LAW FIRM NAME ADDRESS
FAX
PHONE
Etc
Attorneys for Plaintiff

PLAINTIFF (singular); PLAINTIFF and SPOUSE (consortium); PLAINTIFF, Individually and on behalf of the ESTATE of DECEASED,	)	SUPERIOR COURT OF NEW JERSEY
	)	LAW DIVISION: ATLANTIC COUNTY
Plaintiff,	)	DOCKET NO.:
vs.	)	
HOWMEDICA OSTEONICS CORPORATION, a New Jersey corporation, d/b/a STRYKER ORTHOPAEDICS,	)	ABBREVIATED SHORT FORM COMPLAINT FOR STRYKER TRIDENT HIP LITIGATION
Defendant.	)	JURY TRIAL DEMANDED

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 filed in In Re: Stryker Trident Hip Litigation, Case Code No. 285, 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 _____.

4. On or about _____ (date) a Stryker Trident™ Acetabular Hip System ceramic on ceramic / ceramic on poly (please circle) was implanted in Plaintiff at the _____ _____ Medical Center/Hospital in _____ in the State of _____. At that time Plaintiff underwent a right / left (please circle) hip replacement. The product identification for this implant is: _____.

5. (Complete only if bilateral Trident implants are at issue) On or about _____ (date) a Stryker Trident™ Acetabular Hip System ceramic on ceramic / ceramic on poly (please circle) was implanted in Plaintiff at the _____ _____ Medical Center/Hospital in _____ in the State of _____. At that time Plaintiff underwent a right / left (please circle) hip replacement. The product identification for this implant is: _____ _____.

6. On or about _____(date), Plaintiff suffered the following injury(ies) as a result of his/her use of the Trident System _____ _____.

7. (Complete if applicable) On or about _____(date), Plaintiff underwent revision surgery of the right / left (please circle) hip Trident System at issue at the _____ Medical Center/Hospital in _____ in the State of _____.

8. (Complete if applicable and only if bilateral Trident hip implants are at issue) On or about _____(date), Plaintiff underwent revision surgery of the right / left (please circle) hip Trident System at issue at the _____ Medical

Center/Hospital in _____ in the State of _____.

9. Plaintiff brings this action:

_____ on behalf of himself or herself

_____ as representative of _____.

_____ as Administrator of the Estate of Plaintiff's _____

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

10. Plaintiff claims damages as a result of:

_____ Personal Injury to himself, herself or the person represented

_____ Economic Loss

11. 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 _____.

12. 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: (New Jersey Products Liability Act – N.J.S.A. 2A:58C-1, *et seq.*) Failure to Warn; Manufacturing Defect; Design Defect

_____ Count II: Breach of Express Warranty

_____ Count III: Negligence: Violation of Resident State Duties of Care

_____ Count IV Punitive Damages Under The Punitive Damages Act (N.J.S.A. 2A:15-5.9, *et seq.*) and Product Liability Act (N.J.S.A. 2A:58C-1 *et* seq. and Plaintiffs' Respective Resident State Punitive Damage Law

_____ Count V: Loss of Consortium on Behalf of Spouse

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.

* As set forth in the Case Management Conference on July 23, 2009, at least six months before any case is listed for trial plaintiffs must provide to defense counsel an amended complaint setting forth any particular statutes or law that they are relying on, other than the New Jersey PLA.

DEMAND FOR JURY TRIAL

Demand is hereby made for trial by jury.

LAW FIRM NAME
Attorneys for Plaintiff

Dated: _____ _____, 2010

_____
Counsel Name
Address, Phone, and Fax

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.

LAW FIRM NAME
Attorneys for Plaintiff

Dated: _____ _____, 2010

_____
Counsel Name
Address, Phone, and Fax

DESIGNATION OF TRIAL COUNSEL

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

LAW FIRM NAME
Attorneys for Plaintiff

Dated: _____ _____, 2010

_____
Counsel Name
Address, Phone, and Fax