



Appeals Court says Warren County radon class action case may proceed

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WR By **Warren Reporter**

A New Jersey Appeals Court ruled today that a case alleging faulty radon systems involving hundreds of condominium units in Warren County may proceed. This decision upholds a trial court certification of the case as a class action.

The case involves a condominium complex called Overlook at Lopatcong. At issue are allegations that radon systems installed when these units were built were, in some instances, defectively installed. There was also sworn testimony submitted to the court that radon test results were fabricated in certain instances in order for certificates of occupancy to be issued by the municipality, according to the plaintiffs' legal counsel.

In 2010, a Warren County trial judge certified the case as a class action against the developer of the complex, the radon installation company and others. The defendants had appealed that decision, claiming the trial court had abused its discretion when it certified the class.

In the decision issued today, the appeals court disagreed and found that the trial court's decision to certify the case as a class action was supported by the record.

Stuart Lieberman, of Princeton's Lieberman & Blecher, represents the class members. Lieberman stated, "We are pleased with the court's decision and we look forward to having a jury hear this important case."

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