FILED
2010 Mar-23 AM 10:57
U.S. DISTRICT COURT
N.D. OF ALABAMA

# EXHIBIT A

#### UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

IN RE: CHANTIX
(VARENICLINE) PRODUCTS
LIABILITY LITIGATION (MDL-
2092)

Master File No.: 2:09-CV-2039-IPJ

This Document Relates To:

MASTER SHORT FORM COMPLAINT FOR INDIVIDUAL CLAIMS

Master File No.: 2:09-CV-2039-IPJ

**ALL CASES** 

#### MASTER SHORT FORM COMPLAINT FOR INDIVIDUAL CLAIMS

1. Plaintiff(s),,
state(s) and incorporate(s) by reference the portions indicated below of Plaintiffs'
Master Consolidated Complaint on file with the Clerk of the Court for the United
States District Court for the Northern District of Alabama in the matter entitled In
Re: Chantix (Varenicline) Products Liability Litigation, MDL No. 2092.
Plaintiff(s) [is/are] filing this Short Form Complaint as permitted by Pretrial Order
No. 2 of this Court for cases filed directly into this district.

2. In addition to the below-indicated portions of the Master Consolidated Complaint adopted by the plaintiff and incorporated by reference herein, Plaintiff(s) hereby allege(s) as follows:

#### **VENUE**

IDENTIFICATION OF PLAINTIFF(S) AND RELATED INTERESTED PARTIES  4. Name and residence of individual injured by Chantix:
<ul><li>4. Name and residence of individual injured by Chantix:</li></ul>
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5. Consortium Claim(s): The following individual(s) allege damages for
loss of consortium: [INSERT THE NAME OF EACH INDIVIDUAL].
6. Survival and/or Wrongful Death claims:
a. Name and residence of Decedent when he suffered Chantiz
related injuries and/or death:

	b. Name and residence of individual(s) entitled to bring the claims
	on behalf of the decedent's estate (e.g., personal representative,
	administrator, next of kin, successor in interest, etc.)
7.	Survival and/or Wrongful Death Claim: The following individual(s)
allege certai	in claims for damages for survival and/or wrongful death in accordance
with applica	able state law:
	·
	CASE SPECIFIC FACTS REGARDING CHANTIX USE AND INJURIES
8.	[Plaintiff/Decedent] began using CHANTIX as prescribed and
indicated or	n or about the following date:
9.	CHANTIX caused serious injuries and damages including but not
limited to th	ne following:

### ALLEGATIONS, CLAIMS, AND THEORIES OF RECOVERY ADOPTED AND INCORPORATED IN THIS LAWSUIT

- 10. The Plaintiff hereby adopts and incorporates by reference as if set forth fully herein, all common allegations contained in paragraphs 1 through 87 of the Master Consolidated Complaint on file with the Clerk of the Court for the United States District Court for the Northern District of Alabama in the matter entitled *In Re: Chantix (Varenicline) Products Liability Litigation*, MDL No. 2092.
- 11. The Plaintiff hereby adopts and incorporates by reference as if set forth fully herein, the following damages and causes of action of the Master Consolidated Complaint on file with the Clerk of the Court for the United States District Court for the Northern District of Alabama in the matter entitled *In Re: Chantix (Varenicline) Products Liability Litigation*, MDL No. 2092:

 COUNT I (NEGLIGENCE);
 COUNT II (NEGLIGENCE PER SE);
 COUNT III (STRICT PRODUCTS LIABILITY – DESIGN DEFECT);
 COUNT IV (STRICT PRODUCTS LIABILITY – FAILURE TO WARN);
 COUNT V (BREACH OF EXPRESS WARRANTY);
 COUNT VI (BREACH OF IMPLIED WARRANTY);
 COUNT VII (FRAUDULENT MISREPRESENTATION AND CONCEALMENT);

	COUNT VIII (NEGLIGENT MISREPRESENTATION AND CONCEALMENT);					
	COUNT IX (GROSS NEGLIGENCE);					
	COUNT X (UNJUST ENRICHMENT);					
	COUNT XI (PUNITIVE DAMAGES);					
	COUNT XII (VIOLATIONS OF STATE CONSUMER FRAUD AND DECEPTIVE TRADE PRACTICES ACTS);					
	COUNT XIII (LOSS OF CONSORTIUM);					
	COUNT XIV (WRONGFUL DEATH);					
	COUNT XV (SURVIVAL);					
	GLOBAL PRAYER FOR RELIEF;					
	TOLLING OF LIMITATION PERIOD;					
	OTHER STATE LAW CAUSES OF ACTION AS FOLLOWS:					
JURY DEMAND						
Plaintiff(s) hereby demands a trial by jury as to all claims in this action.						
Dated this t	he day of, 2010.					

## RESPECTFULLY SUMBITTED ON BEHALF OF THE PLAINTIFF(S),

Signature		

OF COUNSEL: