

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS AND
DEMAND FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Renee Harris

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of implant:

New Jersey

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of injury:

New Jersey

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

New Jersey

1 7. District Court and Division in which venue would be proper absent direct filing:

2
3 United States District Court - District of New Jersey

4 8. Defendants (check Defendants against whom Complaint is made):

5 X C.R. Bard Inc.

6 X Bard Peripheral Vascular, Inc.

7 9. Basis of Jurisdiction:

8 X Diversity of Citizenship

9 Other: _____

10 a. Other allegations of jurisdiction and venue not expressed in Master
11 Complaint:

12 _____
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14 _____

15 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
16 claim (Check applicable Inferior Vena Cava Filter(s)):

17 Recovery[®] Vena Cava Filter

18 G2[®] Vena Cava Filter

19 G2[®] Express Vena Cava Filter

20 G2[®] X Vena Cava Filter

Eclipse[®] Vena Cava Filter

X Meridian[®] Vena Cava Filter

1 Denali® Vena Cava Filter

2 Other: _____

3 11. Date of Implantation as to each product:

4 September 16, 2013

5 _____

6 12. Counts in the Master Complaint brought by Plaintiff(s):

7 X Count I: Strict Products Liability – Manufacturing Defect

8 X Count II: Strict Products Liability – Information Defect (Failure to
9 Warn)

10 X Count III: Strict Products Liability – Design Defect

11 X Count IV: Negligence - Design

12 X Count V: Negligence - Manufacture

13 Count VI: Negligence – Failure to Recall/Retrofit

14 X Count VII: Negligence – Failure to Warn

15 Count VIII: Negligent Misrepresentation

16 X Count IX: Negligence *Per Se*

17 X Count X: Breach of Express Warranty

18 X Count XI: Breach of Implied Warranty

19 X Count XII: Fraudulent Misrepresentation

20 X Count XIII: Fraudulent Concealment

 X Count XIV: Violations of Applicable _____ (insert state) Law

 Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

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Count XV: Loss of Consortium

Count XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

Yes

No

RESPECTFULLY SUBMITTED this 20th day of June, 2016.

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LAW OFFICES OF BEN C. MARTIN

By: /s/ Ben C. Martin
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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Ben C. Martin
Ben C. Martin