

STATE OF SOUTH CAROLINA)
STATE OF SOUTH CAROLINA)
)
COUNTY OF EDGEFIELD)
)
Barry Lanham and Obvia Gamble-Lanham,)
Plaintiffs,)
)
v.)
)
Wumag Texroll GmbH & Co. KG f/k/a)
Kelzenberg + Co.: GmbH & Co. KG and)
Wumag Texroll GmbH & Co. KG,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
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CIVIL ACTION NO.: 2021-CP-19-00005

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Feb 23 2026
SC Court of Appeals

AMENDED SUMMONS
(Jury Trial Demanded)

Wumag Texroll GmbH & Co. KG f/k/a)
Kelzenberg + Co.: GmbH & Co. KG,)
)
Third-Party Plaintiff,)
)
v.)
)
Wumag Texroll GmbH & Co. KG,)
)
Third-Party Defendant.)
_____)

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, Parker Law Group, LLP, at 101 Mulberry Street East, P.O. Box 487, Hampton, SC 29924, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

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February 23, 2024
Hampton, South Carolina

STATE OF SOUTH CAROLINA)
)
 COUNTY OF EDGEFIELD)
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 Barry Lanham and Obvia Gamble-)
 Lanham,)
 Plaintiffs,)
)
 v.)
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 Wumag Texroll GmbH & Co. KG f/k/a)
 Kelzenberg + Co.: GmbH & Co. KG)
 and Wumag Texroll GmbH & Co. KG,)
)
 Defendants.)

IN THE COURT OF COMMON PLEAS
 CIVIL ACTION NO.: 2021-CP-19-00005

AMENDED COMPLAINT
(Jury Trial Demanded)

Wumag Texroll GmbH & Co. KG f/k/a)
 Kelzenberg + Co.: GmbH & Co. KG,)
)
 Third-Party Plaintiff,)
)
 v.)
)
 Wumag Texroll GmbH & Co. KG,)
)
 Third-Party Defendant.)

The Plaintiffs allege that:

1. The Plaintiffs, Barry Lanham and Obvia Gamble-Lanham (“Plaintiffs” or “Lanham”) are residents of Edgefield County, South Carolina.
2. Obvia Gamble-Lanham is the wife of Barry Lanham.
3. The Defendant, Wumag Texroll GmbH & Co. KG (hereinafter referred to as “Wumag”) is a foreign corporation organized and maintaining its principal place of business in a state other than South Carolina. Wumag is engaged in the business of manufacturing, designing, testing, marketing, certifying, supplying, selling,

importing and distributing steel industrial machines including, but not limited to, the Laminating Calender Line machine (“Subject Machine”) that forms the basis of this action.

4. The Defendant, Wumag Texroll GmbH & Co. KG f/k/a Wumag Texroll GmbH & Co. KG f/k/a Kelzenberg + Co.: GmbH & Co. KG (“Kelzenberg”) is a foreign corporation organized and maintaining its principal place of business in a state other than South Carolina. Kelzenberg is engaged in the business of manufacturing, designing, testing, marketing, certifying, supplying, selling, importing and distributing steel industrial machines including, but not limited to, the Laminating Calender Line machine (“Subject Machine”) that forms the basis of this action. Kelzenberg is liable for the acts and omissions of Wumag under German principles of successor liability.

5. Venue is proper in Edgefield County pursuant to S.C. Code Ann. § 15-7-30 as it is the county where the most substantial part of the act or omission giving rise to the cause of action occurred.

6. Wumag and Kelzenberg are subject to the jurisdiction of this Court.

7. Wumag and Kelzenberg designed and manufactured a Laminating Calender Line machine, machine number 206460, that was subsequently sold, delivered, and installed at Bondex, Inc. in Trenton, South Carolina.

8. After the Subject Machine was installed by Wumag and Kelzenberg, employees and/or agents of Wumag and Kelzenberg visited the Bondex plant in Trenton, SC and deactivated safety devices on the Subject Machine.

9. On January 22, 2018, Plaintiff, Barry Lanham, a Bondex, Inc. employee, was cleaning the machine when his left arm and hand was pulled into the Machine, resulting in severe and permanent damage to his left arm and hand.

FIRST CAUSE OF ACTION
(Negligence)

10. The above allegations are repeated as if quoted verbatim.

11. The injuries and damages sustained by Plaintiff are the direct and proximate result of the negligence, carelessness, recklessness, and wanton conduct of Wumag and Kelzenberg in the following particulars:

- a. In designing a machine that was unsafe and unreasonably dangerous;
- b. In manufacturing a machine that was unsafe and unreasonably dangerous;
- c. In selling a machine that was unsafe and unreasonably dangerous;
- d. In installing a machine that was unsafe and unreasonably dangerous;
- e. In failing to warn the Plaintiff of the dangerous and defective condition of the machine;
- f. In failing to incorporate certain safeguards on the machine that would have prevented the Plaintiff's injury;
- g. In deactivating safety devices on the Subject Machine that would have prevented Plaintiff's injury;
- h. In designing, manufacturing, selling, and installing a machine that could not be cleaned without endangering the person so cleaning;
- i. In failing to act as a reasonably prudent company would have acted under the same or similar circumstances;

- j. In designing, manufacturing, selling, installing, and altering a machine in utter disregard of the safety of Plaintiff;
- k. In failing to provide instructions about how to properly clean the machine; and
- l. In such other particulars as the evidence and testimony may establish.

12. As a result of the aforementioned events, Plaintiff suffered severe and permanent injury to his left arm and hand, and other parts of his body from which he has suffered and will continue to suffer physical pain; mental anguish and emotional distress; has expended and will in the future expend monies for medical care and treatment; caused to lose the enjoyment of life; and has lost income.

13. By reason of and in consequence of the above-mentioned negligent, careless, reckless, willful, and wanton conduct of Wumag and Kelzenberg, Plaintiff has suffered the injuries, losses, and damages complained of for which Wumag and Kelzenberg are liable.

SECOND CAUSE OF ACTION

(Strict Liability pursuant to S.C. Code Ann. § 15-73-10, et seq.)

14. The above allegations are repeated as if quoted verbatim.

15. Plaintiff's injuries occurred because the Machine was designed, manufactured, and sold by Wumag and Kelzenberg in a defective condition unreasonably dangerous to the Plaintiff.

16. Wumag and Kelzenberg designed, manufactured, and sold the Machine in a defective and unreasonably dangerous condition.

17. At the time of Plaintiff's injury, the Machine was in substantially the same condition as it was when it was installed by Defendants.

18. As a direct and proximate result of the defective and unreasonably dangerous condition of Defendants' machine, Plaintiff suffered the injuries and damages complained of for which Defendants are strictly liable, pursuant to S.C. Code Ann. § 15-73-10, to Plaintiff in an amount to be ascertained by the jury at the trial of this action.

THIRD CAUSE OF ACTION
(Breach of Express and Implied Warranties)

19. The above allegations are repeated as if quoted verbatim.

20. Wumag and Kelzenberg expressly and impliedly warranted that the Machine they sold was merchantable and fit for ordinary use.

21. Wumag and Kelzenberg breached express and implied warranties in that the Machine it designed, manufactured, sold, and installed and, which was used by the Plaintiff, was not merchantable and was unfit for ordinary, normal use.

22. The breach of Wumag and Kelzenberg's express and implied warranties in the sale of the Machine was the proximate cause of the damages Plaintiff sustained for which Defendants are liable.

FOURTH CAUSE OF ACTION
(Loss of Consortium)

23. The Plaintiff, Obvia Gamble-Lanham, due to the injuries sustained by her husband, has suffered the loss of his consortium, support, and care.

WHEREFORE, Plaintiffs pray for judgment against the Defendants for actual damages, together with punitive damages in an appropriate amount, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

[Signature Page to Follow]

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