

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF CALIFORNIA

3 THIS DOCUMENT APPLIES TO  
4 PLAINTIFF(S):

5 KIMBERLY LONG, INDIVIDUALLY AND AS  
6 SUCCESSOR-IN-INTEREST OF PAUL LONG,  
7 DECEASED

8 Plaintiffs

9 v.

- 10  AMYLIN PHARMACEUTICALS, LLC,  
11  ELI LILLY AND COMPANY,  
12  MERCK SHARP & DOHME CORP.,  
13  NOVO NORDISK INC.,

14 (Check all the above that apply)

15 Defendants

Pertains To Civil Action No.:

\_\_\_\_\_

In Re: Incretin-Based Therapies  
Products Liability Litigation

**MDL NO. 2452**

**SHORT FORM COMPLAINT  
FOR DAMAGES**

Case No.: 13md2452 AJB(MDD)

16 **SHORT FORM COMPLAINT FOR DAMAGES**

17 COMES NOW the Plaintiff(s) named herein, and for Complaint against the  
18 Defendants named herein, incorporates and fully adopts the Master Form Complaint  
19 (the "Master Complaint") in MDL No. 2452 by reference. Plaintiff(s) further shows  
20 the Court as follows:

21 **JURISDICTION AND VENUE**

22 1. Jurisdiction in this Complaint is based on:

23  Diversity of Citizenship

24  Other (As set forth below, the basis of any additional ground for  
25 jurisdiction must be pleaded in sufficient detail as required by the  
26 applicable Federal Rules of Civil Procedure):

27 \_\_\_\_\_  
28 2. District Court and Division in which you might have otherwise filed

1 absent the direct filing order entered by this Court: U.S. District Court –  
2 Northern District of Mississippi.

3 3. Plaintiff(s) further adopts the allegations contained in the following  
4 paragraphs of the Jurisdiction and Venue section of the Master Complaint:

5  Paragraph 10;

6  Paragraph 11;

7  Paragraph 12;

8  Paragraph 13;

9  Paragraph 14;

10  Paragraph 15; and/or

11  Other allegations as to jurisdiction and venue (Plead in sufficient detail  
12 in numbered paragraphs (numbered to begin with 3(a)) as required by the  
13 applicable Federal Rules of Civil Procedure): \_\_\_\_\_  
14 \_\_\_\_\_.

15 PLAINTIFF/INJURED PARTY INFORMATION

16 4. Injured/Deceased Party's Name: Paul Long (the "Injured  
17 Party").

18 5. Any injury (or injuries) suffered by the Injured Party in addition to  
19 those injuries related to the Injured Party's Pancreatic Cancer, which is alleged to  
20 have been caused by the drug(s) ingested as set forth below (put "None" if  
21 applicable): None.

22 6. Injured Party's spouse or other party making loss of consortium claim:  
23 Kimberly Long.

24 7. Other Plaintiff(s) and capacity, if Injured Party is deceased or  
25 otherwise incapacitated (i.e., administrator, executor, guardian, representative,  
26 conservator, successor in interest): Kimberly Long, Successor-In-Interest.

27 8. City(ies) and State(s) of residence of Injured Party at time of ingestion  
28 of the Drug(s): Corinth, Mississippi.



1 CAUSES OF ACTION

2 (Counts in the Master Complaint brought by Plaintiff(s))

3  Count I – Strict Liability – Failure to Warn

4  Count II – Strict Liability – Design Defect

5  Count III – Negligence

6  Count IV – Breach of Implied Warranty

7  Count V – Breach of Express Warranty

8  Count VI – Punitive Damages

9  Count VII – Loss of Consortium

10  Count VIII – Wrongful Death

11  Count IX – Survival Action

12  Other Count(s): \_\_\_\_\_

13 Plead factual and legal basis for any Other Count(s) in separately numbered  
14 Paragraphs (beginning with Paragraph 18) that provide sufficient information  
15 and detail to comply with the applicable Federal Rules of Civil Procedure.  
16 \_\_\_\_\_  
17 \_\_\_\_\_

18 PRAYER FOR RELIEF AND, AS APPLICABLE,

19 PRAYER FOR RELIEF FOR SURVIVAL AND WRONGFUL DEATH

20 WHEREFORE, Plaintiff(s) pray(s) for relief as set forth in the Master  
21 Complaint filed in MDL No. 2452.

22 JURY DEMAND

23 Plaintiff(s) hereby  demands  **does not** demand a trial by jury on all  
24 issues so triable.

25 Dated: October 2, 2015.

26  
27 RESPECTFULLY SUBMITTED,  
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By: /s/ James R. Segars, III

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