


orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsd.uscourts.gov.

ENTER: November 20, 2013



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

*In Re: Cook Medical, Inc.,
Pelvic Repair System Products Liability Litigation*
MDL No. 2440
Civil Action No. [REDACTED]

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate the Master Complaint in MDL No. 2440 by reference. Plaintiff(s) further show the court as follows:

- 1. Female Plaintiff

[REDACTED]

- 2. Plaintiff Spouse (if applicable)

[REDACTED]

- 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

[REDACTED]

- 4. State of Residence

[REDACTED]

- 5. District Court and Division in which venue would be proper absent direct filing

[REDACTED]

[REDACTED]

- 6. Defendants (Check Defendants against whom Complaint is made):

A. Cook Incorporated

- B. Cook Biotech, Inc.
- C. Cook Medical, Inc.
- D. American Medical Systems, Inc. (“AMS”)
- E. Ethicon, Inc.
- F. Ethicon, LLC
- G. Johnson & Johnson
- H. Boston Scientific Corporation
- I. C. R. Bard, Inc. (“Bard”)
- J. Sofradim Production SAS (“Sofradim”)
- K. Tissue Science Laboratories Limited (“TSL”)
- L. Mentor Worldwide LLC
- M. Coloplast Corp.

7. Basis of Jurisdiction

- Diversity of Citizenship
- Other:

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

B. Other allegations of jurisdiction and venue

8. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- A. Biodesign® or Surgisis® Tension-Free Urethral Sling;
- B. Biodesign® or Surgisis® Urethral Sling;
- C. Stratasis™ Urethral Sling;
- D. Biodesign® or Surgisis® Anterior Pelvic Floor Graft;
- E. Biodesign® or Surgisis® Posterior Pelvic Floor Graft;
- F. Biodesign® or Surgisis® 4-Layer Tissue Graft;
- G. Biodesign® or Surgisis® 1-Layer Tissue Graft;
- H. Biodesign® or Surgisis® 8-Layer Tissue Graft;
- I. Biodesign® or Surgisis® Vaginal Erosion Repair Graft;
- J. Biodesign® or Surgisis® Peyronie's Repair Graft;
- K. Cook Pelvic Repair Product(s), specific product name(s) unknown at present;
- L. Non-Cook Pelvic Repair Product(s) known as _____; and/or
- M. Other: _____

9. Defendants' Products about which Plaintiff is making a claim. (Check applicable products)

- A. Biodesign® or Surgisis® Tension-Free Urethral Sling;
- B. Biodesign® or Surgisis® Urethral Sling;
- C. Stratasis™ Urethral Sling;
- D. Biodesign® or Surgisis® Anterior Pelvic Floor Graft;
- E. Biodesign® or Surgisis® Posterior Pelvic Floor Graft;
- F. Biodesign® or Surgisis® 4-Layer Tissue Graft;
- G. Biodesign® or Surgisis® 1-Layer Tissue Graft;
- H. Biodesign® or Surgisis® 8-Layer Tissue Graft;

- I. Biodesign® or Surgisis® Vaginal Erosion Repair Graft;
- J. Biodesign® or Surgisis® Peyronie’s Repair Graft;
- K. Cook Pelvic Repair Product(s), specific product name(s) unknown at present;
- L. Non-Cook Pelvic Repair Product(s) known as _____; and/or
- M. Other: _____

10. Date of Implantation as to Each Product

11. Hospital(s) where Plaintiff was implanted (including City and State)

12. Implanting Surgeon(s)

13. Counts in the Master Complaint brought by Plaintiff(s)

- Count I - Negligence
- Count II - Strict Liability – Manufacturing Defect
- Count III - Strict Liability – Failure to Warn
- Count IV - Strict Liability – Defective Product
- Count V - Strict Liability – Design Defect
- Count VI – Common Law Fraud
- Count VII - Fraudulent Concealment
- Count VIII - Constructive Fraud

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Exhibit B

CHARLESTON DIVISION

*In Re: Cook Medical, Inc.,
Pelvic Repair System Products Liability Litigation
MDL No. 2440*

Civil Action No. _____

AMENDED SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate the Master Complaint in MDL No. 2440 by reference. Plaintiff(s) further show the court as follows:

1. Female Plaintiff

2. Plaintiff Spouse (if applicable)

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

4. State of Residence

5. District Court and Division in which venue would be proper absent direct filing

6. Defendants (Check Defendants against whom Complaint is made):

A. Cook Incorporated

- B. Cook Biotech, Inc.
- C. Cook Medical, Inc.
- D. American Medical Systems, Inc. (“AMS”)
- E. Ethicon, Inc.
- F. Ethicon, LLC
- G. Johnson & Johnson
- H. Boston Scientific Corporation
- I. C. R. Bard, Inc. (“Bard”)
- J. Sofradim Production SAS (“Sofradim”)
- K. Tissue Science Laboratories Limited (“TSL”)
- L. Mentor Worldwide LLC
- M. Coloplast Corp.

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- C. Stratasis™ Urethral Sling;
- D. Biodesign® or Surgisis® Anterior Pelvic Floor Graft;
- E. Biodesign® or Surgisis® Posterior Pelvic Floor Graft;
- F. Biodesign® or Surgisis® 4-Layer Tissue Graft;
- G. Biodesign® or Surgisis® 1-Layer Tissue Graft;
- H. Biodesign® or Surgisis® 8-Layer Tissue Graft;
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- L. Non-Cook Pelvic Repair Product(s) known as _____; and/or
- M. Other: _____

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- K. Cook Pelvic Repair Product(s), specific product name(s) unknown at present;
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10. Date of Implantation as to Each Product

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- Count V - Strict Liability – Design Defect
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- Count VII - Fraudulent Concealment
- Count VIII - Constructive Fraud

