

9/5/13 REUTERS LEGAL 10:00:01

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September 5, 2013

N.Y. court officers sue body-armor supplier over defective vests

By Joseph Ax

NEW YORK (Reuters) - A body-armor supplier sold nearly 150 defective bulletproof vests to New York City court officers and has refused to take them back, a union for the officers claimed in a lawsuit filed in state Supreme Court.

The New York State Court Officers Association said the North Carolina-based supplier, KDH Defense Systems, billed the union \$77,700 for the vests despite problems with their fit and other flaws.

The dispute comes several months after the vests became mandatory for all on-duty court officers, following a shooting at a courthouse in Middletown, New York, last year in which a man was killed in a gunfight with officers. One officer's arm was grazed.

The lawsuit alleged that KDH's business is "shriveling" as the U.S. military involvement in Iraq and Afghanistan has wound down, leaving it unable to respond to the requests of its customers and subcontractors.

"NYSCOA is being held hostage to the demands of a dying body-armor supplier," said the lawsuit, filed on Tuesday.

Wayne Streibich, a lawyer at Blank Rome who serves as outside counsel for KDH, said there was "no merit" to the lawsuit's claims.

"We intend to vigorously defend the allegations and will be pursuing the sums that are due to our client," Streibich said.

The vests were delivered last October, the lawsuit said. Officers found that a majority of the vests did not fit properly and that the flaps that hold their identification badges in place were too small, according to the complaint.

KDH fixed some of the flaps, but the bulk of the problems have gone unaddressed, the union said.

Streibich said the problems that the union identified had to do with customizing the vests and did not affect their quality and safety. The issues were resolved a long time ago, he said.

The union is seeking a declaratory judgment that KDH must accept the return of the vests and that the union is not responsible for any costs. It also wants a judge to declare that KDH will indemnify the officers for any injuries sustained by members who cannot use the vests.

The union represents approximately 1,600 court officers in New York City.

The case is New York State Court Officers Association v. KDH Defense Systems, New York State Supreme Court, New York County, No. 158038/2013

For the union: **Bruce Baron** of Baron Associates

For KDH: Blank Rome

---- **Index References** ----

Company: KDH DEFENSE SYSTEMS INC

News Subject: (Business Litigation (1BU04); Business Lawsuits & Settlements (1BU19); Business Management (1BU42); Judicial Cases & Rulings (1JU36); Civil Rights Law (1CI34); Corporate Events (1CR05); Legal (1LE33))

Region: (U.S. Mid-Atlantic Region (1MI18); North Carolina (1NO26); Americas (1AM92); USA (1US73); U.S. Southeast Region (1SO88); North America (1NO39); New York (1NE72))

Language: EN

Other Indexing: (Wayne Streibich; Bruce Baron)

Keywords: products; new york; body armor; company; suit; defective; north carolina (MCC:OEC); (N2:US); (N2:USANY); (N2:AMERS); (MCCL:OVR)

Word Count: 474

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