

IN THE COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY, CIVIL TRIAL DIVISION

IN RE: YAZ®, YASMIN®, OCELLA® PRODUCT  
LIABILITY LITIGATION

*APPLICABLE TO ALL CASES*

SEPTEMBER TERM, 2009

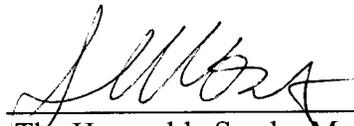
NO. 1307

**CASE MANAGEMENT ORDER NO. 1(c)**  
**(FIRST AMENDED SHORT-FORM COMPLAINT)**

This Order supplements *Case Management Order No. 1(a)(CMO-1(a))* related to the *Short Form Complaint* in both previously and newly filed cases. ((*CMO-1* at IV (B)(3-10) and IV(C)(1-11)).

The *First Amended Short Form Complaint* attached hereto as Exhibit "1" has been agreed to by the Parties and shall be used consistent with *CMO-1*. The original Short Form Complaint shall no longer be used.

IT IS SO ORDERED, BY THE COURT

  
The Honorable Sandra Mazer Moss

2/2/10

In Re: Yaz/Yazmin/Ocella Litigation-ORDER



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FEB 3 2010

J. STEWART

**IN THE COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY, CIVIL TRIAL DIVISION**

**IN RE: YAZ® , YASMIN® , OCELLA® LITIGATION**

\_\_\_\_\_ Term, 2009

***INDIVIDUAL CASE NAME: TARA BROWN &  
MARTEL BROWN, H/W V. BAYER, ET AL.***

No. \_\_\_\_\_

**CIVIL ACTION COMPLAINT – FIRST AMENDED SHORT FORM**

Plaintiffs incorporate by reference Plaintiffs' *First Amended Master Long Form Complaint* filed in *In Re Yaz® , Yasmin® Ocella® Litigation* in Philadelphia County Court of Common Pleas, filed as of January 29, 2010 under Master Docket Number September Term, 2009, No 1307. Pursuant to *Case Management Order No. 1* dated September 18, 2009, *Case Management Order No. 1(a)* and *Case Management Order No. \_\_\_\_* by the Honorable Sandra Mozer Moss, Philadelphia County Court of Common Pleas, the following *First Amended Short Form Complaint* is utilized in the above-captioned action.

Plaintiff selects and indicates by checking-off where requested, those products, Parties and claims that are specific to her case. Where certain claims require, pursuant to Pennsylvania or Other State law that may or may not apply, specific pleading or case-specific facts and individual information, Plaintiff shall add and include them herein. *See* footnote 1 below.

Plaintiff, by and through their undersigned counsel, allege as follows:

1. Plaintiff names the following Defendants in this action [Check all that apply]:

- BAYER CORPORATION,
- BAYER HEALTHCARE, LLC,
- BAYER PHARMACEUTICALS CORPORATION,

- BAYER HEALTHCARE PHARMACEUTICALS, INC.,
- BERLEX LABORATORIES, INC.,
- BERLEX, INC.,
- BAYER SCHERING PHARMA AG,
- BAYER AG,
- TEVA PHARMACEUTICAL INDUSTRIES LTD,
- TEVA PHARMACEUTICALS USA,
- BARR PHARMACEUTICALS, INC.,
- BARR PHARMACEUTICALS, LLC.,
- BARR LABORATORIES, INC.

2. (a) Plaintiff, \_\_\_\_\_ is an individual who  
 \_\_\_\_\_ (herein referred to as the "Plaintiff").
- (b) Plaintiff's date of birth is \_\_\_\_\_.
- (c) Plaintiff is married to \_\_\_\_\_, who also resides at  
 \_\_\_\_\_.

3. Check all that apply and complete for each that you have checked:

- Plaintiff ingested **Yaz®** from approximately \_\_\_\_\_ to  
 \_\_\_\_\_ which caused her injury.
- Plaintiff ingested **Yasmin®** from approximately \_\_\_\_\_ to  
 \_\_\_\_\_ which caused her injury.
- Plaintiff ingested **Ocella®** from approximately \_\_\_\_\_ to  
 \_\_\_\_\_ which caused her injury.

4. Plaintiff was prescribed and/or otherwise obtained Yaz® /Yasmin®/Ocella® by \_\_\_\_\_ located at \_\_\_\_\_.
5. Plaintiff had the following: \_\_\_\_\_ on or about \_\_\_\_\_ which is alleged to have been caused by the drug or drugs set forth in Paragraph 2 above.
6. The following claims asserted in the *Master Long Form Complaint*, and the allegations with regard thereto in the *Master Long Form Complaint*, are herein adopted by reference:

Check if Applicable	Count Number <sup>1</sup>	Count
<input type="checkbox"/>	I	Fraudulent Concealment
<input type="checkbox"/>	II	Strict Liability
<input type="checkbox"/>	III	Breach of Implied Warranty of Merchantability
<input type="checkbox"/>	IV	Breach of Implied Warranty of Fitness for a Particular Purpose
<input type="checkbox"/>	V	Negligent Failure to Warn
<input type="checkbox"/>	VI	Negligence
<input type="checkbox"/>	VII	Negligent Misrepresentation
<input type="checkbox"/>	VIII	Breach of Express Warranty
<input type="checkbox"/>	IX	Fraud
<input type="checkbox"/>	X	Violations of Consumer Protection Laws

<sup>1</sup>If additional Counts and/or Counts directed to other Defendants are alleged, the specific facts supporting these allegations must be pleaded by the Plaintiff in a manner complying with the requirements of the Pennsylvania Rules of Civil Procedure, and the Defendants against whom they are alleged must be specifically identified on a separate sheet of paper attached to the *Short Form Complaint*.

<input type="checkbox"/>	XI	Loss of Consortium
<input type="checkbox"/>	XII	Wrongful Death
<input type="checkbox"/>	XIII	Survival Action

7. Plaintiff asserts the following additional theories against these Defendants (See FN 1):


8. Plaintiff asserts the following additional theories against other Defendants (See FN 1):



**WHEREFORE**, Plaintiffs pray for relief as set forth in the Plaintiffs' *Amended Master Long Form Complaint in In Re Yaz®*, *Yasmin®* *Ocella®* *Litigation* in Philadelphia County Court of Common Pleas.

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*Attorneys for Plaintiffs*