

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: TYLENOL®
(ACETAMINOPHEN) MARKETING,
SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

**MDL NO. 2436
(2:13-md-02436)**

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Civil Action No. _____

**SHORT-FORM COMPLAINT
AND JURY DEMAND**

HON. LAWRENCE F. STENGEL

The Plaintiff(s) named below file this *Short-Form Complaint* against the Defendants named below and incorporate *The Master Complaint and Jury Demand* filed in MDL No. 2436 by reference. Plaintiff selects and indicates by checking-off where requested, those products, Parties and claims that are specific to his or her case. Plaintiffs (s) further allege as follows:

1. Plaintiff

2. Plaintiff's Spouse (*if applicable*)

3. Other Plaintiff and capacity, if applicable (*i.e.*, administrator, executor, guardian, conservator, etc.)

4. State of Residence

5. State of Residence at time of ingestion of TYLENOL®.
6. United States District Court and Division in which venue would be proper absent direct filing.

7. Defendant(s)(Check each Defendant against whom Complaint is made):¹

- McNeil-PPC, Inc.
- McNeil Consumer Healthcare
- Johnson & Johnson
- Other

8. Basis of Jurisdiction

- Diversity of Citizenship
- Other: _____

Other allegations of jurisdiction and venue:

9. Defendants' products ingested by Plaintiff as to which Plaintiff is making a claim in this lawsuit are (check-all):

¹ If additional Counts and/or Counts directed to other Defendants are alleged, the specific facts supporting these allegations must be pleaded by the Plaintiff in a manner complying with the requirements of the Federal Rules of Civil Procedure, and the Defendants against whom they are alleged must be specifically identified on a separate sheet of paper attached to the *Short Form Complaint*.

- Extra Strength TYLENOL®
 - Regular Strength Tylenol
 - TYLENOL® 8 hour Muscle Aches and Pain
 - TYLENOL® Arthritis Pain
 - TYLENOL® Sinus Congestion and Pain Severe
 - TYLENOL® Sinus Congestion and Pain Daytime
 - TYLENOL® Cold Multi-Symptom Severe
 - TYLENOL® Cold Multi-Symptom Daytime
 - TYLENOL® Cold Multi-Symptom Nighttime
 - TYLENOL® Cold and Flu Severe
 - TYLENOL® Cold Sore Throat
 - TYLENOL®PM
 - TYLENOL® Extra Strength Nighttime
 - Infant's TYLENOL® Oral Suspension
 - Children's TYLENOL® Oral Suspension
 - Children's TYLENOL® Meltaways Chewable Tablets
 - Jr. TYLENOL® Meltaways Chewable Tablets
 - Children's TYLENOL® Plus Multi-Symptom Cold
 - Children's TYLENOL® Plus Cold
 - Children's TYLENOL® Plus Cold and Cough
 - Children's TYLENOL® Plus Cough and Runny Nose
 - Children's TYLENOL® Plus Cough and Sore Throat
 - Children's TYLENOL® Plus Flu
 - Other (List All)
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10. Plaintiff ingested the drug or drugs set forth in Paragraph 8 above from approximately _____ to _____.

11. Plaintiff had the following injury: _____ on or about _____ which is alleged to have been caused by the drug or drugs set forth in Paragraph 8 above.

12. The following claims asserted in *The Master Complaint and Jury Demand*, and the allegations with regard thereto, are herein adopted by reference:

- Count I – STRICT LIABILITY
- Count II – BREACH OF IMPLIED WARRANTY OF MERCHANTABILITY
- Count III – BREACH OF IMPLIED WARRANTY OF FITNESS FOR PARTICULAR PURPOSE
- Count IV – NEGLIGENT FAILURE TO WARN
- Count V – NEGLIGENT DESIGN DEFECT
- Count VI – NEGLIGENCE
- Count VII – NEGLIGENT MISREPRESENTATION
- Count VIII – BREACH OF EXPRESS WARRANTY
- Count IX – FRAUD
- Count X – VIOLATION OF CONSUMER PROTECTION LAWS
- Count XI – FRAUDULENT CONCEALMENT
- Count XII – LOSS OF CONSORTIUM
- Count XIII – PUNITIVE DAMAGES
- Count XIV – DISCOVERY RULE AND TOLLING

Count XV – WRONGFUL DEATH

Count XVI – SURVIVAL ACTION

Other Count(s) (*See* FN 1)

13. Plaintiff asserts the following additional theories against the Defendants identified in Paragraph 6 above (*See* FN 1):

14. Plaintiff asserts the following additional theories against Defendants other than those identified in Paragraph 6 above (*See* FN 1):

WHEREFORE, Plaintiffs pray for relief as set forth in *The Master Complaint and Jury Demand* filed in MDL No. 2436.

Attorney-name
Firm
Address
Phone
Fax
E-mail
Attorney for Plaintiff(s)