

[Attorney, NJ Bar Number,
Firm name,
address,
telephone,
fax,
email]

Attorneys for Plaintiff(s)

PLAINTIFF(S) FIRST LAST NAME(S),

Plaintiff(s),

v.

SANOFI S.A.;
AVENTIS PHARMA S.A.;
SANOFI U.S. SERVICES INC.,
formerly known as SANOFI-AVENTIS
U.S. INC.;
SANOFI-AVENTIS U.S. LLC,
separately and doing business as
WINTHROP U.S.;
SANDOZ, INC.;
HOSPIRA, INC.;
HOSPIRA WORLDWIDE, LLC formerly
known as HOSPIRA WORLDWIDE, INC.;
ACCORD HEALTHCARE, INC.;
MCKESSON CORPORATION doing
business as MCKESSON PACKAGING;
SUN PHARMA GLOBAL FZE;
SUN PHARMACEUTICAL INDUSTRIES,
INC. formerly known as CARACO
PHARMACEUTICAL LABORATORIES,
LTD.;
ACTAVIS LLC formerly known as
ACTAVIS INC.;
ACTAVIS PHARMA, INC.;
PFIZER, INC.;
SAGENT PHARMACEUTICALS INC.;
AND
JOHN DOE DRUG COMPANY
DEFENDANTS #1-10,

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: MIDDLESEX COUNTY

: CASE TYPE: MCL NO. 628

: MASTER DOCKET NO.
: MID-L-4998-18-CM

: DOCKET NO. MID-L-_____

: **CIVIL ACTION**
: **IN RE TAXOTERE LITIGATION**

: **THIRD AMENDED MASTER SHORT**
: **FORM COMPLAINT**
: **& JURY DEMAND**

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Plaintiff(s), PLAINTIFF NAME(S), complaining against the

Defendants, allege as follows:

1. Pursuant to the Master Pleading Implementation Order, entered in the In Re Taxotere Litigation, Master Case No. MID-L-4998-18-CM, Case No. 628, the undersigned counsel hereby submit this Third Amended Master Short Form Complaint and Jury Demand against the Defendants. Plaintiff(s) hereby adopt(s) and incorporate(s) by reference the Third Amended Master Long Form Complaint and Jury Demand filed in the above-referenced case. This Master Short Form Complaint adopts allegations and encompasses claims as well as any amendments as set forth in the Third Amended Master Long Form Complaint against Defendant(s) by reference.

Plaintiff(s) further allege as follows:

2. Plaintiff:

3. Spousal Plaintiff or other party making loss of independent/secondary claim (i.e., loss of consortium):

4. Other type of Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

5. Current State of Residence: _____

6. State in which Plaintiff(s) allege(s) injury: _____

7. Defendants (check all Defendants against whom a Complaint is made):

- a. Taxotere Brand Name Defendants:

- A. Sanofi U.S. Services Inc., formerly known as Sanofi-Aventis U.S. Inc.

- B. Sanofi-Aventis U.S. LLC separately and doing business as Winthrop U.S.
- C. Sanofi S.A.
- D. Aventis Pharma S.A.

b. Other Brand Name Drug Sponsors, Manufacturers, Distributors, and John Doe Defendants:

- A. Winthrop U.S.
- B. Sandoz, Inc.
- C. Accord Healthcare, Inc.
- D. McKesson Corporation doing business as McKesson Packaging
- E. Hospira Worldwide, LLC formerly known as Hospira Worldwide, Inc.
- F. Hospira, Inc.
- G. Sun Pharma Global FZE
- H. Sun Pharmaceutical Industries, Inc. formerly known as Caraco Pharmaceutical Laboratories, Ltd.
- I. Pfizer, Inc.
- J. Actavis LLC formerly known as Actavis Inc.
- K. Actavis Pharma, Inc.
- L. Sagent Pharmaceuticals, Inc.
- M. John Doe Drug Company Defendants #1-10, who are persons, individuals, and/or entities who are liable and/or responsible for Plaintiff's/Plaintiffs' damages, but who have not been identified.
- N. Other: _____

Basis for Jurisdiction:

- A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

B. Other allegations of jurisdiction and venue:

8. Brand Product(s) used by Plaintiff (check applicable):

- A. Taxotere
- B. Docefrez
- C. Docetaxel Injection
- D. Docetaxel Injection Concentrate
- E. Unknown
- F. Other: _____

9. First date and last date of use (or approximate date range, if specific dates are unknown) for Products identified in question 8:

10. State in which Product(s) identified in question 8 was/were administered:

11. Nature and extent of alleged injury (including duration, approximate date of onset (if known), and description of alleged injury):

12. Counts in Master Complaint brought by Plaintiff(s):

Count I – Failure to Warn Under New Jersey Products Liability Act

Count II – Strict Products Liability – Design and Manufacturing Under New Jersey Products Liability Act

Count III – Breach of Express Warranty – Sanofi S.A., Aventis Pharma S.A., Sanofi U.S. Services Inc., formerly known as Sanofi-Aventis U.S. Inc., and Sanofi-Aventis U.S. LLC, separately and doing business as Winthrop US

Count IV – Breach of Express Warranty – Sandoz, Inc.

Count V – Breach of Express Warranty – Hospira, Inc., and Hospira Worldwide, LLC formerly known as Hospira Worldwide, Inc.

Count VI – Breach of Express Warranty – Accord Healthcare, Inc. and McKesson Corporation doing business as McKesson Packaging

Count VII – Breach of Express Warranty – Sun Pharma Global FZE and Sun Pharmaceutical Industries, Inc. formerly known as Caraco Pharmaceutical Laboratories, Ltd

Count VIII – Breach of Express Warranty – Actavis Pharma, Inc.; Actavis LLC formerly known as Actavis Inc.; and Sagent Pharmaceuticals, Inc.

- Count IX – Breach of Express Warranty – Pfizer, Inc.
 - Count X – Loss of Consortium
 - Other: Plaintiff(s) may assert the additional theories and/or State Causes of Action against Defendant(s) identified by selecting “Other” and setting forth such claims below. If Plaintiff(s) includes additional theories of recovery, the specific facts and allegations supporting additional theories must be pleaded by Plaintiff in sufficient detail.
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- Jury Trial is Demanded as to All Counts
- Jury Trial is NOT Demanded as to Any Count

13. Plaintiff(s) has/have suffered and will continue to suffer pain, suffering, disability, impairment, loss of enjoyment of life, inability to engage in chosen and necessary activities, and/or economic damages, as a result of the administration of the designated product(s).

WHEREFORE, Plaintiff(s) demand(s) Judgment against the Defendants awarding compensatory damages, attorney’s fees, interest, costs of suit and such further relief as the Court deems equitable and just.

Dated: _____

[FIRM NAME]

By: _____
[Attorney, NJ Bar Number, address, telephone, fax, email]

Attorney(s) for Plaintiff(s)

DESIGNATION OF TRIAL COUNSEL

Pursuant to New Jersey Court Rule 4:25-4, _____ is hereby designated as trial counsel.

By: _____
[Attorney, NJ Bar Number]

Attorney(s) for Plaintiff(s)

RULE 4:5-1 CERTIFICATION

I hereby certify that to the best of my knowledge the matter in controversy is the subject of numerous other actions filed in the Superior Court, all of which are consolidated and designated as and under Master Docket No. MID-L-4998-18-CM, and that no other parties are necessary to join at this time.

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

[FIRM NAME]

Dated: _____

By: _____
[Attorney, NJ Bar Number]

Attorney(s) for Plaintiff(s)