

IN THE COURT OF COMMON PLEAS OF PENNSYLVANIA
PHILADELPHIA COUNTY

IN RE TRASYLOL PRODUCTS : JUNE TERM, 2008
LIABILITY LITIGATION : NO. 5229
: :
This Document Relates to All Cases :

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may be entered against you by the court without further notice for any money claims in this complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, PA 19107-2911
(215)238-6333

Le han demandado a usted en la corte. Si usted quiere defenderse de estas de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrtia sus defenses o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisions de esta demanda. Usted puede perder dinero o sus propiedades u ostros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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In Re: Trasylol Litigation-CMPLT



08060522900007

**IN THE COURT OF COMMON PLEAS OF PENNSYLVANIA
PHILADELPHIA COUNTY**

IN RE TRASYLOL PRODUCTS : JUNE TERM 2008
LIABILITY LITIGATION : :
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 : :
 : :

This Document Relates to Plaintiff(s):

INSERT PLAINTIFF NAME HERE.

v.

BAYER CORPORATION, *et al.*

“SHORT FORM” COMPLAINT

1. Pursuant to Case Management Order No. 1 in *In re Trasylool Products Liability Litigation*, Case No. 5229, July Term 2008, Court of Common Pleas of Philadelphia County, Plaintiff(s), by the undersigned counsel, hereby submits this “Short Form” Complaint against Defendants BAYER CORPORATION, BAYER HEALTHCARE PHARMACEUTICALS INC., and BAYER HEALTHCARE A.G. (hereinafter collectively “Defendants” or “Bayer”) for equitable relief, monetary restitution, and/or compensatory and punitive damages, and, adopts and incorporates by reference those allegations in the “Plaintiffs’ Master Complaint,” filed August 28, 2008, contained in Paragraphs 1 through 84, and any and all amendments thereto, and further alleges as follows.

2. Plaintiffs who are parties to this civil action are identified as follows:

(1) Plaintiff, _____, is a citizen and resident of _____ County in the State of _____, and claims damages as set forth below.

(2) Plaintiff's Spouse, _____, is a citizen and resident of _____ County in the State of _____, and claims damages as set forth below. Plaintiff and Plaintiff's Spouse have been married since _____.

3. Plaintiff(s) allege that, pursuant to Pa.R.C.P. 1006, the Court of Common Pleas of Philadelphia County, Pennsylvania, is the proper venue for trial of this civil action.

4. Plaintiff, _____ was administered Trasylol on _____ at the _____ Hospital in the State of _____. As a result of his exposure to Trasylol, Plaintiff(s) suffered the following injuries:

- Emotional injury, stress, anxiety, distress, fear, pain, and suffering;
- Renal dysfunction and injury;
- Renal failure requiring Plaintiff to undergo painful and debilitating medical treatments;
- Multi-organ failure requiring Plaintiff to undergo painful and debilitating medical treatments;
- Death;
- Financial loss;
- Loss of consortium, loss of companionship, loss of life's enjoyment and mental anguish, and other consequential damages caused by the injuries inflicted upon Plaintiff;
- Other: [Describe any additional injuries.]

5. Plaintiff(s) further adopt and incorporate by reference the following Claims for Relief in the “Plaintiffs’ Master Complaint” filed August 28, 2008 and as amended [applicable liability theories]:

- COUNT I - NEGLIGENCE
- COUNT II - NEGLIGENT MISREPRESENTATIONS
- COUNT III - WRONGFUL DEATH
- COUNT IV - SURVIVAL ACTION
- COUNT V - INJURY
- COUNT VI - LOSS OF CONSORTIUM
- COUNT VII - PUNITIVE DAMAGES

6. Plaintiffs request trial by jury.

WHEREFORE, Plaintiff(s) request that the Court grant them the following relief against Defendants, Bayer Corporation, Bayer Healthcare Pharmaceuticals Inc., and Bayer Healthcare AG, jointly and severally, on all counts of this Complaint, including:

- (A) Money Damages representing fair, just and reasonable compensation for their respective common law and statutory claims;
- (B) Punitive and/or Treble Damages pursuant to state law;
- (C) Disgorgement of profits and restitution of all costs;
- (D) Attorneys’ fees pursuant to state law;
- (E) Pre-judgment and post-judgment interest as authorized by law on the judgments which enter on Plaintiffs’ behalf;
- (F) Costs of suit; and
- (G) Such other relief as is deemed just and appropriate.

THE PLAINTIFF(S),

By: _____

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