

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF CALIFORNIA

3 THIS DOCUMENT APPLIES TO
4 PLAINTIFF(S): _____
5 _____

6
7 Plaintiffs,
8 v.

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

13 (Check all the above that apply)

14 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)

SHORT FORM COMPLAINT FOR DAMAGES

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

JURISDICTION AND VENUE

19
20 1. Jurisdiction in this Complaint is based on:

21 Diversity of Citizenship

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

25 _____

26 2. District Court and Division in which you might have otherwise filed
27 absent the direct filing order entered by this Court: _____

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- Count I – Strict Liability – Failure to Warn
- Count II – Strict Liability – Design Defect
- Count III – Negligence
- Count IV – Breach of Implied Warranty
- Count V – Breach of Express Warranty
- Count VI – Punitive Damages
- Count VII – Loss of Consortium
- Count VIII – Wrongful Death
- Count IX – Survival Action
- Other Count(s): _____

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

PRAYER FOR RELIEF AND, AS APPLICABLE,
PRAYER FOR RELIEF FOR SURVIVAL AND WRONGFUL DEATH
 WHEREFORE, Plaintiff(s) pray(s) for relief as set forth in the Master

Complaint filed in MDL No.
2452.

JURY DEMAND

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

Dated: _____, 20____

Respectfully submitted,
/s/ Thomas J. Preuss
 Thomas J. Preuss, MO Bar # 54923
 David M. McMaster, MO Bar #64409
 Wagstaff & Cartmell LLP
 4740 Grand Ave., Suite 300
 Kansas City, MO 64112
 Tel. (816) 701-1100
 Fax (816) 531-2372