

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

TIFFANY HOGANS,

and

CHERYL ALVARADO,

and

CINDY ARMSTRONG,

and

LUANN BAKER,

and

KRISTINA BENNETT,

and

WANDA BENNETT,

and

BELINDA J. CAMPBELL,

and

SURFLOURINIA CAMPBELL,

and

CHERYL CARAGAN,

and

YVONNE CARTER,

and

ALICE CHILDRESS,

and

Cause Number

Division:

JURY TRIAL DEMANDED

PATRICIA CLARKE,

and

DEBBIE DAVIS,

and

VERA DAVIS,

and

BONNIE DI GIROLAMO,

and

ILENE DIXON,

and

LUCILLE DIXON,

and

ANNA DUHON,

and

DAVID ENGELHARDT, ON BEHALF OF
CYNTHIA ENGELHARDT,

and

JACQUELINE FOX,

and

JILL GARRISON,

and

IRMA GASKIN,

and

DEBORAH GIANNECCHINI,

and

SUSAN GUSTMAN,

and

ROBYN HAMBY,

and

JANICE HANCOCK,

and

LYKEISHA HARRISON,

and

MOLLY HAWKINS,

and

CYNTHIA HOLDEN,

and

BARBARA JACKSON,

and

ANGELA JOHNSON,

and

GINGER JORDAN,

and

MELISSA KEESEE,

and

CINDY KING,

and

KIM KINGSBURY,

and

KATHERINE LETT,

and

FRANKIE LEWIS,

and

JOANNE MARR,

and

SARA MCDOWELL,

and

MICHELINE MICHAUD-SCHEVIS,

and

JANIE MONTGOMERY,

and

DOROTHY PATTON,

and

SHARON PEARSON,

and

GINA PFAU,

and

DEBORAH POTTER,

and

LYNN PROCTER,

And

GLORIA RISTESUND,

and

CLAUDIA RODRIGUE,

and

LINDA ROSATO,

and

JANALYN RUSACK,

and

LYNETTE SELVA,

and

CANDY SETZER,

and

CAROLE SEXTON,

and

CAROLINE SHALLMAN,

and

MARIE SHAUT,

and

FRANCES SKITZKI

and

LENA ELAINE SMITH,

and

PHYLLIS SMITH,

and

BARBARA TALUCCI,

and

HEATHER TRUJILLO,

and

ANGELA TURNER,

and

CHRISTY UZZELL,

and

ANGIE WAIT,

And

MARY WASHINGTON,

and

MARIANNE WESTERMAN,

Plaintiffs,

v.

JOHNSON & JOHNSON

Serve: Steven M. Rosenberg
Registered Agent
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

and

JOHNSON & JOHNSON CONSUMER
COMPANIES, INC.

Serve: Person in Charge
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

and

IMERYS TALC AMERICA, INC. F/K/A LUZENAC
AMERICA, INC.

Serve: CSC-Lawyers Incorporating Service
Company
Registered Agent
221 Bolivar
Jefferson City, MO 65101

and

PERSONAL CARE PRODUCTS COUNCIL F/K/A
COSMETIC, TOILETRY, AND FRAGRANCE
ASSOCIATION (CTFA)

Serve: Registered Agent
Personal Care Products Council
1620 L Street, N.W., Suite 1200
Washington, DC 20036

Defendants.

PETITION

COME NOW Plaintiffs, by and through their undersigned counsel, and for their cause of action against Defendants Johnson & Johnson; Johnson & Johnson Consumer Companies, Inc.; Imerys Talc America, Inc., f/k/a Luzenac America, Inc.; Personal Care Products Council f/k/a Cosmetic, Toiletry, and Fragrance Association (CTFA), alleging the following upon information and belief (including investigation made by and through Plaintiffs' counsel), except those allegations that pertain to Plaintiffs, which are based on personal knowledge:

INTRODUCTION

1. Plaintiffs bring this cause of action against Defendants pursuant to Rule 52.05(a) of the Missouri Rules of Civil Procedure as their claims arise out of the same series of transactions and occurrences, and their claims involve common questions of law and/or fact. All claims in this action are a direct and proximate result of Defendants' and/or their corporate predecessors negligent, willful, and wrongful conduct in connection with the design, development, manufacture, testing, packaging, promoting, marketing, distribution, labeling, and/or sale of the products known as Johnson & Johnson Baby Powder and Shower to Shower (hereinafter "the PRODUCTS"). All Plaintiffs in this action seek recovery for damages as a result of developing ovarian cancer, which was directly and proximately caused by such wrongful conduct by Defendants, the unreasonably dangerous and defective nature of talcum powder, and the attendant effects of developing ovarian cancer. All of the claims in this action involve common legal and medical issues.

PARTIES

2. Plaintiff Tiffany Hogans is a citizen of the City of St. Louis, State of Missouri. At all pertinent times, including from approximately 1993 to 2013, Plaintiff Tiffany Hogans purchased and applied talcum powder in the City of St. Louis, State of Missouri. In or around December 30, 2013, Plaintiff Tiffany Hogans was diagnosed with ovarian cancer, which developed in the State of Missouri. Plaintiff Tiffany Hogans developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Tiffany Hogans has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Tiffany Hogans has otherwise been damaged

in a personal and pecuniary nature. At all pertinent times, Plaintiff Tiffany Hogans applied talcum powder in the State of Missouri.

3. Plaintiff Cheryl Alvarado is a citizen of the City of Hermitage, State of Tennessee. At all pertinent times, including from approximately 01/01/1970 to 02/01/2014, Plaintiff Cheryl Alvarado purchased and applied talcum powder in the State of Tennessee. In or around February 1, 2014, Plaintiff Cheryl Alvarado was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Cheryl Alvarado developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Cheryl Alvarado has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Cheryl Alvarado has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Cheryl Alvarado applied talcum powder in the State of Tennessee.

4. Plaintiff Cindy Armstrong is a citizen of the City of Bellingham, State of Washington. At all pertinent times, including from approximately 01/01/1992 to 12/18/2012, Plaintiff Cindy Armstrong purchased and applied talcum powder in the State of Washington. In or around February 6, 2013, Plaintiff Cindy Armstrong was diagnosed with ovarian cancer, which developed in the State of Washington. Plaintiff Cindy Armstrong developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and

sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Cindy Armstrong has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Cindy Armstrong has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Cindy Armstrong applied talcum powder in the State of Washington.

5. Plaintiff LuAnn Baker is a citizen of the City of Falls Church, State of Virginia. At all pertinent times, including from approximately 01/01/1968 to 12/07/2012, Plaintiff LuAnn Baker purchased and applied talcum powder in the States of Virginia and Indiana. In or around December 7, 2012, Plaintiff LuAnn Baker was diagnosed with ovarian cancer, which developed in the State of Virginia. Plaintiff LuAnn Baker developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff LuAnn Baker has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff LuAnn Baker has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff LuAnn Baker applied talcum powder in the States of Virginia and Indiana.

6. Plaintiff Kristina Bennett is a citizen of the City of Vandalia, State of Illinois. At all pertinent times, including from approximately 05/22/1985 to 02/17/2013, Plaintiff Kristina Bennett purchased and applied talcum powder in the States of Texas and Illinois. In or around March 28, 2013, Plaintiff Kristina Bennett was diagnosed with ovarian cancer, which developed in the State of Illinois. Plaintiff Kristina Bennett developed ovarian cancer, and suffered effects

attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Kristina Bennett has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Kristina Bennett has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Kristina Bennett applied talcum powder in the States of Texas and Illinois.

7. Plaintiff Wanda Bennett is a citizen of the City of Hiddenite, State of North Carolina. At all pertinent times, including from approximately 01/01/1970 to 01/01/2010, Plaintiff Wanda Bennett purchased and applied talcum powder in the State of North Carolina. In or around September 1, 2012, Plaintiff Wanda Bennett was diagnosed with ovarian cancer, which developed in the State of North Carolina. Plaintiff Wanda Bennett developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Wanda Bennett has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Wanda Bennett has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Wanda Bennett applied talcum powder in the State of North Carolina.

8. Plaintiff Belinda J. Campbell is a citizen of the City of Oak Harbor, State of Washington. At all pertinent times, including from approximately 1956 to 01/15/2014, Plaintiff

Belinda J. Campbell purchased and applied talcum powder in the State of Washington. In or around July 13, 2011, Plaintiff Belinda J. Campbell was diagnosed with ovarian cancer, which developed in the State of Washington. Plaintiff Belinda J. Campbell developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Belinda J. Campbell has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Belinda J. Campbell has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Belinda J. Campbell applied talcum powder in the State of Washington.

9. Plaintiff Surflorunia Campbell is a citizen of the City of Memphis, State of Tennessee. At all pertinent times, including from approximately 12/11/2008 to 01/17/2013, Plaintiff Surflorunia Campbell purchased and applied talcum powder in the State of Tennessee. In or around January 17, 2013, Plaintiff Surflorunia Campbell was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Surflorunia Campbell developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Surflorunia Campbell has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Surflorunia Campbell

has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Surflorunia Campbell applied talcum powder in the State of Tennessee.

10. Plaintiff Cheryl Caragan is a citizen of the City of Snohomish, State of Washington. At all pertinent times, including from approximately 09/10/1960 12/12/2012, Plaintiff Cheryl Caragan purchased and applied talcum powder in the States of California, Oregon, Washington and Wisconsin. In or around December 12, 2012, Plaintiff Cheryl Caragan was diagnosed with ovarian cancer, which developed in the State of Washington. Plaintiff Cheryl Caragan developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Cheryl Caragan has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Cheryl Caragan has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Cheryl Caragan applied talcum powder in the States of California, Oregon, Washington and Wisconsin.

11. Plaintiff Yvonne Carter is a citizen of the City of Long Beach, State of California. At all pertinent times, including from approximately 01/01/1969 to 05/20/2000, Plaintiff Yvonne Carter purchased and applied talcum powder in the State of California. In or around December 13, 2012, Plaintiff Yvonne Carter was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Yvonne Carter developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development,

testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Yvonne Carter has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Yvonne Carter has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Yvonne Carter applied talcum powder in the State of California.

12. Plaintiff Alice Childress is a citizen of the City of Nashville, State of Tennessee. At all pertinent times, including from approximately 1980 to 2014, Plaintiff Alice Childress purchased and applied talcum powder in the State of Tennessee. In or around August 14, 2013, Plaintiff Alice Childress was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Alice Childress developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Alice Childress has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Alice Childress has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Alice Childress applied talcum powder in the State of Tennessee.

13. Plaintiff Patricia Clarke is a citizen of the City of Watsonville, State of California. At all pertinent times, including from approximately 01/01/1960 to 03/15/2014, Plaintiff Patricia Clarke purchased and applied talcum powder in the State of California. In or around September 1, 2012, Plaintiff Patricia Clarke was diagnosed with ovarian cancer, which developed in the State

of California. Plaintiff Patricia Clarke developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Patricia Clarke has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Patricia Clarke has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Patricia Clarke applied talcum powder in the State of California.

14. Plaintiff Debbie Davis is a citizen of the City of Jackson, State of Mississippi. At all pertinent times, including from approximately 05/25/1976 to 06/10/1994, Plaintiff Debbie Davis purchased and applied talcum powder in the State of Mississippi. In or around April 1, 2013, Plaintiff Debbie Davis was diagnosed with ovarian cancer, which developed in the State of Mississippi. Plaintiff Debbie Davis developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Debbie Davis has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Debbie Davis has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Debbie Davis applied talcum powder in the State of Mississippi.

15. Plaintiff Vera Davis is a citizen of the City of Baton Rouge, State of Louisiana. At all pertinent times, including from approximately 06/05/1956 to 03/05/2013, Plaintiff Vera Davis purchased and applied talcum powder in the State of Louisiana. In or around March 5, 2013, Plaintiff Vera Davis was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Vera Davis developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Vera Davis has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Vera Davis has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Vera Davis applied talcum powder in the State of Louisiana.

16. Plaintiff Bonnie di Girolamo is a citizen of the City of Yucaipa, State of California. At all pertinent times, including from approximately 02/19/1954 to 11/01/2012, Plaintiff Bonnie di Girolamo purchased and applied talcum powder in the State of California. In or around November 1, 2012, Plaintiff Bonnie di Girolamo was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Bonnie di Girolamo developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Bonnie di Girolamo has incurred and will incur medical expenses in the future, has endured and will endure

pain and suffering and loss of enjoyment of life, and Plaintiff Bonnie di Girolamo has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Bonnie di Girolamo applied talcum powder in the State of California.

17. Plaintiff Ilene Dixon is a citizen of the City of Gladwin, State of Michigan. At all pertinent times, including from approximately 02/02/1963 to 04/01/2014, Plaintiff Ilene Dixon purchased and applied talcum powder in the States of Michigan and California. In or around November 1, 2011, Plaintiff Ilene Dixon was diagnosed with ovarian cancer, which developed in the State of Michigan. Plaintiff Ilene Dixon developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Ilene Dixon has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Ilene Dixon has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Ilene Dixon applied talcum powder in the States of Michigan and California.

18. Plaintiff Lucille Dixon is a citizen of the City of Desoto, State of Texas. At all pertinent times, including from approximately 12/17/1960 to 05/01/2012, Plaintiff Lucille Dixon purchased and applied talcum powder in the States of South Carolina, Georgia, Texas, Arkansas, Mississippi and Louisiana. In or around May 1, 2012, Plaintiff Lucille Dixon was diagnosed with ovarian cancer, which developed in the State of Mississippi. Plaintiff Lucille Dixon developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and

negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Lucille Dixon has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Lucille Dixon has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Lucille Dixon applied talcum powder in the State of States of South Carolina, Georgia, Texas, Arkansas and Louisiana.

19. Plaintiff Anna Duhon is a citizen of the City of Lafayette, State of Louisiana. At all pertinent times, including from approximately 01/01/1985 to 04/01/2014, Plaintiff Anna Duhon purchased and applied talcum powder in the State of Louisiana. In or around December 1, 2001, Plaintiff Anna Duhon was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Anna Duhon developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Anna Duhon has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Anna Duhon has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Anna Duhon applied talcum powder in the State of Louisiana.

20. Plaintiff David Engelhardt, is an adult whose principal place of residence is in the City of Broomfield, State of Colorado, brings this action in his capacity as representative of the Estate of Cynthia Engelhardt. Plaintiff David Engelhardt is pursuing this action due to the

wrongfully caused premature death of Cynthia Engelhardt on behalf of that decedent's estate. The premature death of Cynthia Engelhardt was the direct and proximate result of her application of talcum powder and subsequent ovarian cancer diagnosis. As a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder, and pursuant to C.R.S. §§ 13-21-201, *et seq.*, Plaintiff seeks damages for decedent's loss of future earnings, loss of decedent's value to her estate, and other damages as allowed by law.

21. Plaintiff Jacqueline Fox is a citizen of the City of Birmingham, State of Alabama. At all pertinent times, including from approximately 09/20/1953 to 01/23/2013, Plaintiff Jacqueline Fox purchased and applied talcum powder in the States of Alabama and Georgia. In or around March 1, 2013, Plaintiff Jacqueline Fox was diagnosed with ovarian cancer, which developed in the State of Alabama. Plaintiff Jacqueline Fox developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Jacqueline Fox has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Jacqueline Fox has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Jacqueline Fox applied talcum powder in the States of Alabama and Georgia.

22. Plaintiff Jill Garrison is a citizen of the City of Appleton, State of Wisconsin. At all pertinent times, including from approximately 1995 to 2014, Plaintiff Jill Garrison purchased

and applied talcum powder in the State of Wisconsin. In or around July 11, 2011, Plaintiff Jill Garrison was diagnosed with ovarian cancer, which developed in the State of Wisconsin. Plaintiff Jill Garrison developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Jill Garrison has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Jill Garrison has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Jill Garrison applied talcum powder in the State of Wisconsin.

23. Plaintiff Irma Gaskin is a citizen of the City of Dallas, State of Texas. At all pertinent times, including from approximately 01/01/1969 to 10/02/2005, Plaintiff Irma Gaskin purchased and applied talcum powder in the States of Texas and Louisiana. In or around November 1, 2007, Plaintiff Irma Gaskin was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Irma Gaskin developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Irma Gaskin has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Irma Gaskin has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Irma Gaskin applied talcum powder in the States of Texas and Louisiana.

24. Plaintiff Deborah Giannecchini is a citizen of the City of Modesto, State of California. At all pertinent times, including from approximately 01/01/1967 to 11/12/2012, Plaintiff Deborah Giannecchini purchased and applied talcum powder in the State of California. In or around November 12, 2012, Plaintiff Deborah Giannecchini was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Deborah Giannecchini developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Deborah Giannecchini has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Deborah Giannecchini has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Deborah Giannecchini applied talcum powder in the State of California.

25. Plaintiff Susan Gustman is a citizen of the City of Brooklyn, State of New York. At all pertinent times, including from approximately 1974 to 2012, Plaintiff Susan Gustman purchased and applied talcum powder in the State of New York. In or around July 1, 2011, Plaintiff Susan Gustman was diagnosed with ovarian cancer, which developed in the State of New York. Plaintiff Susan Gustman developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Susan Gustman has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of

enjoyment of life, and Plaintiff Susan Gustman has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Susan Gustman applied talcum powder in the State of New York.

26. Plaintiff Robyn Hamby is a citizen of the City of Silt, State of Colorado. At all pertinent times, including from approximately 08/06/1982 to 07/01/2012, Plaintiff Robyn Hamby purchased and applied talcum powder in the States of Oregon, Arizona, Colorado and Texas. In or around July 1, 2012, Plaintiff Robyn Hamby was diagnosed with ovarian cancer, which developed in the State of Colorado. Plaintiff Robyn Hamby developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Robyn Hamby has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Robyn Hamby has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Robyn Hamby applied talcum powder in the States of Oregon, Arizona, Colorado and Texas.

27. Plaintiff Janice Hancock is a citizen of the City of Milan, State of Tennessee. At all pertinent times, including from approximately 01/01/1962 to 04/15/2014, Plaintiff Janice Hancock purchased and applied talcum powder in the States of Tennessee, Michigan and California. In or around March 1, 2011, Plaintiff Janice Hancock was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Janice Hancock developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct

in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Janice Hancock has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Janice Hancock has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Janice Hancock applied talcum powder in the States of Tennessee, Michigan and California.

28. Plaintiff Lykeisha Harrison is a citizen of the City of Los Angeles, State of California. At all pertinent times, including from approximately 10/30/1976 to 07/01/2007, Plaintiff Lykeisha Harrison purchased and applied talcum powder in the State of California. In or around July 1, 2007, Plaintiff Lykeisha Harrison was diagnosed with ovarian cancer, which developed in the State of California. Lykeisha Harrison developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Lykeisha Harrison has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Lykeisha Harrison has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Lykeisha Harrison applied talcum powder in the State of California.

29. Plaintiff Molly Hawkins is a citizen of the City of Oklahoma City, State of Oklahoma. At all pertinent times, including from approximately 2008 to 2011, Plaintiff Molly Hawkins purchased and applied talcum powder in the State of Oklahoma. In or around June 15, 2011, Plaintiff Molly Hawkins was diagnosed with ovarian cancer, which developed in the State

of Oklahoma. Plaintiff Molly Hawkins developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Molly Hawkins has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Molly Hawkins has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Molly Hawkins applied talcum powder in the State of Oklahoma.

30. Plaintiff Cynthia Holden is a citizen of the City of Crittenden, State of Kentucky. At all pertinent times, including from approximately 06/23/1960 to 02/21/2014, Plaintiff Cynthia Holden purchased and applied talcum powder in the State of Kentucky. In or around January 3, 2012, Plaintiff Cynthia Holden was diagnosed with ovarian cancer, which developed in the State of Kentucky. Plaintiff Cynthia Holden developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Cynthia Holden has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Cynthia Holden has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Cynthia Holden applied talcum powder in the State of Kentucky.

31. Plaintiff Barbara Jackson is a citizen of the City of Portland, State of Oregon. At all pertinent times, including from approximately 01/01/1990 to 09/01/2005, Plaintiff Barbara Jackson purchased and applied talcum powder in the State of Oregon. In or around September 1, 2005, Plaintiff Barbara Jackson was diagnosed with ovarian cancer, which developed in the State of Oregon. Plaintiff Barbara Jackson developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Barbara Jackson has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Barbara Jackson has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Barbara Jackson applied talcum powder in the State of Oregon.

32. Plaintiff Angela Johnson is a citizen of the City of Tallulah, State of Louisiana. At all pertinent times, including from approximately 01/01/1980 to 01/01/2009, Plaintiff Angela Johnson purchased and applied talcum powder in the State of Louisiana. In or around January 1, 2009, Plaintiff Angela Johnson was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Angela Johnson developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Angela Johnson has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of

enjoyment of life, and Plaintiff Angela Johnson has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Angela Johnson applied talcum powder in the State of Louisiana.

33. Plaintiff Ginger Jordan is a citizen of the City of Ocala, State of Florida. At all pertinent times, including from approximately 1984 to 2014, Plaintiff Ginger Jordan purchased and applied talcum powder in the States of South Carolina, Louisiana, New Jersey, and Florida. In or around June 23, 2010, Plaintiff Ginger Jordan was diagnosed with ovarian cancer, which developed in the State of Florida. Plaintiff Ginger Jordan developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Ginger Jordan has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Ginger Jordan has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Ginger Jordan applied talcum powder in the States of South Carolina, Louisiana, New Jersey and Florida.

34. Plaintiff Melissa Keesee is a citizen of the City of Ashland, State of Kentucky. At all pertinent times, including from approximately 01/22/1970 to 05/08/2008, Plaintiff Melissa Keesee purchased and applied talcum powder in the State of Kentucky. In or around November 5, 2008, Plaintiff Melissa Keesee was diagnosed with ovarian cancer, which developed in the State of Kentucky. Plaintiff Melissa Keesee developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development,

testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Melissa Keesee has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Melissa Keesee has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Melissa Keesee applied talcum powder in the State of Kentucky.

35. Plaintiff Cindy King is a citizen of the City of Fort Lauderdale, State of Florida. At all pertinent times, including from approximately 02/21/1996 to 05/01/2010, Plaintiff Cindy King purchased and applied talcum powder in the State of Florida. In or around January 2, 2011, Plaintiff Cindy King was diagnosed with ovarian cancer, which developed in the State of Florida. Plaintiff Cindy King developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Cindy King has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Cindy King has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Cindy King applied talcum powder in the State of Florida.

36. Plaintiff Kim Kingsbury is a citizen of the City of Groveland, State of Florida. At all pertinent times, including from approximately 01/01/1965 to 01/01/1992, Plaintiff Kim Kingsbury purchased and applied talcum powder in the State of Massachusetts. In or around January 1, 1992, Plaintiff Kim Kingsbury was diagnosed with ovarian cancer, which developed in the State of Massachusetts. Plaintiff Kim Kingsbury developed ovarian cancer, and suffered

effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Kim Kingsbury has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Kim Kingsbury has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Kim Kingsbury applied talcum powder in the State of Massachusetts.

37. Plaintiff Katherine Lett is a citizen of the City of Elk Grove, State of California. At all pertinent times, including from approximately 01/14/1953 to 01/01/2005, Plaintiff Katherine Lett purchased and applied talcum powder in the States of California and Arizona. In or around June 28, 2012, Plaintiff Katherine Lett was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Katherine Lett developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Katherine Lett has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Katherine Lett has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Katherine Lett applied talcum powder in the States of California and Arizona.

38. Plaintiff Frankie Lewis is a citizen of the City of Fort Washington, State of Maryland. At all pertinent times, including from approximately 01/01/1956 to 01/01/2010,

Plaintiff Frankie Lewis purchased and applied talcum powder in the States of Tennessee, Maryland, North Carolina and District of Columbia. In or around July 1, 2010, Plaintiff Frankie Lewis was diagnosed with ovarian cancer, which developed in the State of North Carolina. Plaintiff Frankie Lewis developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Frankie Lewis has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Frankie Lewis has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Frankie Lewis applied talcum powder in the States of Tennessee, Maryland, North Carolina and District of Columbia.

39. Plaintiff Joanne Marr is a citizen of the City of Auburn, State of Washington. At all pertinent times, including from approximately 01/01/1980 to 03/01/2005, Plaintiff Joanne Marr purchased and applied talcum powder in the State of Washington. In or around March 1, 2005, Plaintiff Joanne Marr was diagnosed with ovarian cancer, which developed in the State of Washington. Plaintiff Joanne Marr developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Joanne Marr has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Joanne Marr has otherwise been damaged in a personal and

pecuniary nature. At all pertinent times, Plaintiff Joanne Marr applied talcum powder in the State of Washington.

40. Plaintiff Sara McDowell is a citizen of the City of Broussard, State of Louisiana. At all pertinent times, including from approximately 1999 to 12/01/2013, Plaintiff Sara McDowell purchased and applied talcum powder in the State of Louisiana. In or around October 7, 2013, Plaintiff Sara McDowell was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Sara McDowell developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Sara McDowell has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Sara McDowell has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Sara McDowell applied talcum powder in the State of Louisiana.

41. Plaintiff Micheline Michaud-Schevis is a citizen of the City of Methuen, State of Massachusetts. At all pertinent times, including from approximately 1972 to 01/30/2014, Plaintiff Micheline Michaud-Schevis purchased and applied talcum powder in the State of Massachusetts. In or around October 18, 2011, Plaintiff Micheline Michaud-Schevis was diagnosed with ovarian cancer, which developed in the State of Massachusetts. Plaintiff Micheline Michaud-Schevis developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion,

distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Micheline Michaud-Schevis has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Micheline Michaud-Schevis has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Micheline Michaud-Schevis applied talcum powder in the State of Massachusetts.

42. Plaintiff Janie Montgomery is a citizen of the City of Scranton, State of South Carolina. At all pertinent times, including from approximately 01/01/1968 to 01/01/2014, Plaintiff Janie Montgomery purchased and applied talcum powder in the States of New Jersey and South Carolina. In or around January 22, 2014, Plaintiff Janie Montgomery was diagnosed with ovarian cancer, which developed in the State of South Carolina. Plaintiff Janie Montgomery developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Janie Montgomery has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Janie Montgomery has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Janie Montgomery applied talcum powder in the States of New Jersey and South Carolina.

43. Plaintiff Dorothy Patton is a citizen of the City of Jackson, State of Tennessee. At all pertinent times, including from approximately 01/01/1990 to 12/25/2013, Plaintiff Dorothy Patton purchased and applied talcum powder in the State of Tennessee. In or around December

25, 2013, Plaintiff Dorothy Patton was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Dorothy Patton developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Dorothy Patton has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Dorothy Patton has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Dorothy Patton applied talcum powder in the State of Tennessee.

44. Plaintiff Sharon Pearson is a citizen of the City of Elizabeth, State of New Jersey. At all pertinent times, including from approximately 01/01/1984 to 03/01/2014, Plaintiff Sharon Pearson purchased and applied talcum powder in the State of New Jersey. In or around December 13, 2013, Plaintiff Sharon Pearson was diagnosed with ovarian cancer, which developed in the State of New Jersey. Plaintiff Sharon Pearson developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Sharon Pearson has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Sharon Pearson has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Sharon Pearson applied talcum powder in the State of New Jersey.

45. Plaintiff Gina Pfau is a citizen of the City of Canton, State of Mississippi. At all pertinent times, including from approximately 01/01/1993 to 01/01/2007, Plaintiff Gina Pfau purchased and applied talcum powder in the States of New Jersey and Mississippi. In or around December 28, 2011, Plaintiff Gina Pfau was diagnosed with ovarian cancer, which developed in the State of Mississippi. Plaintiff Gina Pfau developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Gina Pfau has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Gina Pfau has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Gina Pfau applied talcum powder in the State of Mississippi.

46. Plaintiff Deborah Potter is a citizen of the City of Greenville, State of Mississippi. At all pertinent times, including from approximately 06/16/1950 to 08/15/2007, Plaintiff Deborah Potter purchased and applied talcum powder in the State of Mississippi. In or around July 1, 2011, Plaintiff Deborah Potter was diagnosed with ovarian cancer, which developed in the State of Mississippi. Plaintiff Deborah Potter developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Deborah Potter has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of

enjoyment of life, and Plaintiff Deborah Potter has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Deborah Potter applied talcum powder in the State of Mississippi.

47. Plaintiff Lynn Procter is a citizen of the City of Glen Ellyn, State of Illinois. At all pertinent times, including from approximately 02/27/1959 to 02/10/2013, Plaintiff Lynn Procter purchased and applied talcum powder in the State of Illinois. In or around February 10, 2013, Plaintiff Lynn Procter was diagnosed with ovarian cancer, which developed in the State of Illinois. Plaintiff Lynn Procter developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Lynn Procter has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Lynn Procter has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Lynn Procter applied talcum powder in the State of Illinois.

48. Plaintiff Gloria Ristesund is a citizen of the City of Sioux Falls, State of South Dakota. At all pertinent times, including from approximately 01/01/1973 to 08/16/2011, Plaintiff Gloria Ristesund purchased and applied talcum powder in the States of South Dakota and Minnesota. In or around August 16, 2011, Plaintiff Gloria Ristesund was diagnosed with ovarian cancer, which developed in the State of South Dakota. Plaintiff Gloria Ristesund developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion,

distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Gloria Ristesund has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Gloria Ristesund has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Gloria Ristesund applied talcum powder in the States of South Dakota and Minnesota.

49. Plaintiff Claudia Rodrigue is a citizen of the City of Ponchatoula, State of Louisiana. At all pertinent times, including from approximately 01/01/1973 to 02/09/2014, Plaintiff Claudia Rodrigue purchased and applied talcum powder in the State of Louisiana. In or around February 9, 2014, Plaintiff Claudia Rodrigue was diagnosed with ovarian cancer, which developed in the State of Louisiana. Plaintiff Claudia Rodrigue developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Claudia Rodrigue has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Claudia Rodrigue has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Claudia Rodrigue applied talcum powder in the State of Louisiana.

50. Plaintiff Linda Rosato is a citizen of the City of St. Petersburg, State of Florida. At all pertinent times, including from approximately 10/03/1970 to 01/10/2014, Plaintiff Linda Rosato purchased and applied talcum powder in the States of Maryland, Arkansas, Oregon and Florida. In or around September 23, 2012, Plaintiff Linda Rosato was diagnosed with ovarian cancer, which developed in the State of Florida. Plaintiff Linda Rosato developed ovarian cancer,

and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Linda Rosato has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Linda Rosato has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Linda Rosato applied talcum powder in the States of Maryland, Arkansas, Oregon and Florida.

51. Plaintiff Janalyn Rusack is a citizen of the City of Cary, State of North Carolina. At all pertinent times, including from approximately 01/01/1972 to 01/01/2001, Plaintiff Janalyn Rusack purchased and applied talcum powder in the States of Massachusetts, Tennessee, Florida, and North Carolina. In or around January 1, 2001, Plaintiff Janalyn Rusack was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Janalyn Rusack developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Janalyn Rusack has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Janalyn Rusack has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Janalyn Rusack applied talcum powder in the State of Tennessee.

52. Plaintiff Lynette Selva is a citizen of the City of San Diego, State of California. At all pertinent times, including from approximately 01/01/1968 to 01/01/1988, Plaintiff Lynette

Selva purchased and applied talcum powder in the States of California, Illinois and Ohio. In or around May 1, 2013, Plaintiff Lynette Selva was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Lynette Selva developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Lynette Selva has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Lynette Selva has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Lynette Selva applied talcum powder in the States of California, Illinois and Ohio.

53. Plaintiff Candy Setzer is a citizen of the City of Bellflower, State of California. At all pertinent times, including from approximately 01/01/1985 to 06/01/2010, Plaintiff Candy Setzer purchased and applied talcum powder in the State of California. In or around June 1, 2010, Plaintiff Candy Setzer was diagnosed with ovarian cancer, which developed in the State of California. Plaintiff Candy Setzer developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Candy Setzer has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Candy Setzer has otherwise been damaged in a personal and

pecuniary nature. At all pertinent times, Plaintiff Candy Setzer applied talcum powder in the State of California.

54. Plaintiff Carole Sexton is a citizen of the City of Fayetteville, State of Arkansas. At all pertinent times, including from approximately 1968 to 2014, Plaintiff Carole Sexton purchased and applied talcum powder in the State of Arkansas. In or around August 2, 2011, Plaintiff Carole Sexton was diagnosed with ovarian cancer, which developed in the State of Arkansas. Plaintiff Carole Sexton developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Carole Sexton has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Carole Sexton has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Carole Sexton applied talcum powder in the State of Arkansas.

55. Plaintiff Caroline Shallman is a citizen of the City of Saint Paul, State of Minnesota. At all pertinent times, including from approximately 10/23/1961 to 06/01/1995, Plaintiff Caroline Shallman purchased and applied talcum powder in the State of Minnesota. In or around July 8, 2011, Plaintiff Caroline Shallman was diagnosed with ovarian cancer, which developed in the State of Minnesota. Plaintiff Caroline Shallman developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of

talcum powder. As a direct and proximate result of these injuries, Plaintiff Caroline Shallman has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Caroline Shallman has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Caroline Shallman applied talcum powder in the State of Minnesota.

56. Plaintiff Marie Shaut is a citizen of the City of Oak Grove, State of Kentucky. At all pertinent times, including from approximately 11/01/1995 to 02/01/2013, Plaintiff Marie Shaut purchased and applied talcum powder in the States of Tennessee and Kentucky. In or around April 1, 2013, Plaintiff Marie Shaut was diagnosed with ovarian cancer, which developed in the State of Kentucky. Plaintiff Marie Shaut developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Marie Shaut has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Marie Shaut has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Marie Shaut applied talcum powder in the States of Tennessee and Kentucky.

57. Plaintiff Frances Skitzki is a citizen of the City of Scranton, State of Pennsylvania. At all pertinent times, including from approximately 1980 to 2013, Plaintiff Frances Skitzki purchased and applied talcum powder in the State of Pennsylvania. In or around October 29, 2012, Plaintiff Frances Skitzki was diagnosed with ovarian cancer, which developed in the State of Pennsylvania. Plaintiff Frances Skitzki developed ovarian cancer, and suffered effects attendant

thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Frances Skitzki has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Frances Skitzki has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Frances Skitzki applied talcum powder in the State of Pennsylvania.

58. Plaintiff Lena Elaine Smith is a citizen of the City of Munford, State of Alabama. At all pertinent times, including from approximately 01/01/1960 to 10/01/2012, Plaintiff Lena Elaine Smith purchased and applied talcum powder in the State of Alabama. In or around October 1, 2012, Plaintiff Lena Elaine Smith was diagnosed with ovarian cancer, which developed in the State of Alabama. Plaintiff Lena Elaine Smith developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Lena Elaine Smith has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Lena Elaine Smith has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Lena Elaine Smith applied talcum powder in the State of Alabama.

59. Plaintiff Phyllis Smith is a citizen of the City of Oktaha, State of Oklahoma. At all pertinent times, including from approximately 01/01/1995 to 08/01/2012, Plaintiff Phyllis Smith

purchased and applied talcum powder in the States of Oklahoma, North Carolina, Iowa, Texas and Arkansas. In or around August 1, 2012, Plaintiff Phyllis Smith was diagnosed with ovarian cancer, which developed in the State of Oklahoma. Plaintiff Phyllis Smith developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Phyllis Smith has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Phyllis Smith has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Phyllis Smith applied talcum powder in the States of Oklahoma, North Carolina, Iowa, Texas and Arkansas.

60. Plaintiff Barbara Talucci is a citizen of the City of Stratford, State of New Jersey. At all pertinent times, including from approximately 1984 to 2012, Plaintiff Barbara Talucci purchased and applied talcum powder in the State of New Jersey. In or around October 11, 2012, Plaintiff Barbara Talucci was diagnosed with ovarian cancer, which developed in the State of New Jersey. Plaintiff Barbara Talucci developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Barbara Talucci has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Barbara Talucci has otherwise been damaged

in a personal and pecuniary nature. At all pertinent times, Plaintiff Barbara Talucci applied talcum powder in the State of New Jersey.

61. Plaintiff Heather Trujillo is a citizen of the City of Boone, State of Colorado. At all pertinent times, including from approximately 01/01/1996 to 01/01/2004, Plaintiff Heather Trujillo purchased and applied talcum powder in the State of Colorado. In or around January 1, 2004, Plaintiff Heather Trujillo was diagnosed with ovarian cancer, which developed in the State of Colorado. Plaintiff Heather Trujillo developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Heather Trujillo has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Heather Trujillo has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Heather Trujillo applied talcum powder in the State of Colorado.

62. Plaintiff Angela Turner is a citizen of the City of Cleveland, State of Ohio. At all pertinent times, including from approximately 06/06/1973 to 01/01/2000, Plaintiff Angela Turner purchased and applied talcum powder in the State of Ohio. In or around March 1, 2013, Plaintiff Angela Turner was diagnosed with ovarian cancer, which developed in the State of Ohio. Plaintiff Angela Turner developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and

proximate result of these injuries, Plaintiff Angela Turner has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Angela Turner has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Angela Turner applied talcum powder in the State of Ohio.

63. Plaintiff Christy Uzzell is a citizen of the City of Spring Hill, State of Tennessee. At all pertinent times, including from approximately 05/01/1986 to 12/19/2009, Plaintiff Christy Uzzell purchased and applied talcum powder in the State of Tennessee. In or around December 19, 2009, Plaintiff Christy Uzzell was diagnosed with ovarian cancer, which developed in the State of Tennessee. Plaintiff Christy Uzzell developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Christy Uzzell has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Christy Uzzell has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Christy Uzzell applied talcum powder in the State of Tennessee

64. Plaintiff Angie Wait is a citizen of the City of Sardinia, State of Ohio. At all pertinent times, including from approximately 01/01/1970 to 09/02/2012, Plaintiff Angie Wait purchased and applied talcum powder in the States of Ohio and Kentucky. In or around October 2, 2012, Plaintiff Angie Wait was diagnosed with ovarian cancer, which developed in the State of Ohio. Plaintiff Angie Wait developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder

and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Angie Wait has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Angie Wait has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Angie Wait applied talcum powder in the States of Ohio and Kentucky.

65. Plaintiff Mary Washington is a citizen of the City of Savannah, State of Georgia. At all pertinent times, including from approximately 5/27/1962 to 2012, Plaintiff Mary Washington purchased and applied talcum powder in the States of Georgia. In or around November 9, 2012, Plaintiff Mary Washington was diagnosed with ovarian cancer, which developed in the State of Georgia. Plaintiff Mary Washington developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Mary Washington has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Mary Washington has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Mary Washington applied talcum powder in the State of Georgia.

66. Plaintiff Marianne Westerman is a citizen of the City of Ballwin, State of Missouri. At all pertinent times, including from approximately 1963 to 2014, Plaintiff Marianne Westerman purchased and applied talcum powder in the State of Missouri. In or around May

2005, Plaintiff Marianne Westerman was diagnosed with ovarian cancer, which developed in the State of Missouri. Plaintiff Marianne Westerman developed ovarian cancer, and suffered effects attendant thereto, as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and Defendants' wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder. As a direct and proximate result of these injuries, Plaintiff Marianne Westerman has incurred and will incur medical expenses in the future, has endured and will endure pain and suffering and loss of enjoyment of life, and Plaintiff Marianne Westerman has otherwise been damaged in a personal and pecuniary nature. At all pertinent times, Plaintiff Marianne Westerman applied talcum powder in the State of Missouri.

67. The Defendant, Johnson & Johnson, is a New Jersey corporation with its principal place of business in the State of New Jersey.

68. At all pertinent times, Johnson & Johnson was engaged in the business of manufacturing, marketing, testing, promoting, selling, and/or distributing the PRODUCTS. At all pertinent times, Johnson & Johnson regularly transacted, solicited, and conducted business in all States of the United States, including the State of Missouri.

69. The Defendant, Johnson & Johnson Consumer Companies, Inc. is a New Jersey corporation with its principal place of business in the State of New Jersey.

70. At all pertinent times, Johnson & Johnson Consumer Companies, Inc. was engaged in the business of manufacturing, marketing, testing, promoting, selling, and/or distributing the PRODUCTS. At all pertinent times, Johnson & Johnson regularly transacted, solicited, and conducted business in all States of the United States, including the State of Missouri.

71. The Defendant, Imerys Talc America, Inc., f/k/a Luzenac America, Inc., is a Delaware corporation with its principal place of business in the State of California.

72. At all pertinent times, Imerys Talc America, Inc., f/k/a Luzenac America, Inc., has been in the business of mining and distributing talcum powder for use in talcum powder based products, including the PRODUCTS. Imerys Talc is the successor or continuation of Luzenac America, Inc., and Imerys Talc America, Inc. is legally responsible for all liabilities incurred when it was known as Luzenac America, Inc.

73. The Defendant, Personal Care Products Counsel (“PCPC”), f/k/a Cosmetic, Toiletry, and Fragrance Association (“CTFA”), is a corporation organized under the laws of the District of Columbia, with its principal place of business in the District of Columbia.

74. PCPC is the successor or continuation of CTFA and PCPC is legally responsible for all liabilities incurred when it was known as CTFA.

75. At all pertinent times, all Defendants were engaged in the research, development, manufacture, design, testing, sale and marketing of PRODUCTS, and introduced such products into interstate commerce with knowledge and intent that such products be sold in the States of Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington and Wisconsin.

VENUE

70. Venue is proper in this Court because Plaintiff Tiffany Hogans was first exposed in the City of St. Louis, State of Missouri, as this is where, at all pertinent times, she purchased, ingested, and was exposed to the product at issue.

ALLEGATIONS COMMON TO ALL COUNTS

71. Talc is a magnesium trisilicate and is mined from the earth. Talc is an inorganic mineral. The Defendant, Imerys Talc America, Inc., f/k/a Luzenac America, Inc., mined the talc contained in the PRODUCTS.

72. Talc is the main substance in talcum powders. The Johnson & Johnson Defendants manufactured the PRODUCTS. The PRODUCTS are composed almost entirely of talc.

73. At all pertinent times, a feasible alternative to the PRODUCTS has existed. Cornstarch is an organic carbohydrate that is quickly broken down by the body with no known health effects. Cornstarch powders have been sold and marketed for the same uses with nearly the same effectiveness.

74. Imerys Talc¹ has continually advertised and marketed talc as safe for human use.

75. Imerys Talc supplies customers with material safety data sheets for talc. These material safety data sheets are supposed to convey adequate health and warning information to its customers.

76. Historically, “Johnson’s Baby Powder” has been a symbol of freshness, cleanliness, and purity. During the time in question, the Johnson & Johnson Defendants advertised and marketed this product as the beacon of “freshness” and “comfort”, eliminating friction on the skin, absorbing “excess wetness” helping keep skin feeling dry and comfortable, and “clinically proven

¹ All allegations regarding actions taken by Imerys Talc also include actions taken while that entity was known as Luzenac America, Inc.

gentle and mild”. The Johnson & Johnson Defendants compelled women through advertisements to dust themselves with this product to mask odors. The bottle of “Johnson’s Baby Powder” specifically targets women by stating, “For you, use every day to help feel soft, fresh, and comfortable.”

77. During the time in question, the Johnson & Johnson Defendants advertised and marketed the product “Shower to Shower” as safe for use by women as evidenced in its slogan “A sprinkle a day keeps odor away”, and through advertisements such as “Your body perspires in more places than just under your arms. Use SHOWER to SHOWER to feel dry, fresh, and comfortable throughout the day.” And “SHOWER to SHOWER can be used all over your body.”

78. The Plaintiffs used the PRODUCTS to dust their perineum for feminine hygiene purposes. This was an intended and foreseeable use of the PRODUCTS based on the advertising, marketing, and labeling of the PRODUCTS.

79. In 1971, the first study was conducted that suggested an association between talc and ovarian cancer. This study was conducted by Dr. WJ Henderson and others in Cardiff, Wales.

80. In 1982, the first epidemiologic study was performed on talc powder use in the female genital area. This study was conducted by Dr. Daniel Cramer and others. This study found a 92% increased risk in ovarian cancer with women who reported genital talc use. Shortly after this study was published, Dr. Bruce Semple of Johnson & Johnson came and visited Dr. Cramer about his study. Dr. Cramer advised Dr. Semple that Johnson & Jonhson should place a warning on its talcum powders about the ovarian cancer risks so that women can make an informed decision about their health.

81. Since 1982, there have been approximately twenty-two (22) additional epidemiologic studies providing data regarding the association of talc and ovarian cancer. Nearly

all of these studies have reported an elevated risk for ovarian cancer associated with genital talc use in women.

82. In 1993, the United States National Toxicology Program published a study on the toxicity of non-asbestiform talc and found clear evidence of carcinogenic activity. Talc was found to be a carcinogen, with or without the presence of asbestos-like fibers.

83. In response to the United States National Toxicology Program's study, the Cosmetic Toiletry and Fragrance Association (CTFA) formed the Talc Interested Party Task Force (TIPTF). Johnson & Johnson, Inc., Johnson & Johnson Consumer Companies, Inc. and Luzenac were members of the CTFA and were the primary actors and contributors of the TIPTF. The stated purpose of the TIPTF was to pool financial resources of these companies in an effort to collectively defend talc use at all costs and to prevent regulation of any type over this industry. The TIPTF hired scientists to perform biased research regarding the safety of talc, members of the TIPTF edited scientific reports of the scientists hired by this group prior the submission of these scientific reports to governmental agencies, members of the TIPTF knowingly released false information about the safety of talc to the consuming public, and used political and economic influence on regulatory bodies regarding talc. All of these activities have been well coordinated and planned by these companies and organizations over the past four (4) decades in an effort to prevent regulation of talc and to create confusion to the consuming public about the true hazards of talc relative to ovarian cancer.

84. On November 10, 1994, the Cancer Prevention Coalition mailed a letter to then Johnson & Johnson C.E.O, Ralph Larson, informing his company that studies as far back as 1960's ". . . show[] conclusively that the frequent use of talcum powder in the genital area pose[] a serious health risk of ovarian cancer." The letter cited a recent study by Dr. Bernard Harlow from

Harvard Medical School confirming this fact and quoted a portion of the study where Dr. Harlow and his colleagues discouraged the use of talc in the female genital area. The letter further stated that 14,000 women per year die from ovarian cancer and that this type of cancer is very difficult to detect and has a low survival rate. The letter concluded by requesting that Johnson & Johnson withdraw talc products from the market because of the alternative of cornstarch powders, or at a minimum, place warning information on its talc-based body powders about ovarian cancer risk they pose.

85. In 1996, the condom industry stopped dusting condoms with talc due to the health concerns of ovarian cancer.

86. In February of 2006, the International Association for the Research of Cancer (IARC) part of the World Health Organization published a paper whereby they classified perineal use of talc based body powder as a “Group 2B” human carcinogen. IARC which is universally accepted as the international authority on cancer issues, concluded that studies from around the world consistently found an increased risk of ovarian cancer in women from perineal use of talc. IARC found that between 16-52% of women in the world were using talc to dust their perineum and found an increased risk of ovarian cancer in women talc users ranging from 30-60%. IARC concluded with this “Evaluation”: “There is limited evidence in humans for the carcinogenicity of perineal use of talc-based body powder.” By definition “Limited evidence of carcinogenicity” means “a positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.”

87. In approximately 2006, the Canadian government under The Hazardous Products Act and associated Controlled Products Regulations classified talc as a “D2A” , “very toxic”,

“cancer causing” substance under its Workplace Hazardous Materials Information System (WHMIS). Asbestos is also classified as “D2A”.

88. In 2006, Imerys Talc began placing a warning on its Material Safety Data Sheets (MSDS) it provided to the Johnson & Johnson Defendants regarding the talc it sold to them to be used in the PRODUCTS. These MSDSs not only provided the warning information about the IARC classification but also included warning information regarding “States Rights to Know” and warning information about the Canadian Government’s “D2A” classification of talc as well.

89. The Defendants had a duty to know and warn about the hazards associated with the use of the PRODUCTS.

90. The Defendants failed to inform its customers and end users of the PRODUCTS of a known catastrophic health hazard associated with the use of its products.

91. In addition, the Defendants procured and disseminated false, misleading, and biased information regarding the safety of the PRODUCTS to the public and used influence over governmental and regulatory bodies regarding talc.

92. As a direct and proximate result of the Defendants’ calculated and reprehensible conduct, Plaintiffs were injured and suffered damages, namely ovarian cancer, which required surgeries and treatments.

COUNT ONE – STRICT LIABILITY FOR FAILURE TO WARN
(Imerys Talc and Johnson & Johnson Defendants)

93. Plaintiffs incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

94. At all pertinent times, Imerys Talc mined and sold talc to the Johnson & Johnson Defendants, which it knew that Johnson & Johnson was then packaging and selling to consumers

as the PRODUCTS and it knew that consumers of the PRODUCTS were using it to powder their perineal regions.

95. At all pertinent times, Imerys Talc knew and/or should have known of the unreasonably dangerous and carcinogenic nature of the talc it was selling to the Johnson & Johnson Defendants, especially when used in a woman's perineal regions, and it knew or should have known that Johnson & Johnson was not warning its consumers of this danger.

96. At all pertinent times, the Johnson & Johnson Defendants were manufacturing, marketing, testing, promoting, selling and/or distributing the PRODUCTS in the regular course of business.

97. At all pertinent times, Plaintiffs used the PRODUCTS to powder their perineal area, which is a reasonably foreseeable use.

98. At all pertinent times, all Defendants in this action knew or should have known that the use of talcum powder based products in the perineal area significantly increases the risk of ovarian cancer based upon scientific knowledge dating back to the 1960s.

99. At all pertinent times, including the time of sale and consumption, the PRODUCTS, when put to the aforementioned reasonably foreseeable use, were in an unreasonably dangerous and defective condition because they failed to contain adequate and proper warnings and/or instructions regarding the increased risk of ovarian cancer associated with the use of the PRODUCTS by women to powder their perineal area. Defendants themselves failed to properly and adequately warn and instruct Plaintiffs as to the risks and benefits of the PRODUCTS given Plaintiffs' need for this information.

100. Had the Plaintiffs received a warning that the use of the PRODUCTS would have significantly increased their risk of ovarian cancer, she would not have used the same. As a

proximate result of Defendants' design, manufacture, marketing, sale, and distribution of the PRODUCTS, Plaintiffs have been injured catastrophically, and have been caused severe and permanent pain, suffering, disability, impairment, loss of enjoyment of life, loss of care, comfort, and economic damages.

101. The development of ovarian cancer by the Plaintiffs was the direct and proximate result of the unreasonably dangerous and defective condition of the PRODUCTS at the time of sale and consumption, including their lack of warnings; Plaintiffs have suffered injuries and damages including but not limited to conscious pain and suffering of Plaintiffs, medical expenses and lost wages.

102. The Defendants' products were defective because they failed to contain warnings and/or instructions, and breached express warranties and/or failed to conform to express factual representations upon which the Plaintiffs justifiably relied in electing to use the products. The defect or defects made the products unreasonably dangerous to those persons, such as Plaintiffs, who could reasonably be expected to use and rely upon such products. As a result, the defect or defects were a producing cause of the Plaintiffs' injuries and damages.

103. The Defendants' products failed to contain, and continue to this day not to contain, adequate warnings and/or instructions regarding the increased risk of ovarian cancer with the use of their products by women. The Defendants continue to market, advertise, and expressly represent to the general public that it is safe for women to use their product regardless of application. These Defendants continue with these marketing and advertising campaigns despite having scientific knowledge that dates back to the 1960's that their products increase the risk of ovarian cancer in women when used in the perineal area.

WHEREFORE, Plaintiffs pray for judgment against Imerys Talc and the Johnson & Johnson Defendants in a fair and reasonable sum in excess of \$25,000.00 together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT TWO – NEGLIGENCE
(Imerys Talc)

104. Plaintiffs reallege and incorporate by reference every allegation of this Complaint as if each were set forth fully and completely herein.

105. At all pertinent times, Defendants had a duty to exercise reasonable care to consumers, including Plaintiffs herein, in the design, development, manufacture, testing, inspection, packaging, promotion, marketing, distribution, labeling and/or sale of the PRODUCTS.

106. At all pertinent times, Imerys Talc mined and sold talc to the Johnson & Johnson Defendants, which it knew and/or should have known was then being packaged and sold to consumers as the PRODUCTS by the Johnson and Johnson Defendants. Further, Imerys Talc knew and/or should have known that consumers of the PRODUCTS were using it to powder their perineal regions.

107. At all pertinent times, Imerys Talc knew or should have known that the use of talcum powder based products in the perineal area significantly increases the risk of ovarian cancer based upon scientific knowledge dating back to the 1960s.

108. At all pertinent times, Imerys Talc knew or should have known that Johnson & Johnson was not providing warnings to consumers of the PRODUCTS of the risk of ovarian cancer posed by talc contained therein.

109. At all pertinent times, Imerys Talc was negligent in providing talc to the Johnson & Johnson Defendants, when it knew or should have known that the talc would be used in the

PRODUCTS, without adequately taking steps to ensure that ultimate consumers of the PRODUCTS, including Decedent, received the information that Imerys Talc possessed on the carcinogenic properties of talc, including its risk of causing ovarian cancer.

110. As a direct and proximate result of Imerys Talc's negligence, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused Plaintiffs to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering, and/or death; Plaintiffs were caused to sustain damages as a direct and proximate result, in some cases to include untimely death, funeral and burial costs, as well as the loss of his wife's services, companionship, comfort, instruction, guidance, counsel, training and support.

WHEREFORE, Plaintiff prays for judgment against Imerys Talc in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT THREE – NEGLIGENCE
(Johnson & Johnson Defendants)

111. Plaintiffs hereby incorporate by reference each of the preceding paragraphs as if fully set forth herein.

112. The Johnson & Johnson Defendants were negligent in marketing, designing, manufacturing, producing, supplying, inspecting, testing, selling and/or distributing the PRODUCTS in one or more of the following respects:

- In failing to warn Plaintiffs of the hazards associated with the use of the PRODUCTS;
- In failing to properly test their products to determine adequacy and effectiveness or safety measures, if any, prior to releasing the PRODUCTS for consumer use;
- In failing to properly test their products to determine the increased risk of ovarian cancer during the normal and/or intended use of the PRODUCTS;

- In failing to inform ultimate users, such as Plaintiffs as to the safe and proper methods of handling and using the PRODUCTS;
- In failing to remove the PRODUCTS from the market when the Defendants knew or should have known the PRODUCTS were defective;
- In failing to instruct the ultimate users, such as Plaintiffs, as to the methods for reducing the type of exposure to the PRODUCTS which caused increased risk of ovarian cancer;
- In failing to inform the public in general and the Plaintiffs in particular of the known dangers of using the PRODUCTS for dusting the perineum;
- In failing to advise users how to prevent or reduce exposure that caused increased risk for ovarian cancer;
- In marketing and labeling the PRODUCTS as safe for all uses despite knowledge to the contrary.
- In failing to act like a reasonably prudent company under similar circumstances.

Each and all of these acts and omissions, taken singularly or in combination, were a proximate cause of the injuries and damages sustained by Plaintiffs.

113. At all pertinent times, the Johnson & Johnson Defendants knew or should have known that the PRODUCTS were unreasonably dangerous and defective when put to their reasonably anticipated use.

114. As a direct and proximate result of the Johnson & Johnson Defendants' negligence in one or more of the aforementioned ways, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused each Plaintiff to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering.

WHEREFORE, Plaintiffs pray for judgment against the Johnson & Johnson Defendants in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT FOUR – BREACH OF EXPRESS WARRANTY

(Johnson & Johnson Defendants)

115. Plaintiffs hereby incorporate by reference each of the preceding paragraphs as if fully set forth herein.

116. The Johnson & Johnson Defendants expressly warranted, through direct-to-consumer marketing, advertisements, and labels, that the PRODUCTS were safe and effective for reasonably anticipated uses, including use by women in the perineal area.

117. The PRODUCTS did not conform to these express representations because they cause serious injury when used by women in the perineal area in the form of ovarian cancer.

118. As a direct and proximate result of the Defendants' breach of warranty, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused each Plaintiff to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering.

WHEREFORE, Plaintiffs pray for judgment against the Johnson & Johnson Defendants in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT FIVE – BREACH OF IMPLIED WARRANTIES
(Johnson & Johnson Defendants)

119. Plaintiffs incorporate by reference each of the preceding paragraphs as if fully set forth herein.

120. At the time the Defendants manufactured, marketed, labeled, promoted, distributed and/or sold the PRODUCTS, the Johnson & Johnson Defendants knew of the uses for which the PRODUCTS were intended, including use by women in the perineal area, and impliedly warranted the PRODUCTS to be of merchantable quality and safe for such use.

121. Defendants breached their implied warranties of the PRODUCTS sold to Plaintiffs because they were not fit for their common, ordinary and intended uses, including use by women in the perineal area.

122. As a direct, foreseeable and proximate result of the Defendants' breaches of implied warranties, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused each Plaintiff to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering.

WHEREFORE, Plaintiffs pray for judgment against the Johnson & Johnson Defendants in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT SIX – CIVIL CONSPIRACY
(All Defendants)

123. Plaintiffs incorporate by reference all preceding paragraphs as if fully set forth herein.

124. Defendants and/or their predecessors-in-interest knowingly agreed, contrived, combined, confederated and conspired among themselves to cause Plaintiffs' injuries, disease, and/or illnesses by exposing the Plaintiffs to harmful and dangerous PRODUCTS. Defendants further knowingly agreed, contrived, confederated and conspired to deprive the Decedent and Plaintiff of the opportunity of informed free choice as to whether to use the PRODUCTS or to expose her to said dangers. Defendants committed the above described wrongs by willfully misrepresenting and suppressing the truth as to the risks and dangers associated with the use of and exposure to the PRODUCTS.

125. In furtherance of said conspiracies, Defendants performed the following overt acts:

- a. For many decades, Defendants, individually, jointly, and in conspiracy with each other, have been in possession of medical and scientific data, literature and test reports which clearly indicated that use of their by women resulting from ordinary and foreseeable use of the PRODUCTS were unreasonably dangerous, hazardous, deleterious to human health, carcinogenic, and potentially deadly;
- b. Despite the medical and scientific data, literature, and test reports possessed by and available to Defendants, Defendants individually, jointly, and in conspiracy with each other, fraudulently, willfully and maliciously:
 - i. Withheld, concealed and suppressed said medical information regarding the increased risk of ovarian cancer from Plaintiff and Decedent (as set out in the “Facts” section of this pleading); In addition, on July 27, 2005 Defendants as part of the TIPTF corresponded and agreed to edit and delete portions of scientific papers being submitted on their behalf to the United States Toxicology Program in an attempt to prevent talc from being classified as a carcinogen;
 - ii. The Defendants through the TIPTF instituted a “defense strategy” to defend talc at all costs. Admittedly, the Defendants through the TIPTF used their influence over the NTP Subcommittee, and the threat of litigation against the NTP to prevent the NTP from classifying talc as a carcinogen on its 10th RoC. According to the Defendants, “. . . we believe these strategies paid-off”;
 - iii. Caused to be released, published and disseminated medical and scientific data, literature, and test reports containing information and statements regarding the risks of ovarian cancer which Defendants knew were incorrect, incomplete, outdated, and misleading. Specifically, the Defendants through the TIPTF collectively agreed to release false information to the public regarding the safety of talc on July 1, 1992; July 8, 1992; and November 17, 1994. In a letter dated September 17, 1997, the Defendants were criticized by their own Toxicologist consultant for releasing this false information to the public, yet nothing was done by the Defendants to correct or redact this public release of knowingly false information.
- c. By these false and fraudulent representations, omissions, and concealments, Defendants intended to induce the Plaintiffs to rely upon said false and fraudulent representations, omissions and concealments, and to continue to expose herself to the dangers inherent in the use of and exposure to the PRODUCTS.

126. Decedent reasonably and in good faith relied upon the aforementioned fraudulent representations, omissions, and concealments made by Defendants regarding the nature of the PRODUCTS.

127. As a direct, foreseeable and proximate result of the Defendants' breaches of implied warranties, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused each Plaintiff to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering.

WHEREFORE, Plaintiff prays for judgment against all Defendants, each of them, in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT SEVEN – CONCERT OF ACTION
(All Defendants)

128. Plaintiffs hereby incorporate by reference each of the preceding paragraphs as if fully set forth herein.

129. At all pertinent times, Imerys Talc, the Johnson & Johnson Defendants, and the PCPC knew that the PRODUCTS should contain warnings on the risk of ovarian cancer posed by women using the product to powder the perineal region, but purposefully sought to suppress such information and omit from talc based products so as not to negatively affect sales and maintain the profits of the Johnson & Johnson Defendants, Imerys Talc, and the member of the PCPC.

130. As a direct, foreseeable and proximate result of the Defendants' breaches of implied warranties, Plaintiffs purchased and used, as aforesaid, the PRODUCTS that directly and proximately caused each Plaintiff to develop ovarian cancer; Plaintiffs were caused to incur medical bills, lost wages, and conscious pain and suffering.

WHEREFORE, Plaintiff prays for judgment against all Defendants, each of them, in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT EIGHT – PUNITIVE DAMAGES
(All Defendants)

131. Plaintiffs incorporate by reference all preceding paragraphs as if fully set forth herein.

132. The Defendants have acted willfully, wantonly, with an evil motive, and recklessly in one or more of the following ways:

- a. Defendants knew of the unreasonably high risk of ovarian cancer posed by the PRODUCTS before manufacturing, marketing, distributing and/or selling the PRODUCTS, yet purposefully proceeded with such action;
- b. Despite their knowledge of the high risk of ovarian cancer associated with the PRODUCTS, Defendants affirmatively minimized this risk through marketing and promotional efforts and product labeling;
- c. Through the actions outlined above, Defendants expressed a reckless indifference to the safety of users of the PRODUCTS, including Plaintiffs. Defendants' conduct, as described herein, knowing the dangers and risks of the PRODUCTS, yet concealing and/or omitting this information, in furtherance of their conspiracy and concerted action was outrageous because of Defendants' evil motive or a reckless indifference to the safety of users of the PRODUCTS.

133. As a direct and proximate result of the willful, wanton, evilly motivated and/or reckless conduct of the Defendants, the Plaintiffs have sustained damages as set forth above.

WHEREFORE, Plaintiff prays for a judgment for punitive damages against all Defendants in a fair and reasonable amount sufficient to punish Defendants and deter them and others from engaging in similar conduct in the future, costs expended herein, and such further and other relief as the Court deems just and appropriate.

COUNT NINE – CONCERT OF ACTION

(Defendant Personal Care Products Council)

134. Plaintiffs repeat and reallege each of the preceding paragraphs of this Complaint as if set forth at length herein.

135. Upon information and belief, Defendant Personal Care Products Council f/k/a Cosmetic, Toiletries, and Fragrance Council knowingly and willfully aided and abetted the fraudulent marketing and sales described herein.

136. Defendant PCPC aided and abetted this fraudulent scheme by providing substantial assistance to Defendants, Imerys and Johnson & Johnson. This substantial assistance included, among other things, the “Facts” section of this pleading and the facts set forth in Paragraph 125.

137. Without Defendant PCPC’s substantial assistance, involvement and participation; the fraudulent scheme would not have been possible.

138. Plaintiffs suffered serious injury and pecuniary losses as a proximate result of the aiding and abetting of Defendant PCPC, including but not limited to the loss of the Plaintiffs’ life.

WHEREFORE, Plaintiffs pray for judgment against all Defendants, each of them, in a fair and reasonable sum in excess of \$25,000.00, together with costs expended herein and such further and other relief as the Court deems just and appropriate.

COUNT TEN – NEGLIGENT MISREPRESENTATION
(All Defendants)

139. Plaintiffs realleges each and every allegation of this Complaint as if each were set forth fully and completely herein.

140. Defendants had a duty to accurately and truthfully represent to the medical and healthcare community, Plaintiffs and the public, that the PRODUCTS had been tested and found to be safe and effective for use in the perineal area. The representations made by Defendants, in fact, were false.

141. Defendants failed to exercise ordinary care in the representations concerning the PRODUCTS while they were involved in their manufacture, sale, testing, quality assurance, quality control, and distribution in interstate commerce, because Defendants negligently misrepresented the PRODUCTS' high risk of unreasonable, dangerous, adverse side effects.

142. Defendants breached their duty in representing that the PRODUCTS have no serious side effects.

143. As a foreseeable, direct and proximate result of the negligent misrepresentation of Defendants as set forth herein, Defendants knew, and had reason to know, that the PRODUCTS had been insufficiently tested, or had not been tested at all, and that they lacked adequate and accurate warnings, and that it created a high risk, and/or higher than acceptable risk, and/or higher than reported and represented risk, of adverse side effects.

144. As a proximate result of Defendants' conduct, Plaintiffs have been injured and sustained severe and permanent pain, suffering, disability, impairment, loss of enjoyment of life, loss of care and comfort, and economic damages.

WHEREFORE, Plaintiffs demand judgment against Defendants, and each of them, individually, jointly, severally and in the alternative, requests compensatory damages, punitive damages, together with interest, costs of suit, attorneys' fees, and such further relief as the Court deems equitable and just.

TOLLING STATUTE OF LIMITATIONS

145. Plaintiff realleges each and every allegation of this Complaint as if each were set forth fully herein.

146. Plaintiffs have suffered an illness that has a latency period and does not arise until many years after exposure. Plaintiffs' illness did not distinctly manifest itself until she was made aware that her ovarian cancer could be caused by her use of the Defendants' products. Consequently, the discovery rule applies to this case and the statute of limitations has been tolled until the day that Plaintiffs knew or had reason to know that her ovarian cancer was linked to her use of the Defendants' products.

147. Furthermore, the running of any statute of limitations has been equitably tolled by reason of Defendants' fraudulent concealment and conduct. Through their affirmative misrepresentations and omissions, Defendants actively concealed from Plaintiffs the true risks associated with PRODUCTS.

148. As a result of Defendants' actions, Plaintiffs and Plaintiffs' prescribing physicians were unaware, and could not reasonably know or have learned through reasonable diligence that Plaintiffs had been exposed to the risks alleged herein and that those risks were the direct and proximate result of Defendants' acts and omissions.

149. Furthermore, Defendants are estopped from relying on any statute of limitations because of their concealment of the truth, quality and nature of PRODUCTS. Defendants were under a duty to disclose the true character, quality and nature of PRODUCTS because this was non-public information which the Defendants had and continue to have exclusive control, and because the Defendants knew that this information was not available to Plaintiffs, their medical providers and/or their health facilities.

150. Defendants had the ability to and did spend enormous amounts of money in furtherance of their purpose of marketing and promoting a profitable drug, notwithstanding the known or reasonably known risks. Plaintiffs and medical professionals could not have afforded and could not have possibly conducted studies to determine the nature, extent and identity of related health risks, and were forced to rely on Defendants' representations.

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Respectfully submitted,

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