.

Civil Action No. _____

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

Plaintiff, by its attorneys, brings this civil action on behalf of itself and all others similarly situated under the federal antitrust laws to recover treble damages, injunctive relief, and the costs of suit, including reasonable attorneys' fees, for the injuries to Plaintiff and members of the proposed Class it represents resulting from Defendants' violations of the federal antitrust laws. The allegations set forth below are based upon personal knowledge with respect to Plaintiff's own acts and information and belief with respect to all other matters.

NATURE OF THE ACTION

1. Plaintiff _____ brings this action for actual damages, equitable relief (including restitution and disgorgement of profits) and all other available relief on behalf of itself and a Class composed of all persons and entities who constructed an improvement to real estate using drywall manufactured or distributed by Defendants and incurred any expense associated with the repair or

replacement of all or part of the drywall or other property damaged by the defective drywall.

2. All of the claims asserted herein arise out of Defendants' design, manufacture, marketing, warranting, distribution and sale to Plaintiff and the class of imported drywall that Defendants knew or should have known was fundamentally unsuitable for its intended purpose.

3. As a direct and proximate result of Defendants' negligent and otherwise culpable misconduct, Plaintiff and Class members purchased and installed defective drywall that has damaged or is presently damaging other components of properties built by Plaintiff and Class members. Plaintiff and Class members throughout the United States have had to replace, and will continue to have to replace, Defendants' defective drywall at their expense, and to repair or replace other property as a result of the Defendants' misconduct alleged herein.

PARTIES

4. Plaintiff _____ is a _____. During the Class Period, Plaintiff purchased and installed defective drywall manufactured or distributed by Defendants.

5. Defendant Knauf Gips is a German corporation doing business in the United States and in this judicial district. Knauf Gips is a manufacturer of building materials and systems. Knauf Gips, together with its affiliates, including Knauf Tianjin, provides building materials and systems to customers in over 50 countries, including the United States. Upon information and belief, at all material times

hereto, Knauf Gips supervised, operated, trained and otherwise exercised control and/or had the right to control the operations of Knauf Tianjin and its agents, apparent agents and employees.

6. Upon information and belief, Knauf Gips, together with its affiliates and actual or apparent agents, including Knauf Tianjin, manufactured, sold, distributed, marketed and placed within the stream of commerce gypsum drywall with the expectation that the drywall would be purchased by thousands of consumers, if not more, within the United States. Upon information and belief, Knauf Gips and Knauf Tianjin have continuously and systematically distributed and sold drywall to numerous purchasers in the United States and their drywall is installed in numerous homes throughout the United States. As discussed more fully below, Knauf Gips and Knauf Tianjin manufactured and sold, directly and indirectly, to certain suppliers.

7. Defendant Knauf Tianjin is a Chinese corporation doing business in the United States.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b) and otherwise, Plaintiff respectfully demands a trial by jury.

Dated: March __, 2009

Respectfully submitted,

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***Counsel for Plaintiff _____ and
the Proposed Class***