

Court of Common Pleas of Philadelphia County  
 Trial Division  
**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)  
**APRIL 2013** **002104**  
 E-Filing Number: 1304024607

PLAINTIFF'S NAME C.W.	DEFENDANT'S NAME JANSSEN PHARMACEUTICALS, INC.
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PLAINTIFF'S ADDRESS 3756 SANTA BARBARA BOULEVARD CAPE CORAL FL 33914	DEFENDANT'S ADDRESS 1125 TRENTON-HARBOURTON ROAD TITUSVILLE NJ 08560
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PLAINTIFF'S NAME DAVID WHITE	DEFENDANT'S NAME JOHNSON & JOHNSON COMPANY
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PLAINTIFF'S ADDRESS 3756 SANTA BARBARA BOULEVARD CAPE CORAL FL 33914	DEFENDANT'S ADDRESS ONE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK NJ 08933
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PLAINTIFF'S NAME	DEFENDANT'S NAME JOHNSON & JOHNSON PHARMACEUTICAL RESEARCH AND DEVELOPMENT, L
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PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 920 ROUTE 202 RARITAN NJ 08869
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TOTAL NUMBER OF PLAINTIFFS 2	TOTAL NUMBER OF DEFENDANTS 5	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions
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AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input checked="" type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other: _____
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CASE TYPE AND CODE  
 XE - MASS TORT - RISPERDAL

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)	<b>FILED</b> <b>PRO PROTHY</b> <b>APR 15 2013</b> <b>J. OSTROWSKI</b>	IS CASE SUBJECT TO COORDINATION ORDER? YES    NO
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TO THE PROTHONOTARY:  
 Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: C.W. , DAVID WHITE  
 Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY BRIAN J. MCCORMICK	ADDRESS SHELLER PC 1528 WALNUT STREET FLOOR 4 PHILADELPHIA PA 19102
PHONE NUMBER (215) 790-7300	FAX NUMBER none entered

SUPREME COURT IDENTIFICATION NO. 81437	E-MAIL ADDRESS bjmccormick@sheller.com
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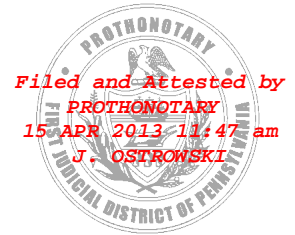
SIGNATURE OF FILING ATTORNEY OR PARTY BRIAN MCCORMICK	DATE SUBMITTED Monday, April 15, 2013, 11:47 am
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**COMPLETE LIST OF DEFENDANTS:**

1. ELSEVIER, INC.  
2 NEWTOWN PLACE, SUITE 350  
NEWTOWN MA 02458-1637
2. EXCERPTA MEDICA INCORPORATED  
685 US-202  
BRIDGEWATER NJ 08807
3. JOHNSON & JOHNSON PHARMACEUTICAL RESEARCH AND DEVELOPMENT, L  
920 ROUTE 202  
RARITAN NJ 08869
4. JOHNSON & JOHNSON COMPANY  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK NJ 08933
5. JANSSEN PHARMACEUTICALS, INC.  
1125 TRENTON-HARBOURTON ROAD  
TITUSVILLE NJ 08560

**SHELLER, P.C.**

Stephen A. Sheller, Esquire  
Brian J. McCormick, Jr., Esquire  
Attorney I.D. Nos. 03270, 81437  
sasheller@sheller.com  
bjmccormick@sheller.com  
1528 Walnut St., 4th Floor  
Philadelphia, PA 19102  
Tel (215) 790-7300



*Attorneys for Plaintiffs*

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	:	
<b>IN RE: RISPERDAL® LITIGATION</b>	:	<b>PHILADELPHIA COUNTY</b>
<b>March Term 2010, No. 296</b>	:	<b>COURT OF COMMON PLEAS</b>
-----	:	<b>TRIAL DIVISION</b>
	:	
CW, et. al.,	:	<b>APRIL TERM, 2013</b>
	:	<b>No. _____</b>
Plaintiffs,	:	
	:	
v.	:	
	:	
Janssen Pharmaceuticals, Inc., Johnson & Johnson	:	
Company, Johnson & Johnson Pharmaceutical	:	
Research and Development, L.L.C., Excerpta	:	
Medica, Inc., and Elsevier Inc.,	:	
	:	
Defendants.	:	

----- X  
**NOTICE TO PLEAD**

**NOTICE** You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth

**AVISO** Le han demandado en corte. Si usted quiere defenderse contra las demandas nombradas en las paginas siguientes, tiene veinte (20) dias a partir de recibir esta demanda notificacion para entablar personalmente o por un abogado una comparencia escrita y tambien para entablar con la corte en forma escrita sus defensas y

against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER (OR CANNOT AFFORD ONE), GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. **PHILADELPHIA COUNTY BAR ASSOCIATION** LAWYER REFERRAL AND INFORMATION SERVICE 1101 MARKET STREET, 11<sup>TH</sup> FLOOR PHILADELPHIA, PENNSYLVANIA 19107 TELEPHONE: (215) 238-1701

THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

objeciones a las demandas contra usted sin previo aviso para conseguir el dinero demandado en el pleito o para conseguir cualquier otra demanda o alivio solicitados por el demandante. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE ABOGADO (O NO TIENE DINERO SUFICIENTE PARA PAGAR A UN ABOGADO) VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA NOMBRADA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL. ESTA OFICINA PUEDE PROPORCIONARLE LA INFORMACION SOBRE CONTRATAR A UN ABOGADO. **ASOCIACION DE LICENCIADOR DE PHILADELPHIA** VICIO DE REFERENCIA DE INFORMACION LEGAL 1101 MARKET STREET, 11<sup>TH</sup> FLOOR PHILADELPHIA, PENNSYLVANIA 19107 TELEFONO: (215) 238-1701

SI USTED NO TIENE DINERO SUFICIENTE PARA PAGAR A UN ABOGADO, ESTA OFICINA PUEDE PROPORCION INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS QUE CUMPLEN LOSE REQUISITOS PARA UN HONORARIO REDUCIDO O NINGUN HONORARIO.

Stephen A. Sheller, Esquire  
 Brian J. McCormick, Jr., Esquire  
 Attorney I.D. Nos. 03270, 81437  
 sasheller@sheller.com  
 bjmcormick@sheller.com  
 1528 Walnut St., 4th Floor  
 Philadelphia, PA 19102  
 Tel (215) 790-7300

*Attorneys for Plaintiffs*

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	:	
<b>IN RE: RISPERDAL® LITIGATION</b>	:	<b>PHILADELPHIA COUNTY</b>
<b>March Term 2010, No. 296</b>	:	<b>COURT OF COMMON PLEAS</b>
-----	:	<b>TRIAL DIVISION</b>
	:	
CW, et.al.,	:	<b>APRIL TERM, 2013</b>
	:	<b>No. _____</b>
Plaintiffs,	:	
	:	
v.	:	
	:	
Janssen Pharmaceuticals, Inc., Johnson & Johnson	:	
Company, Janssen Pharmaceutical Research and	:	
Development, L.L.C., Excerpta Medica, Inc., and	:	
Elsevier Inc.,	:	
	:	
Defendants.	:	
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**ABBREVIATED INDIVIDUAL COMPLAINT FOR  
 RISPERDAL LITIGATION AND ADOPTION BY REFERENCE**

1. Plaintiff(s) incorporate by reference Plaintiffs' Amended Master Long Form Complaint in *In Re: Risperdal Litigation* in the Philadelphia County Court of Common Pleas, filed as of September 3, 2010, under Docket Number March Term 2010, No. 296, and currently pending before the Honorable Arnold L. New.
2. Plaintiff(s) select and indicate by checking off the appropriate spaces, those products and claims that are specific to his or her case. Where certain claims require, pursuant to

Pennsylvania law, specific pleading or case specific facts and individual information, Plaintiff(s) shall add and include them herein.

3. Plaintiff, CW (hereinafter referred to as “Plaintiff”)<sup>1</sup> is an individual who resides at 3756 Santa Barbara Boulevard, Cape Coral in the state of Florida.

4. Plaintiff claims the following antipsychotic medications caused his or her injury:

RISPERDAL  \_\_\_\_\_

RISPERDAL CONSTA \_\_\_\_\_

INVEGA \_\_\_\_\_

INVEGA SUSTENNA \_\_\_\_\_

5. Plaintiff claims to have suffered the following injury(ies) as a result of ingesting Risperdal, Risperdal Consta and/or Invega:

<b>Injury</b>	<b>Risperdal and/or Risperdal Consta</b>	<b>Invega and/or Invega Sustenna</b>
Gynecomastia	X	
Galactorrhea		
Pituitary Tumors		
Microadenomas of the Pituitary Gland		
Breast Cancer		
Osteoporosis		
Decreased Bone Mineral Density		
Metabolic Syndrome		

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<sup>1</sup> In answering the following questions, the term “Plaintiff” refers to the party who alleges that they were injured, including a decedent who is represented by an administrator or a minor who is represented by a parent or guardian.

Dyslipidemia		
Hypertension		
Diabetes Mellitus		
Diabetic Ketoacidosis (DKA)		
Hyperosmolar coma		
Hyperglycemia		
Glucose Dysregulation		
Insulin Insufficiency		
Insulin Resistance		
Pancreatitis		
Tardive Dyskinesia (TD)		
Extrapyramidal Symptoms		
Involuntary Movement Disorders		
Dyskinesia		
Dystonia		
Akathisia		
Parkinsonism		
Neuroleptic Malignant Syndrome (NMS)		
Other: Weight Gain	X	

6. Plaintiff purchased and/or otherwise obtained Risperdal and/or Risperdal Consta, which Plaintiff ingested from approximately April 2008 through April 2012.

7. Plaintiff purchased and/or otherwise obtained Invega and/or Invega Sustenna, which Plaintiff ingested from \_\_\_\_\_ to \_\_\_\_\_.

8. Plaintiff claims damages as a result of:

  X   Personal Injury to himself, herself or the person represented

  X   Economic Loss

9. 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: \_\_\_\_\_.

10. Plaintiff's parent and/or guardian, David White (hereinafter referred to as "Guardian"), is an adult individual residing at 3756 Santa Barbara Boulevard, Cape Coral in the state of Florida and claim damages as a result of medical expenses incurred and/or to be incurred in an effort to treat Plaintiff's injuries.

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

  X   Count I: Negligence

  X   Count II: Negligence- Design Defect

  X   Count III: Fraud

  X   Count IV: Strict Product Liability- Failure to Warn



- X   Count V:       Strict Product Liability – Design Defect
- X   Count VI:       Breach of Express Warranty
- X   Count VII:       Breach of Implied Warranty
- X   Count VIII:     Violation of Pennsylvania Unfair Trade Practices and  
Consumer Protection Law, 73 P.S. § 201-1 et seq.
- X   Count IX:       Unfair and Deceptive Trade Practices
- X   Count X:        Conspiracy
- X   Count XI:       Punitive Damages
- X   Count XII:     Medical Expenses Incurred by Parent
- X   Count XIII:    Loss of Consortium

Plaintiff(s) asserts the following additional theories of recovery against Defendants: \_\_\_\_\_

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\*Attach additional pages.

Respectfully submitted,

**SHELLER, P.C.**

Dated: April 12, 2013

By: /s/ Brian J. McCormick, Jr.  
Stephen A. Sheller, Esquire  
Brian J. McCormick, Jr., Esquire

Attorneys for Plaintiffs

**VERIFICATION**

I, Brian J. McCormick, Jr., attorney for Plaintiffs, verify that the statements of fact contained in the foregoing Short-Form Complaint are true and correct to the best of my knowledge, information and belief. I understand that statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsifications to authorities.

Date: April 12, 2013

/s/ Brian J. McCormick, Jr.  
BRIAN J. MCCORMICK, JR.