

[PLAINTIFF'S COUNSEL INFORMATION]

*Attorneys for Plaintiff(s)*

IN THE SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, ATLANTIC COUNTY

	:	
	:	MT:
Plaintiff(s)	:	
	:	LEVAQUIN LITIGATION
v.	:	
	:	Case Code Number 286
JOHNSON & JOHNSON, JOHNSON &	:	
JOHNSON PHARMACEUTICAL	:	<b>ABBREVIATED SHORT FORM</b>
RESEARCH & DEVELOPMENT, L.L.C.	:	<b>COMPLAINT FOR LEVAQUIN</b>
and ORTHO-MCNEIL-JANSSEN	:	<b>LITIGATION</b>
PHARMACEUTICAL, INC.	:	
	:	<b>JURY TRIAL DEMAND</b>
Defendants.	:	
	:	

**ABBREVIATED INDIVIDUAL COMPLAINT FOR LEVAQUIN LITIGATION AND  
ADOPTION BY REFERENCE**

1. Plaintiff for his/her claim against the Defendant states and alleges as follows and incorporates by reference the relevant portions of the Master Complaint on file entitled: In Re: Levaquin Litigation Case Code Number 286, now pending in the Superior Court of New Jersey, Law Division, Atlantic County before Honorable Carol E. Higbee, J.S.C.

2. Plaintiff selects and indicates by checking off the appropriate boxes, those claims that are specific to his or her case. Where claims require, pursuant to New Jersey law, specific pleading or case specific facts and individual information, plaintiff shall add or include them herein.

3. Plaintiff \_\_\_\_\_ (hereinafter referred to as "Plaintiff") is an individual who resides at \_\_\_\_\_ in the State of \_\_\_\_\_.

2A. On or about \_\_\_\_\_ (date), Plaintiff suffered the following injury(ies) as a result of ingesting Levaquin: \_\_\_\_\_.

2B. Plaintiff brings this action:

\_\_\_\_\_ on behalf of himself or herself

\_\_\_\_\_ as the representative of \_\_\_\_\_.

\_\_\_\_\_ as the parent and natural guardian ad litem of \_\_\_\_\_,

a minor born on \_\_\_\_\_.

\_\_\_\_\_ as Administrator of the Estate of Plaintiff's \_\_\_\_\_

(hereinafter "Decedent", see Letters of Administration annexed hereto as Exhibit A), who died on

\_\_\_\_\_.

2C. Plaintiff claims damages as a result of:

\_\_\_\_\_ Personal Injury to himself, herself or the person represented

\_\_\_\_\_ Loss of Consortium

\_\_\_\_\_ Loss of Services

\_\_\_\_\_ Economic Loss

4. Plaintiff purchased and/or otherwise obtained Levaquin, which Plaintiff ingested from \_\_\_\_\_ to \_\_\_\_\_.

5. Plaintiff's spouse, \_\_\_\_\_, (hereinafter referred to as "Spouse") is an adult individual residing at \_\_\_\_\_ in the State of \_\_\_\_\_ and claims damages as a result of:

\_\_\_\_\_ Loss of Consortium, date of marriage \_\_\_\_\_.

6. The following claims asserted in the Master Complaint and the allegations with regard thereto in the Master Complaint are herein adopted by reference:

\_\_\_\_\_ Count I: Product Liability – Defective Design (New Jersey Products Liability Act - N.J.S.A 2A:58C-1 *et. seq.*)

- \_\_\_\_\_ Count II: Product Liability – Failure to Warn (New Jersey Products Liability Act - N.J.S.A 2A:58C-1 *et. seq.*)
- \_\_\_\_\_ Count III: Product Liability – Manufacturing Defect (New Jersey Products Liability Act - N.J.S.A 2A:58C-1 *et. seq.*)
- \_\_\_\_\_ Count IV: Breach of Express Warranty
- \_\_\_\_\_ Count V: Negligent Misrepresentation
- \_\_\_\_\_ Count VI: New Jersey Consumer Fraud Act (N.J.S.A. 56:8-1 *et seq.*)
- \_\_\_\_\_ Count VII: Punitive Damages Under Common Law & Products Liability Act (N.J.S.A 2A:58C-1 *et. seq.*)
- \_\_\_\_\_ Count VIII: Loss of Consortium

Plaintiff asserts the following additional theories of recovery against Defendants (for example, wrongful death and survival causes of action):

\* If you include additional claims against entity(ies) other than captioned Defendants, the facts supporting the count must be specifically pled by the plaintiff and the defendants against who they are alleged must be identified on a separate sheet of paper attached to the Complaint.

\* If you include any additional theories of recovery, to the extent they require specificity in pleadings, the specific facts and allegations supporting these theories must be pled by the plaintiff in a manner complying with the requirements of the New Jersey Rules of Court.

**DEMAND FOR JURY TRIAL**

Demand is hereby made for trial by jury.

\_\_\_\_\_  
Plaintiff's counsel

Dated:

**CERTIFICATION PURSUANT TO R. 4:5-1**

Plaintiff upon information and belief is not aware of any pending or contemplated action.

Further, upon information and belief, she/he is not aware of any other party who should be joined in this action.

\_\_\_\_\_  
Plaintiff's counsel

Dated:

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, \_\_\_\_\_, is hereby designated as trial counsel in this matter.

\_\_\_\_\_  
Plaintiff's counsel

Dated:

**CERTIFICATION OF NOTICE**

Pursuant to N.J.S.A. 56:8-20, Plaintiffs are mailing a copy of this Complaint and Jury Demand to the Office of the Attorney General, CN-006, Trenton, New Jersey, within ten (10) days of the filing of this Complaint and Jury Demand.

\_\_\_\_\_  
Plaintiff's counsel

Dated: