

A7260
a1101

1 Sol P. Ajalat, Esq., SBN 33258
2 Gregory M. Ajalat, Esq., SBN 150878
3 Stephen P. Ajalat, Esq., SBN159051
4 AJALAT & AJALAT, LLP
5 5200 Lankershim Boulevard, Suite 850
6 North Hollywood, CA 91601
7 Tel: (818) 506-1500; Fax: (818) 506-1016
8 Attorneys for Plaintiff, Jennifer Robi

FILED
Superior Court of California
County of Los Angeles

JUL 27 2016

Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva, Deputy
Cristina Grijalva

D97 Benny Osorio

FSC: 01/10/2018 TRIAL: 1/29/2018 OSC: 07/29/2019

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

JENNIFER ROBI

Plaintiff,

v.

MERCK & CO., INC., a New Jersey Corporation; MERCK SHARP & DOHME CORP., a New Jersey Corporation; KAISER FOUNDATION HOSPITALS, a Corporation; SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP; JUDITH GARZA, M.D.; CLAIRE VALENCIA FULLER, M.D.; ROBIN B. SCANLON, M.D.; and DOES 1 through 100,

Defendants.

CASE NO. **BC 628589**

COMPLAINT FOR

- 1. FRAUD AND DECEIT
- 2. NEGLIGENT MISREPRESENTATION
- 3. DEFECTIVE PRODUCT-INADEQUATE WARNINGS AND INFORMATION
- 4. MEDICAL MALPRACTICE AND MEDICAL BATTERY

COMES NOW PLAINTIFF JENNIFER ROBI and alleges against defendants and each of them, as follows:

COMMON ALLEGATIONS

1. The true names and capacities, whether individual, corporate, associate or otherwise of Defendants, DOES 1 through 100, inclusive, are unknown to Plaintiff, who herein and hereafter sues said Defendants by such fictitious names and Plaintiff will seek leave of Court to amend this Complaint to set forth their true names and capacities when ascertained.

07/28/2016

-1-
COMPLAINT

RECEIVED # : FCH195705013
DATE FILED : 07/28/16
PAYMENT : \$35.00
RECEIVED : 08:59 AM
\$435.00
\$0.00
\$0.00
\$0.00

CIT/CASE : BC628589
LEA/DEF# :

1 2. Plaintiff is informed and believes and based upon such information and belief
 2 alleges that at all times herein mentioned each of the Defendants named herein as well as
 3 Defendant Does 1 through 100 is now and has been the employee, owner, officer, director,
 4 managing member, principle, agent, representative, successor in interest and/or having another
 5 official and legal capacity with each of the remaining Defendants and was acting within the
 6 course and scope of such official and legal capacity with the consent and permission of the
 7 remaining defendants in connection with and relating to the acts, actions and events which are
 8 the subject of this complaint as hereafter set forth and which acts, actions and events were
 9 authorized, ratified, adopted and approved by each of such remaining defendants

10 3. The acts and injuries suffered by Plaintiff as hereafter set forth were incurred
 11 and occurred in the County of Los Angeles, State of California.

12 4. Plaintiff is informed and believes and based upon such information and belief
 13 alleges that each of the individual Defendants resides and practice medicine in the County of
 14 Los Angeles, State of California and that each of the other Defendants, whether Corporate or
 15 otherwise, is duly authorized and transacts as well as maintains offices for the transaction of
 16 business in the State of California.

17 5. Plaintiff, as hereafter set forth, while a minor was injured due the
 18 administration of a Human Papillomavirus Vaccine ("HPV") developed, manufactured,
 19 distributed and marketed under the trade name of "Gardasil" by Defendants Merck & Co, Inc.
 20 along with its subsidiary Merck Sharp and Dome Corp. and Does 1 through 25 inclusive.
 21 ("Defendants Merck").

22 6. HPV is a vaccine designed to prevent infection by certain strains of the Human
 23 Papillomavirus, particularly such infections in females. The Human Papillomavirus infection
 24 is primarily, if not always, sexually transmitted. The greater majority of such infections cause
 25 no clinical symptoms and are self-limited, being removed from the human body by its own
 26 immunological and other mechanisms. However, persistent Human Papillomavirus infections
 27 in a limited number of cases with certain strains of the virus may cause the development of
 28 precancerous lesions. These precancerous lesions are typically diagnosed through pap smears,

07/26/2016

1 and then removed through medical procedures. However when undiagnosed they can cause
2 cervical cancer in females as well as other diseases such as genital warts. To be effective the
3 vaccine must be administered prior to the recipient having been exposed to and infected by the
4 virus.

5 7. Pursuant to Title 42, §300aa-11(2)(A) of the National Vaccine Injury
6 Compensation Program: "No person may bring a civil action for damages.....against a vaccine
7 administrator or manufacturer in a State or Federal court for damages arising from a vaccine-
8 related injury... associated with the administration of a vaccine.....unless a petition has been
9 filed, in accordance with section 300aa-16 of this title, for compensation under the Program
10 for such injury... and (I) the United States Court of Federal Claims has issued a judgment
11 under section 300aa-12 of this title on such petition and (II) such person elects under section
12 300aa-21(a) to file such an action." ("NVICA PETITION")

13 Further, Title 42 §300aa-16 (c) states: "If a petition is filed under section 300aa-11 of
14 this title for a vaccine-related injury or death, limitations of actions under State law shall be
15 stayed with respect to a civil action brought for such injury or death for the period beginning
16 on the date the Petition is filed and ending on the date (a) an election is made under section
17 300aa-21a of this title to file the civil action..."

18 8. Plaintiff, duly filed a NVICA PETITION with the U.S. Court of Federal Claims
19 seeking compensation for her Gardasil vaccine related injuries on September 20, 2013. A
20 judgement thereon was rendered on May 29, 2015. Plaintiff duly filed an election to file a
21 civil action on June 15, 2015.

22 9. Pursuant to *California Code of Civil Procedure §364(a)*, on May 31, 2016,
23 Plaintiff duly gave notice of Plaintiff's intention to file a legal action to each of the Health
24 Care Providers, known to and named as a Defendant in this Legal Action, as being liable for
25 the injuries and damages sustained by Plaintiff.

26 10. During the period from March 04, 2010 through January 20, 2011, Plaintiff, a
27 female born on November 15, 1994, was administered a series of three Gardasil vaccinations,
28 each, and a combination of which resulted in serious adverse immunological and other disease

07/26/2016

1 reactions commencing approximately in March 2011 and continuing thereafter to this date.
 2 Due to the complexity and heterogeneous nature of her disease processes Plaintiff's actual
 3 disease process remained medically undiagnosed until approximately August of 2015, when
 4 diagnosed as a Postural Orthostatic Tachycardia Syndrome ("POTS") with a further diagnosis
 5 in February 2016, of an underlying small fiber neuropathy existing within and throughout her
 6 body. Prior to February 2016, without an adequate medical diagnosis of Plaintiff's underlying
 7 disease process, it was not reasonably known, ascertainable or ascertained that there was a
 8 causal connection between the Gardasil vaccine and Plaintiffs disease processes. However
 9 based upon the foregoing diagnoses Plaintiff is informed and believes and based upon such
 10 information and belief alleges that the foregoing Gardasil vaccinations which were
 11 administered to her from March 04, 2010 through January 20, 2011 were the proximate cause
 12 of her underlying disease process. Should the medical diagnosis of Plaintiffs disease process
 13 be changed or supplemented, if required, Plaintiff will seek leave of Court to amend this
 14 Complaint and set forth such changed or supplemented medical diagnosis.

15 **FIRST CAUSE OF ACTION**

16 **FRAUD AND DECEIT**

17 (Against Defendants Merck, Does 1-25 and each of them)

18 11. Plaintiff realleges and incorporates herein by reference each and every
 19 allegation set forth in Paragraphs 1 through 10 above of the Common Allegations as if set
 20 forth herein at length.

21 12. Under the requirements of the Food and Drug Administration ("FDA") to
 22 obtain approval for the marketing of a vaccine the manufacturer must undergo and perform
 23 lengthy and detailed scientific and medical investigations as well as studies with regard to the
 24 effectiveness and safety of the vaccine. Once FDA approval is obtained for the manufacturer
 25 is then required to perform such further scientific and medical investigation and studies as may
 26 be required by the FDA, as well as those which would be reasonably prudent of a manufacturer
 27 of such a vaccine. Additionally, the manufacturer is required to undergo and perform detailed
 28 investigations and studies of and related to the effectiveness and safety of the vaccine as is

07/26/2016

1 being experienced in the marketplace by recipients to whom the vaccine has been
2 administered.

3 13. The FDA's approval of Gardasil was granted on June 08, 2006 after being fast
4 tracked over a six (6) month period, leaving unanswered material questions relating to its
5 effectiveness and safety as well as when and to whom the Gardasil vaccine ought to be
6 administered.

7 14. Plaintiff is informed and believes and based upon such information and belief
8 alleges that Defendants Merck, Does 1 through 25 and each of them wrongfully and deceitfully
9 failed, during the preapproval processing period and thereafter, to disclose to the FDA and
10 others material facts and information relating to the effectiveness and safety of Gardasil, as
11 well as to whom the vaccine should or should not be administered, known to them and
12 obtained through such scientific and medical investigations and studies which they have or
13 should have caused to be conducted.

14 15. Also, Plaintiff is informed and believes and based upon such information and
15 belief alleges that Defendants Merck, Does 1 through 25 and each of them wrongfully and
16 deceitfully failed to perform in the preapproval processing period and thereafter the material
17 scientific and medical investigations and studies relating to the safety, effectiveness and need
18 for the Gardasil vaccine as required by and under FDA directives and regulations as well as
19 those to which a prudent manufacturer should and would comply

20 16. Upon approval by the FDA of the Gardasil Vaccine, Defendants Merck, Does
21 1 through 25, and each of them, commenced and engaged in highly extensive, and aggressive,
22 marketing practices which were designed primarily, if not solely, to increase the sales and
23 profits from Gardasil. In doing so, Defendants Merck, Does 1 through 25, and each of them,
24 in order to preclude any and all questions by consumers, patients and others as to the
25 effectiveness, safety and need for the administration of the Gardasil vaccination as well as the
26 risks of serious adverse reaction related thereto, intentionally, wrongfully and deceitfully
27 withheld, failed to provide and concealed from consumers, patients and others material facts
28 and information with respect to the effectiveness, safety and need for the administration of the

07/28/2016

1 Gardasil vaccination, as well as the risks of serious adverse reaction related thereto and as in
2 part hereafter set forth,

3 17. These marketing practices were initially directed at and targeted females aged
4 9 years through 26 years. In order to promote its sales and profits, Defendants Merck, Does
5 1 through 25, and each of them, intentionally, wrongfully and deceitfully did manipulate and
6 utilize, to the detriment of potential recipients of the Gardasil vaccine, the existing general
7 and universal fear by individuals and the general public of cancerous disease processes, by
8 repeatedly stating, representing, urging and implying that medically to prevent cervical cancer
9 and its consequences it was necessary for young females to be administered the Gardasil
10 Vaccine.

11 Further in their marketing, Defendants Merck and Does 1 through 25 wrongfully and
12 deceitfully failed to unambiguously inform those to whom the marketing was directed, of
13 material facts and information which these Defendants knew or should have ascertained
14 through their investigations and studies specific to risk/benefit and quantitative risk
15 assessments regarding and including, among other things, the following:

- 16 1. That the Gardasil vaccine was then only known to be effective for a
- 17 five year period;
- 18 2. That Gardasil was effective only as to certain and not all strains of the
- 19 HPV virus;
- 20 3. The Gardasil vaccine is not effective once an individual is infected
- 21 with the HPV virus;
- 22 4. The other existing methods that are effective in avoiding HPV viral
- 23 infections;
- 24 5. The minimal risk that, even once the individual was infected with the
- 25 HPV virus, the infection would result in precancerous lesions;
- 26 6. The effectiveness of exiting methods of diagnosing and treating HPV
- 27 precancerous lesions;

28 ///

07/28/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 7. The effectiveness of existing methods of diagnosing and treating any resulting cancer;
- 8. The nature and consequences as well as the likelihood of serious adverse reactions to the HPV vaccine; and
- 9. Other items related and material to risk/benefit and quantitative risk assessments not now known and if required leave of Court will be requested to amend this complaint to set forth fully such item or items when ascertained.

Such information was and is reasonably required by patients and consumers as well as others when considering and deciding whether or not under their individual and personal circumstances they, their child or others be vaccinated with Gardasil.

18. Plaintiff and her parents were exposed to, were aware of, heard and relied on the facts and information provided by Defendants Merck, Does 1 through 25 and each of them in their marketing campaign as heretofore set forth, and while lacking such material facts and information reasonably required for an informed consent, agreed to Plaintiff being administered the series of the three Gardasil vaccinations.

19. The foregoing acts and actions by Defendants Merck and Does 1 through 25 were both expressly and impliedly malicious, oppressive and wanton, being intentional, willful, wrongful and deceitful and done without justifiable cause or excuse but with the full knowledge and a conscious disregard that individuals such as Plaintiff and her parents would, if provided with accurate facts as to the effectiveness, safety and need to be vaccinated as well as and when compared to the risks of serious adverse reactions therefrom, would reasonably conclude not to be vaccinated with Gardasil, all to the loss of sales and profits of such Defendants.

BY REASON AND AS THE LEGAL CAUSE OF THE FOREGOING wrongful and deceitful acts and actions by Defendants Merck, Does 1 through 25 and each of them, Plaintiff has suffered serious and debilitating injuries for which she is entitled to general damages for pain and suffering along with special damages for loss of income and medical related

07/28/2016

1 expenses, all according to proof.

2 FURTHER BY REASON OF SUCH malicious, oppressive and wanton acts and
3 actions, Defendants Merck, Does 1 through 25, and each of them, ought to pay exemplary
4 damages in such amounts as may be reasonably determined to be just and proper.

5 SECOND CAUSE OF ACTION

6 NEGLIGENCE

7 (Against Defendants Merck, Does 1 through 25 and each of them)

8 19. Plaintiff realleges and incorporates herein by reference each and every
9 allegation contained in Paragraphs 1 through 10 above of the Common Allegations as if set
10 forth herein at length.

11 20. Plaintiff realleges and incorporates herein by reference each and every
12 allegation contained in Paragraphs 12 and 13 of the above First Cause of Action as if set forth
13 herein at length.

14 21. Plaintiff is informed and believes and based upon such information and belief
15 alleges that Defendants Merck, Does 1 through 25 and each of them negligently failed, during
16 the preapproval processing period and thereafter, to disclose to the FDA and others material
17 facts and information relating to the effectiveness and safety of Gardasil, as well as to whom
18 the vaccine should or should not be administered, known to them and obtained through such
19 scientific and medical investigations and studies which they have or should have caused to
20 be conducted.

21 22. Also, Plaintiff is informed and believes and based upon such information and
22 belief alleges that Defendants Merck, Does 1 through 25, and each of them, negligently failed
23 to perform the material scientific and medical investigations and studies relating to the
24 effectiveness, safety and need for the Gardasil vaccine as required by and under FDA
25 directives and regulations as well as those to which a prudent manufacturer should and would
26 comply.

27 23. Upon approval by the FDA of the Gardasil Vaccine, Defendants Merck, Does 1
28 through 25, and each of them, commenced and engaged in a highly extensive and aggressive

07/29/2016

1 marketing practices which were designed primarily, if not solely, to increase the sales and
 2 profits from Gardasil. In doing so Defendants Merck, Does 1 through 25, and each of them,
 3 in order to preclude any and all questions by consumers, patients and others as to the
 4 effectiveness, safety and need for the administration of the Gardasil vaccination as well as the
 5 risks of serious adverse reaction related thereto, negligently withheld from and failed to
 6 provide consumers, patients and others with material facts and information with respect to the
 7 effectiveness, safety and need for the administration of the Gardasil vaccine as well as the
 8 risks of serious adverse reaction related thereto and as in part hereafter set forth.

9 24. These marketing practices were initially directed at and targeted females aged
 10 9 years through 26 years. In order to promote its sales and profits, Defendants Merck, Does
 11 1 through 25, and each of them, did negligently manipulate and utilize, to the detriment of
 12 potential recipients of the Gardasil vaccine, the existing general and universal fear by
 13 individuals and the general public of cancerous disease processes, by repeatedly stating,
 14 representing, urging and implying that medically to prevent cervical cancer and its
 15 consequences it was necessary for young females to be administered the Gardasil Vaccine.

16 Further in their marketing, Defendants Merck and Does 1 through 25 negligently
 17 failed to unambiguously inform those to whom the marketing was directed, of material facts
 18 and information which these Defendants knew or should have ascertained through their
 19 investigations and studies specific to risk/ benefit and quantitative risk assessments regarding
 20 and including, among other things, the following:

- 21 1. That the Gardasil vaccine was then only known to be effective for a
- 22 five year period;
- 23 2. That Gardasil was effective only as to certain and not all strains of the
- 24 HPV virus;
- 25 3. The Gardasil vaccine is not effective once an individual is infected
- 26 with the HPV virus;
- 27 4. The other existing methods that are effective in avoiding HPV viral
- 28 infections;

07/28/2016

- 1 5. The minimal risk that, even once the individual was infected with the
- 2 HPV virus, the infection would result in precancerous lesions;
- 3 6. The effectiveness of exiting methods of diagnosing and treating HPV
- 4 precancerous lesions;
- 5 7. The effectiveness of exiting methods of diagnosing and treating any
- 6 resulting cancer;
- 7 8. The nature and consequences as well as the likelihood of serious
- 8 adverse reactions to the HPV vaccine; and
- 9 9. Other items related and material to risk/benefit and quantitative risk
- 10 assessments not now known and if required leave of Court will be
- 11 requested to amend this complaint to set forth fully such item or items
- 12 when ascertained.

13 Such information was and is reasonably required by patients and consumers, as well
 14 as, others when considering and deciding whether or not under their individual and personal
 15 circumstances they, their child or others be vaccinated with Gardasil.

16 25. Plaintiff and her parents were exposed to, were aware of, heard and relied on
 17 the information provided by Defendants Merck, Does 1 through 25, and each of them, in its
 18 marketing campaign as heretofore set forth, and while lacking the facts and information
 19 reasonably required for an informed consent, agreed to Plaintiff being administered the series
 20 of the three Gardasil vaccinations.

21 BY REASON AND AS A LEGAL CAUSE OF THE FOREGOING negligent acts and
 22 actions by Defendants Merck and Does 1 through 25, Plaintiff has suffered serious and
 23 debilitating injuries for which she is entitled to general damages for pain and suffering along
 24 with special damages for loss of income and medical related expenses; all according to proof.

25 ///
 26 ///
 27 ///
 28 ///

07/26/2016

THIRD CAUSE OF ACTION

PRODUCT LIABILITY- FAILURE TO WARN AND INFORM

(Against Defendants Merck, Does 1 through 25 and each of them)

26. Plaintiff realleges and incorporates herein by reference each and every allegation contained in Paragraphs 1 through 10 above of the Common Allegations as if set forth herein at length.

27. Plaintiff realleges and incorporates herein by reference each and every allegation contained in Paragraphs 12 and 13 of the above of the First Cause of Action as if set forth herein at length.

28. Plaintiff is informed and believes and based upon such information and belief alleges that Merck, Does 1 through 25, and each of them, failed during the preapproval processing period and thereafter to disclose and concealed from the FDA and others material facts and information relating to the effectiveness and safety of the Gardasil vaccine, as well as to whom the vaccine should or should not be administered, known to them and obtained through such scientific and medical investigations and studies which they have or have caused to be conducted.

29. Also, Plaintiff is informed and believes and based upon such information and belief alleges that Merck, Does 1 through 25, and each of them, failed to perform the material scientific and medical investigations and studies relating to the safety and effectiveness of the Gardasil vaccine as required by and under FDA directives and regulations as well as those to which a prudent manufacturer would and should comply.

30. Upon approval by the FDA of the Gardasil Vaccine, Defendants Merck, Does 1 through 25, and each of them, commenced and engaged in highly extensive with aggressive marketing practices which were designed primarily, if not solely, to increase the sales and profits from Gardasil. In doing so Merck, Does 1 through 25, and each of them, in order to preclude any and all questions by consumers, patients and others as to the effectiveness, safety and need for the administration of the Gardasil vaccination, as well as the risks of serious adverse reactions related thereto, withheld from and failed to provide consumers, patients and

07/28/2016

1 others with material facts and information with respect to the the effectiveness, safety and
2 need for the administration of the Gardasil as well as the risks of serious adverse reactions
3 related thereto, as in part hereafter set forth.

4 31. These marketing practices were initially directed at and targeted females aged
5 9 years through 26 years. In order to promote its sales and profits, Defendants Merck, Does
6 1 through 25, and each of them, did manipulate and utilize, to the detriment of potential
7 recipients of the Gardasil vaccine, the existing general and universal fear by individuals and
8 the general public of cancerous disease processes, by repeatedly stating, representing, urging
9 and implying that medically to prevent cervical cancer and its consequences it was necessary
10 for young females to be administered the Gardasil Vaccine.

11 Further in their marketing, Defendants Merck and Does 1 through 25 failed to
12 unambiguously inform those to whom the marketing was directed, of material facts and
13 information which these Defendants knew or should have ascertained through their
14 investigations and studies specific to risk/benefit and quantitative risk assessments regarding
15 and including, among other things, the following:

- 16 1. That the Gardasil vaccine was then only known to be effective for a
17 five year period;
- 18 2. That Gardasil was effective only as to certain and not all strains of the
19 HPV virus;
- 20 3. The Gardasil vaccine is not effective once an individual is infected
21 with the HPV virus;
- 22 4. The other existing methods that are effective in avoiding HPV viral
23 infections;
- 24 5. The minimal risk that, even once the individual was infected with the
25 HPV virus, the infection would result in precancerous lesions;
- 26 6. The effectiveness of exiting methods of diagnosing and treating HPV
27 precancerous lesions;

28 ///

09/27/2019

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 7. The effectiveness of existing methods of diagnosing and treating any resulting cancer;
- 8. The nature and consequences as well as the likelihood of serious adverse reactions to the HPV vaccine; and
- 9. Other items related and material to risk/benefit and quantitative risk assessments not now known and if required leave of Court will be requested to amend this complaint to set forth fully such item or items when ascertained.

Such information was and is reasonably required by patients and consumers, as well as, others when considering and deciding whether or not under their individual and personal circumstances they, their child or others be vaccinated with Gardasil.

32. Plaintiff and her parents were exposed to, were aware of, heard and relied on the information provided by Defendants Merck and Does 1 through 25 in its marketing campaign as heretofore set forth, and while lacking the facts and information reasonably required for an informed consent, in agreed to Plaintiff being administered the series of the three Gardasil vaccines.

BY REASON AND AS A LEGAL CAUSE OF THE FOREGOING defective product manufactured and promoted by Defendants Merck, Does 1 through 25, and each of them, Plaintiff has suffered serious and debilitating injuries for which she is entitled to general damages for pain and suffering along with special damages for loss of income and medical related expenses, all according to proof.

FOURTH CAUSE OF ACTION

MEDICAL MALPRACTICE

(Against Defendants Kaiser Foundation Hospitals, Southern California Permanente Group, Judith Garza, M.D., Claire Valencia Fuller, M.D., Robin B Scanlon, M.D., Does 26 through 50 and each of them)

33. Plaintiff realleges and incorporates herein by reference each and every allegation contained in Paragraphs 1 through 10 above of the Common Allegations as if set

07/28/2016

1 forth herein at length.

2 34. Plaintiff realleges and incorporates herein by reference each and every
3 allegation contained in Paragraphs 12 and 13 above of the First Cause of Action as if set forth
4 herein at length

5 35. At all times herein mention Defendants Kaiser Foundation Hospitals, Southern
6 California Permanente Group, Judith Garza, M.D. Clair Valencia Fuller, M.D., Robin B
7 Scanlon, M.D., Does 26 through 50 and each of them at all times set forth herein provided
8 and are now providers of hospital, medical and other health care services for Plaintiff.
9 ("Medical Providers"). Such services included the negligent and wrongful act in the
10 administration of the series of three Gardasil vaccinations during the period from March 04,
11 2010 and January 20, 2011 coupled with the continuous rendering thereafter and to this date
12 of medical treatment, care and related services for disease processes suffered by Plaintiff due
13 to the severe adverse medical reactions to the Gardasil Vaccine. Additionally, such negligent
14 and wrongful act incorporates the failure of Defendant Medical Providers to medically
15 diagnose the nature of Plaintiff's underlying immunological disease processes, thereby
16 rendering the causal relationship between the Gardasil Vaccinations and her serious medical
17 conditions to be unascertainable prior to February of 2016.

18 36. Plaintiff is informed and believes and based upon such information and belief
19 alleges that Defendant Medical Providers negligently relied upon facts and information
20 provided to them by Defendants Merck, Does 1 through 25, and each of them, with respect
21 to the effectiveness, safety and need for the administration of the Gardasil vaccine as
22 heretofore set forth, in advising Plaintiff, who was then a minor, and her parents that Plaintiff
23 be administered the series of three Gardasil vaccinations.

24 37. In rendering the foregoing advise, Defendant Medical Providers negligently
25 failed to inform Plaintiff and her parents with material facts and information as to the
26 effectiveness, safety and the need for the administration of the Gardasil vaccinations and in
27 particular as to the specific risk/benefit and quantitative risk assessments regarding and
28 including, among other things, the following:

07/28/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. That the Gardasil vaccine was then only known to be effective for a five year period;
2. That Gardasil was effective only as to certain and not all strains of the HPV virus;
3. The Gardasil vaccine is not effective once an individual is infected with the HPV virus;
4. The other existing methods that are effective in avoiding HPV viral infections;
5. The minimal risk that, even once the individual was infected with the HPV virus, the infection would result in precancerous lesions;
6. The effectiveness of exiting methods of diagnosing and treating HPV precancerous lesions;
7. The effectiveness of exiting methods of diagnosing and treating any resulting cancer;
8. The nature and consequences as well as the likelihood of serious adverse reactions to the HPV vaccine; and
9. Other items related and material to risk/benefit and quantitative risk assessments not now known and if required leave of Court will be requested to amend this complaint to set forth fully such item or items when ascertained.

Such information was and is reasonably required by patients and consumers, as well as, others when considering and deciding whether or not under their individual and personal circumstances they, their child or others be vaccinated with Gardasil.

38. By reason thereof Plaintiff and her parents were negligently deprived of their right to make an informed consent to Plaintiff receiving or otherwise declining that Plaintiff be administered the Gardasil vaccinations. Had Plaintiff and her parents been informed of such material facts and information they would have reasonably rejected the vaccination.

///

07/28/2016

1 BY REASON AND AS A LEGAL CAUSE OF THE FOREGOING Plaintiff has
2 suffered serious and debilitating injuries for which she is entitled to general damages for pain
3 and suffering along with special damages for loss of income and medical related expenses,
4 all according to proof.

5 **FIFTH CAUSE OF ACTION**

6 **MEDICAL BATTERY**

7 (Against Defendants Kaiser Foundation Hospitals, Southern California
8 Permanente Group, Judith Garza, M.D., Claire Valencia Fuller, M.D.,
9 Robin B Scanlon, M.D., Does 26 through 50 and each of them)

10 39. Plaintiff realleges and incorporates herein by reference each and every
11 allegation contained in Paragraphs 1 through 10 above of the Common Allegations as if set
12 forth herein at length.

13 40. Plaintiff realleges and incorporates herein by reference each and every
14 allegation contained in Paragraphs 12 through 13 above of the First Cause of Action as if set
15 forth herein at length

16 41. Plaintiff realleges and incorporates herein by reference each and every
17 allegation contained in paragraphs 35 through 38 above of the Fourth Cause of Action as if set
18 forth herein at length.

19 42. The administration of each of the Gardasil vaccines was without the informed
20 consent of Plaintiff and her parents as well as a battery against Plaintiff.

21 BY REASON AND AS A PROXIMATE CAUSE OF THE FOREGOING Plaintiff
22 has suffered serious and debilitating injuries for which she is entitled to general damages for
23 pain and suffering along with special damages for loss of income and medical related
24 expenses, all according to proof.all

25 ///
26 ///
27 ///
28 ///

07/28/2016

PRAYER

PLAINTIFF PRAYS JUDGMENT AS FOLLOWS:

ON THE FIRST CAUSE OF ACTION AGAINST EACH OF THE DEFENDANTS

MERCK & Co., INC, a New Jersey Corporation; MERCK SHARP & DOHME CORP, a New Jersey Corporation AND does 1 through 25:

- 1. GENERAL DAMAGES ACCORDING TO PROOF
- 2. SPECIAL DAMAGES:
 - a. LOSS OF INCOME ACCORDING TO PROOF
 - b. MEDICAL AND RELATED EXPENSES ACCORDING TO PROOF
- 3. EXEMPLARY DAMAGES ACCORDING TO PROOF
- 4. COSTS OF SUIT, and
- 5. SUCH OTHER FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER

ON THE SECOND AND THIRD CAUSES OF ACTION AGAINST EACH OF THE DEFENDANTS MERCK & Co., INC, a New Jersey Corporation; MERCK SHARP & DOHME CORP, a New Jersey Corporation AND does 1 through 25 and each of them

- 1. GENERAL DAMAGES ACCORDING TO PROOF,
- 2. SPECIAL DAMAGES:
 - a. LOSS OF INCOME ACCORDING TO PROOF
 - b. MEDICAL AND RELATED EXPENSES ACCORDING TO PROOF
- 3. COSTS OF SUIT, and
- 4. SUCH OTHER FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER.

ON THE FOURTH AND FIFTH CAUSES OF ACTION AGAINST DEFENDANTS KAISER FOUNDATION HOSPITALS, a Corporation; SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP; JUDITH GARZA, M.D.; CLAIRE VALENCIA FULLER, M.D.; and ROBIN B. SCANLON, M.D., and does 26 through 50 and each of them:

///


97224215

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1. GENERAL DAMAGES ACCORDING TO PROOF,
- 2. SPECIAL DAMAGES:
 - a. LOSS OF INCOME ACCORDING TO PROOF
 - b. MEDICAL AND RELATED EXPENSES ACCORDING TO PROOF
- 3. COSTS OF SUIT, and
- 4. SUCH OTHER FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER.

Dated: July 26, 2016

AJALAT & AJALAT

By: 
 SOL AJALAT, ESQ.
 Attorneys for Plaintiff,
 JENNIFER ROBI

Courthouse News Service

07/28/2016

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Bar number, and address): Sol P. Ajalat, Esq., 033258 Gregory M. Ajalat, Esq., 150878 Ajalat & Ajalat, LLP 5200 Lankershim Boulevard, Suite 850 North Hollywood, CA 91601 TELEPHONE NO.: (818) 506-1500 FAX NO.: (818) 506-1016		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles JUL 27 2016 Sherri R. Carter, Executive Officer/Clerk By <i>Cristina Orjales</i> , Deputy Cristina Orjales
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Same CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central		
CASE NAME: JENNIFER ROBI v. MERCK & CO., INC., a New Jersey Corporation, etc., et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	CASE NUMBER: BC 6 28 589
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PIPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input checked="" type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIPD/WD (23) Non-PIPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIPD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Arbitration/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	--

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): **FOUR (4)**

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: July 26, 2016

Sol P. Ajalat, Esq., 033258

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.

File this cover sheet in addition to any cover sheet required by local court rules.

If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Legal Solutions Plus

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
Cal. Standards of Judicial Administration, std. 3.10

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

- Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

- Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Arbitrator/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

SHORT TITLE: JENNIFER ROBI v. MERCK & CO., INC., etc., et al.

CASE NUMBER

BC 6 2 8 5 8 9

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases - unlawful detainer, limited non-collection, limited collection, or personal injury).

Table with 3 columns: A) Civil Case Cover Sheet Category No., B) Type of Action (Check only one), C) Applicable Reasons - See Step 3 Above. Rows include Auto Tort, Asbestos, Product Liability, Medical Malpractice, and Other Personal Injury/Property Damage/Wrongful Death.

SHORT TITLE: JENNIFER ROBI v. MERCK & CO., INC., etc., et al.	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damager/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: JENNIFER ROBI v. MERCK & CO., INC., etc., et al.	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8		
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
<input type="checkbox"/> A6100 Other Civil Petition	2, 9		

SHORT TITLE: JENNIFER ROBI v. MERCK & CO., INC., etc., et al.	CASE NUMBER
--	-------------

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input checked="" type="checkbox"/> 11.			ADDRESS: FILED IN CENTRAL COURT PURSUANT TO COURT ORDER OF MARCH 18, 2013 450 N. LAKE Ave
CITY: Pasadena,	STATE: CA	ZIP CODE: 91101	

Step 5: Certification of Assignment: I certify that this case is properly filed in the CENTRAL District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: July 26, 2016

[Handwritten Signature]
 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

07/26/2016 10:44