IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

NORMA J. SLAMPA 7977 Crownsway Glen Burnie, Anne Arundel Cty Maryland 21061	*	
Plaintiff,	*	CASE NO.:
v.	*	JURY TRIAL DEMANDED
JOHNSON & JOHNSON One Johnson & Johnson Plaza New Brunswick, New Jersey 08933	*	
and	*	
JOHNSON & JOHNSON CONSUMER COMPANIES, INC. 199 Gradview Road Skillman, New Jersey 08558	*	
Defendants.	*	

* *

COMPLAINT

Plaintiff Norma J. Slampa, by and through her attorneys, the Law Offices of Peter G. Angelos, P.C., hereby brings this action against Defendants Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. and states:

INTRODUCTION

1. For more than a century, Johnson & Johnson Baby Powder, a simple mixture of pure talc and fragrance, has been marketed to millions of consumers as an indisputably safe and ñnaturalò product to be used habitually for all manner of personal care.

2. The evolution of the Johnson & Johnsonôs marketing campaign included the specific targeting of adult women, encouraging every woman to use Johnson & Johnson Baby

Powder after every shower to preserve ñpersonal freshnessò - campaign speak for preventing and masking feminine odor.

3. What Johnson & Johnson has failed to tell women who relied on its assurances of safety is that is has known, since at least 1982, that when talc is applied by a woman to her genital area, it can be translocated through the vaginal tract into the pelvic cavity, causing a significantly increased risk of contracting ovarian cancer.

4. Plaintiff, Norma Slampa, is one of the untold numbers of women who became victims of Johnson & Johnsonôs marketing strategy. Just as Johnson & Johnson intended, Ms. Slampa learned from her mother to use Johnson & Johnson Baby Powder after every shower, and that is exactly what she did. She kept a bottle in her bathroom and another in her gym bag at all times. Ms. Slampa used Johnson & Johnson Baby Powder daily for *decades*.

5. Then, in September of 2014, at the age of 49, Ms. Slampa was diagnosed with Stage IV ovarian cancer. From that day to this, her life has been a relentless cycle of excruciating pain - both from her disease and the treatments intended to prolong her life - coupled with the emotional toll that has accompanied the certainty that her cancer cannot be cured.

PARTIES

6. Plaintiff, Norma J. Slampa, is an adult residing at 7977 Crownsway, Glen Burnie, Anne Arundel County, Maryland.

7. Defendant Johnson & Johnson is a New Jersey corporation with its principal place of business at One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933. Johnson & Johnson is in the business of manufacturing and selling consumer products.

8. Defendant Johnson & Johnson Consumer Companies, Inc. is a New Jersey Corporation with its corporate headquarters located at 199 Gradview Road Skillman, New Jersey 08558.

9. On information and belief, Defendants Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc., were the actual and/or apparent agents, representatives, joint venturers, alter egos, co-conspirators, consultants, predecessors, successors, servants or employees of each other (Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. are hereinafter collectively referred to as ñJohnson & Johnsonò or ñJohnson Defendantsò).

10. In doing the acts alleged herein, Defendants Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. were acting in the course and scope of such agency, representation, joint venture, conspiracy, consultancy, predecessor agreement, successor agreement, service and employment, with knowledge, acquiescence and ratification of each other.

JURISDICTION AND VENUE

11. This Court has jurisdiction pursuant to 28 U.S.C. § 1332, as complete diversity exists between Plaintiff and Defendants, and the amount in controversy exceeds $75,000. Defendants are subject to *in personam* jurisdiction in this court, and venue is proper within this district pursuant to 28 U.S.C. § 1391, as a substantial number of the events, actions, or omissions giving rise to the Plaintiffôs claims occurred in this district.

12. At all times relevant hereto, Defendants Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. conducted substantial business in the State of Maryland and have had substantial, continuous, and systematic contacts with the state of Maryland.

FACTS COMMON TO ALL COUNTS

A. Background

13. Talc is a hydrated magnesium silicate that is mined from the earth. Talcôs soft and absorbent qualities lend it to a wide range of applications, including cosmetics.

14. In or around 1894, Johnson & Johnson began manufacturing and distributing talc powder to mothers as a preventative and/or curative agent for diaper rash in babies. This product, pure talc with a touch of fragrance, was called Johnson & Johnson Baby Powder.

15. Over the ensuing decades, Johnson & Johnson sought broaden the market for its Baby Powder beyond use on babies. Specifically, Johnson & Johnson began targeting adult women in its marketing campaigns, like the one below, originally published in the 1950s.

16. Despite this broadening of Johnson & Johnsonôs target consumer group, its core marketing message - particularly the unquestionable safety of Johnson & Johnson Baby Powder - never wavered.

17. Johnsonôs strategy was undeniably successful. Mothers used Johnson & Johnson Baby Powder on themselves and their babies and then passed this habitual use on, generation after generation.

B. Talc as a Carcinogen

18. By 1961, there was research showing that particles similar to talc have the ability to translocate from a womanôs exterior genital area to the ovaries. *See* Egi, G.E. and Newton, M., *The transport of carbon particles in the human female reproductive tract*, 12 Fertil. Steril. 151-155 (1961).

19. Then, in 1971, Henderson, et al., published the first study suggesting a link between genital talc use and ovarian cancer, reporting the presence of talc particles ñdeeply embeddedò in ten of thirteen ovarian tumors and twelve of twenty one cervical tumors. Henderson, W.J., et al., *Talc and carcinoma of the ovary and cervix*, 78 (3) J. Obstet. Gynaecol. Br. Commonw. 266-272 (1971). Though some expressed skepticism that these results were caused by contamination from talc-dusted surgical gloves, Henderson, et al. reinforced the findings by examining nine additional tumor specimens, identifying talc particles in all nine. Henderson, et al., *Talc in normal and malignant ovarian tissue*, Lancet. 1979; 1(8114):499.

20. The first epidemiological study of talc use and ovarian cancer was performed by Daniel Cramer and his colleagues in 1982. Dr. Cramer selected 215 women with ovarian cancer and 215 age-matched controls and found a statistically significant 92% increase in the risk of

ovarian cancer associated with genital talc use. Cramer, D.W., et al., *Ovarian cancer and talc: a case control study,* 50 Cancer 372-376 (1982).

21. On information and belief, soon after this study, Dr. Cramer was contacted by Dr. Bruce Semple, a representative of Johnson & Johnson, and Dr. Cramer opined that women should be warned about the potential risk of talc.

22. Between 1982 and 2010, there have been at least twenty-one additional relevant studies by different doctors and scientists throughout the world, including nineteen case-control studies, one cohort study, and one combined case-control and cohort study.

23. Nearly all of these studies reported an elevated risk for ovarian cancer associated with perineum use of talcum powder, with a majority reporting statistically significant increases.

a. In 1983, Patricia Hartge and Robert Hoover of the National Cancer Institute and Linda Lester and Larry McGowan of the George Washington University Medical Center, performed a case-control study and found a 150% increased risk of ovarian cancer for women who use talcum powder in the genital area. Hartge, P. et al., *Talc and ovarian cancer,* JAMA 1983, 1844.

b. Similarly, in 1988, a case control study of 188 women diagnosed with epithelial ovarian cancer and 539 control women found that 52% of the cancer patients habitually used talcum powder on the perineum before their cancer diagnosis. The study showed a 50% increase in risk of ovarian cancer in women that used talcum powder on their perineum and a positive dose-response relationship. *See* Whittemore, A.S., et al., *Personal and environmental characteristics related to epithelial ovarian cancer. II. Exposures to talcum powder, tobacco, alcohol, and coffee*, Am. J. Epidemiol. 1228-1240 (1988).

c. A case control study conducted in 1989 found similar results. The study looked at 235 women diagnosed with epithelial ovarian cancer and 451 controls and found a 29% increased risk in ovarian cancer with women who reported genital talcum powder use more than once per week. *See* Booth, M. et al., *Risk factors for ovarian cancer: a case-control study*, Br. J. Cancer, 592-598 (1989).

d. In 1992 Bernard Harlow, et al., of Harvard Medical School at Brigham and Womenôs Hospital, conducted a case-control study in which he found a statistically significant 80% increased risk of ovarian cancer in women with more than 10,000 lifetime perineal applications of talc, demonstrating a positive dose-response relationship. Harlow BL, Cramer, DW, et al., *Perineal exposure to talc and ovarian cancer risk*, 80 Obstet. Gynecol. 19-26 (1992).

e. Another 1992 case-control study conducted by Karin Rosenblatt, et al., from The Johns Hopkins School of Hygiene and Public Health and Department of Gynecology and Obstetrics, reported a 70% increased risk from genital talc use and a 379% increased risk of ovarian cancer of women who used talc on sanitary napkins in their genital area. Rosenblatt, K.A. et al., *Mineral fiber exposure and the development of ovarian cancer*, 45 (1) Gynecol. Oncol. 20-25 (1992).

f. In 1995, a case control study was conducted in Australia by David Purdie, et al., involving over 1600 women. This was the largest study of its kind to date. This study found a statistically significant 27% increased risk in ovarian cancer for women who regularly use talc in the region of the abdomen or perineum. Purdie, D., et al., *Reproductive and other factors and risk of epithelial ovarian cancer: an*

Australian case-control study. Survey of Women's Health Study Group, 62 (6) Int. J. Cancer 678-684 (1995).

g. In 1996, a case-control study similarly found a statistically significant 97% increased risk of ovarian cancer in women who used what they described as a ñmoderateò or higher use of talc-based powders in their genital area. *See* Shushan, A., et al, *Human menopausal gonadotropin and the risk of epithelial ovarian cancer*, 65 (1) Fertil. Steril. 13-18 (1995).

h. In 1996, the condom industry stopped dusting condoms with talc due to the health concerns of ovarian cancer. ñConcern about talc as an ovarian carcinogen goes back 50 years in the medical literature. By the 1970s, evidence was mounting that talc particles might migrate into a womanôs fallopian tubes where they could cause scarring and irritation in the ovaries. Scientists believed in some cases that the scarring led to infertility or cancer.ò McCullough, Marie, *Women's health concerns prompt condom makers to stop using talc*, Jersey Journal (City Edition) (April 17, 1996).

i. In 1997, a case control study of 313 women with ovarian cancer and 422 without this disease found that the women with cancer were more likely to have applied talcum powder to their external genitalia area. Women using these products had a statistically significant 50% to 90% higher risk of developing ovarian cancer. *See* Cook, L.S., et al., P*erineal powder exposure and the risk of ovarian cancer*, Am. J Epidemiol. 145, 459-465 (1997).

j. In 1997, a case-control study was conducted by Stella Chang and Harvey Risch from the Department of Epidemiology and Public Health, Yale University School

of Medicine which included over 1,000 women. The study found a statistically significant increased risk of 42% for ovarian cancer for women who applied talc via sanitary napkins to their perineum. Chang, S. & Risch, H.A., *Perineal talc exposure and risk of ovarian carcinoma*, 79 (12) Cancer 2396-2401 (1997).

k. In a 1998 case-control study conducted in Canada by Beatrice Godard, et al., a 149% increased risk of ovarian cancer was found in women who used talc-based powders on their perineum. Godard, B., et al., *Risk factors for familial and sporadic ovarian cancer among French Canadians: a case-control study*, 179 (2) Am. J. Obstet. Gynecol. 403-410 (1998).

l. Dr. Daniel Cramer conducted another case-control study in 1999, observing 563 women newly diagnosed with epithelial ovarian cancer and 523 women in a control. The study found a statistically significant 60% increased risk of ovarian cancer in women that used talc-based body powders on their perineum and an 80% increase in risk for women with over 10,000 lifetime applications. Cramer, D.W., et al, *Genital talc exposure and risk of ovarian cancer*, 81 (3) Int. J. Cancer 351-356 (1999).

m. In 2000, Roberta Ness, et al., from University of Pennsylvania, completed and published a case-control study of over 2,000 women. This study found a statistically significant 50% increased risk of ovarian cancer from genital talc use in women. Ness, R.B., et al., *Factors related to inflammation of the ovarian epithelium and risk of ovarian cancer*, 11 (2) Epidemiology 111-117 (2000).

n. In 2004, Paul Mills, Deborah Riordan, Rosemary Cress and Heather Young performed a case-control study of nearly 1,400 women from 22 counties in

Central California. This study found a statistically significant 37% increased risk of epithelial ovarian cancer from womenôs genital talc use and a 77% increased risk of serous invasive ovarian cancer from womenôs genital talc use. Importantly, this study also examined at womenôs use of cornstarch powders as an alternative to talc and found no increased risk in ovarian cancer in women in the cornstarch group, further supporting the causal connection between genital talc use and ovarian cancer. Mills, P.K., et al., *Perineal talc exposure and epithelial ovarian cancer risk in the Central Valley of California*, 112 Int. J. Cancer 458-64 (2004).

o. In 2008, Margaret Gates, of Brigham and Womenôs Hospital and Harvard Medical School and School of Public Health. performed a combined study of over 3,000 women from a New England-based case-control study and a prospective Nursesô Health Study and found a general 36% statistically significant increased risk of epithelial ovarian cancer from genital talc use and a 60% increased risk of the serous invasive ovarian cancer subtype. Also of note, Dr. Gates found a strong dose-response relationship between the cumulative talc exposure and incidence of ovarian cancer, adding further support to the causal relationship. Gates, M.A., et al., *Talc Use, Variants of the GSTM1, GSTT1, and NAT2 Genes, and Risk of Epithelial Ovarian Cancer*, 17 (9) Cancer Epidemiology, Biomarkers & Prev. 2436-2444 (2008).

p. In May of 2008, Dr. Samuel Epstein, Chairman of the Cancer Prevention Coalition, on behalf of his organization, and with the endorsement of many other esteemed medical professionals and institutions, submitted a citizenôs petition to

the FDA seeking, ña cancer warning on cosmetic talc products.ò[1] The petition sought to require all cosmetic talc products to bear labels with warnings such as, ñFrequent application of talcum powder in the female genital area substantially increases the risk of ovarian cancerò or ñFrequent talc application in the female genital area is responsible for major risks of ovarian cancer.ò The petition cited numerous studies and publications and sought a hearing to present scientific evidence.

q. In October of 2008, Michael Thun, Vice-President of Epidemiology and Surveillance Research at the American Cancer Society publicly commented that, based on aforementioned research, he was satisfied that talc is one of a few modifiable factors that ópossiblyô increase the risk for ovarian cancer.ò Chustecka, Zosia & Lie, Desiree, *Talc Use in Genital Area Linked to Increased Risk for Ovarian Cancer*, Medscape Medical News (2008).

r. A 2009 case-control study of over 1,200 women found the risk of ovarian cancer increased significantly with increasing frequency and duration of talc use, with an overall statistically significant 53% increased risk of ovarian cancer from genital talc use. That increased risk rose dramatically, to 108%, in women with the longest duration and most frequent talc use. Wu, A.H., et al., *Markers of inflammation and risk of ovarian cancer in Los Angeles County*, 124 (6) Int. J. Cancer 1409-1415 (2009).

[1] The petition was submitted on behalf of: Samuel S. Epstein, M.D., Chairman, CPC, and Professor emeritus Occupational and Environmental Medicine, University of Illinois at Chicago School of Public Health; Peter Orris, M.D., Professor and Chief of Service, University of Illinois at Chicago Medical Center; Quentin Young, M.D., Chairman, Health and Medicine Policy Research Group, Chicago; Rosalie Bertell, Ph.D., International Association for Humanitarian Medicine, Scientific Advisor to the International Institute of Concern for Public Health, Toronto, and the International Science Oversight Board of the Organic Consumers Association, Washington, D.C.; and Ronnie Cummins, National Director of the Organic Consumers Association.

s. In 2011, another case-control study of over 2,000 women found a 27% increased risk of ovarian cancer from genital talc use in women. Rosenblatt, K.A., et al., *Genital powder exposure and the risk of epithelial ovarian cancer*, 22 Cancer Causes Control 737-742 (2011).

t. In June of 2013, Kathryn Terry, et al., published a pooled analysis of over 18,000 women in eight case-control studies and found a 20% to 30% increased risk of women developing epithelial ovarian cancer from genital powder use. The study concluded by stating, ñBecause there are few modifiable risk factors for ovarian cancer, avoidance of genital powders may be a possible strategy to reduce ovarian cancer incidence.ò Terry, K.L., et al., *Genital Powder Use and Risk of Ovarian Cancer: A Pooled Analysis of 8,525 Cases and 9,859 Controls*, 6 (8) Cancer Prevention Research, 81-82 (2013).

24. In addition to the numerous case control studies over the last several decades, several meta-analyses were conducted on the topic of talc powder use and ovarian cancer. A meta-analysis is a statistical technique that allows similar measures of the same illness and exposure from different studies to be combined to determine whether an association exists. All analyses found a significant positive association between the use of talcum powder in the genital area and ovarian cancer.

a. In 1992, the National Cancer Institute sponsored the first meta-analysis conducted by Drs. Bernard Harlow and Daniel Cramer. This analysis combined data from five published studies and a new series of 235 ovarian cancer cases compared to 239 controls. The result of the analysis was a statistically significant 30% increased risk of ovarian cancer associated with genital talc use. The authors

concluded that, ñ[g]iven the poor prognosis for ovarian cancer, any potentially harmful exposures should be avoided, particularly those with limited benefits. For this reason, we discourage the use of talc in genital hygiene, particularly as a daily habit.ò Harlow, B.L. et al., *Perineal exposure to talc and ovarian cancer risk*, Obstet. Gynecol. 1992, 19-26.

b. Additional meta-analyses reported statistically significant increases in risk of ovarian cancer of 27%, 39%, and 33%, respectively.[2]

25. In February of 2006, the International Association for the Research of Cancer (IARC) part of the World Health Organization published Volume 93 of the IARC Monographs on the Evaluation of Carcinogenic Risks to Humans. IARC cosmetic talc, when applied to the female genital area, as a ñpossible human carcinogen.ò IARC, which is universally accepted as the international authority on cancer issues, concluded that studies from around the world consistently found an increased risk in 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%.

26. IARC concluded with this ñEvaluationò:

> ñThere is limited evidence in humans for the carcinogenicity of perineal use of talc-based body powder.ò By definition ñLimited evidence of carcinogenicityò means ña 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.ò IARC concluded

[2] *See*, Gross, A.J. & Berg, P.H., *A meta-analytical approach examining the potential relationship between talc exposure and ovarian cancer*, 5 (2) J. Expo. Anal. Environ. Epidemiol. 181-195 (1995); Cramer D.W., et al., *Genital talc exposure and risk of ovarian cancer*, 81(3) Int. J. Cancer 351-356 (1999); Huncharek, M., et al., *Perineal application of cosmetic talc and risk of invasive epithelial ovarian cancer: a meta-analysis of 11,933 subjects from sixteen observational studies*, 23 Anticancer Res. 1955-60 (2003).

> with this ñOverall evaluation:ò ñPerineal use of talc - based body powder is possibly carcinogenic to humans (Group 2B).ò

27. As of today, both the National Cancer Institute and American Cancer Society list genital talc use as a ñrisk factorò for ovarian cancer.

C. Defendants Have Been Acutely Aware of the Dangers of the Baby Powder

28. As early as 1982, Defendants were acutely aware of the scientific evidence linking ovarian cancer and perineal use of talcum powder. In an August 12, 1982, New York Times article entitled ñTalcum Company Calls Study on Cancer Link Inconclusive,ò Defendants admitted being aware of the 1982 Cramer study that concluded women were three times more likely to contract ovarian cancer after daily use of talcum powder in the genital area.

29. On November 10, 1994, the Cancer Prevention Coalition (ñCPCò) mailed a letter to then Johnson & Johnsonôs CEO, Ralph Larson, informing Defendants that studies as far back as 1960ôs ñ. . . show[] conclusively that the frequent use of talcum powder in the genital area poses a serious risk of ovarian cancer.ò The letter cited a 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 Defendants 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 the ovarian cancer risk they pose.

30. In March and September of 1997, Alfred Wehner, a Diplomat of the Academy of Toxicological Sciences, retained by Johnson & Johnson as a consultant, twice wrote letters to Johnson & Johnson executives Consumer Products, Inc., stating that on three separate occasions

the Talc Interested Party Task Force (TIPTF) of the Cosmetic, Toiletry, and Fragrance Association (CTFA) which included Defendants and Luzenac (Defendantsô supplier of talc), had released false information to the public about the safety of talc. Specifically addressing a November 17, 1994, statement released by the CTFA, Dr. Wehner said the following:

> The response statement dated November 17, 1994, is just as bad. The second sentence in the third paragraph reads: ñThe workshop concluded that, although some of these studies suggested a weak association might exist, when taken together the results of the studies are insufficient to demonstrate any real association.ò This statement is also inaccurate, to phrase it euphemistically. At that time there had been about 9 studies (more by now) published in the open literature that did show a statistically significant association between hygienic talc use and ovarian cancer. Anybody who denies this risks that the talc industry will be perceived by the public like it perceives the cigarette industry: denying the obvious in the face of all evidence to the contrary.
>
> The workshop did <u>not</u> conclude that ñthe results of the studies are insufficient to demonstrate any real association.ò As pointed out above, a ñrealò statistically significant association has been undeniably established independently by several investigators, which without doubt will be readily attested to by a number of reputable scientists/clinicians, including Bernard Harlow, Debra Novotny, Candace Sue Kasper Debra Heller, and others.[3]

31. Despite the potential catastrophic health consequences, Johnson & Johnson has never once warned its customers about the link between perineal talc use and ovarian cancer. Yet Johnson & Johnson continues to market itself as a ñsafety-firstò company, even dedicating an entire website, www.safetyandcarecommitment.com, to convincing its customers that their safety is the highest priority.

[3] Emphasis in original.

32. In the face of this purported commitment to safety, however, Johnson & Johnson consciously chose to disregard mounting evidence that one of its staple products, on the market for over a century, may be killing its customers.

33. Johnson & Johnson deliberately failed to warn its customers, including Ms. Slampa, that regular and continued use of Johnson & Johnson Baby Powder in the manner Johnson & Johnson prescribed for decades, could cause her to contract terminal ovarian cancer.

D. Plaintiff's use of Baby Powder

34. Norma Slampa was born in Baltimore, Maryland in 1965.

35. Ms. Slampa ñinheritedò the practice of using Johnson & Johnson Baby Powder from her mother, just as her 4 older sisters did. Beginning in approximately the late 1970ôs, Ms. Slampa began using Johnson & Johnson Baby Powder daily around her genital area after each shower. In the warmer months, her use increased to more than once per day.

36. Ms. Slampa kept a large bottle of Johnson & Johnson Baby Powder in her bathroom for use after bathing and a smaller bottle in her gym bag for use after workouts, which she undertook three times per week.

37. There was never any indication, on the Johnson & Johnson packaging or otherwise, that this normal use could potentially shorten her life.

38. In or around May of 2013 and continuing into the summer of 2014, after more than twenty five years of regular Johnson & Johnson Baby Powder use, Ms. Slampa began experiencing irregular vaginal bleeding and dizzy spells that progressed to severe pain.

39. Between September 4, 2014 and September 11, 2014, an exhaustive battery of tests left Ms. Slampa with no definitive diagnosis but, after being rushed to the emergency room on September 14, 2014, her doctors diagnosed her with Stage IV ovarian cancer.

40. After more than two weeks in the hospital, Ms. Slampa began her first course of chemotherapy.

41. Extensive tumor debulking surgery resulted in the removal of over 1,000 tumors from her body. Since that time, Ms. Slampa has undergone, and continues to undergo, aggressive chemotherapy purely for the purpose of extending her life as long as possible, as doctors are unanimous that there is no hope of curing her.

COUNT I: NEGLIGENCE
(The Johnson Defendants)

42. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 41, inclusive.

43. The Johnson Defendants were regularly engaged in the business of developing, researching, developing, testing, manufacturing, packaging, labeling, marketing, promoting, distributing and/or selling Johnson & Johnson Baby Powder, comprised nearly entirely of pure talc, for daily use by women in the genital area to absorb moisture and ñpreserve freshness.ò

44. The Johnson Defendants owed a duty to develop, research, develop, test, manufacture, package, label, market, promote, distribute, sell and/or supply products, including Johnson & Johnson Baby Powder, in such a way as to avoid unreasonable risk of harm to consumers who used them.

45. The Johnson Defendants also owed a duty to warn of the hazards and dangers associated with the use of its Baby Powder, including the risk that daily use of its Baby Powder by women in their genital area could significantly increase the risk for developing ovarian cancer.

46. Upon gaining knowledge, by at least 1982, that Johnson & Johnson Baby Powder had been associated with an increased risk in developing ovarian cancer, the Johnson Defendants had a further duty to remove its Baby Powder from the marketplace.

47. The Plaintiff, an adult female, was part of the target consumer group of the Johnson Defendantsô marketing strategy for Baby Powder and should therefore reasonably have been expected to be affected by the potential for female genital use of Baby Powder to cause ovarian cancer.

48. The Johnson Defendants, acting by and through their authorized divisions, subsidiaries, agents, servants, and employees, breached their duties to the public and the Plaintiff, and were careless, reckless, negligent, grossly negligent and exhibited willful, wanton, outrageous and reckless disregard for human life and safety in developing, designing, labeling, marketing, distributing, supplying and/or selling, and/or placing into the stream of commerce, Johnson & Johnson Baby Powder, by:

a. failing to conduct adequate and appropriate testing of their Baby Powder;
b. marketing Johnson & Johnson Baby Powder without first conducting adequate research to determine possible side effects on humans or selectively and misleadingly revealing or analyzing testing and research data;
c. failing to keep abreast of scientific literature and studies which provided Defendants notice of the risks associated with the use of Johnson & Johnson Baby Powder;
d. failing to appropriately respond to their own and othersô testing of, and information available regarding Johnson & Johnson Baby Powder, which indicated such productsôpotential harm to humans;

e. failing to appropriately monitor the complications reported about Johnson & Johnson Baby Powder;

f. failing to promptly disseminate new safety information and data regarding Johnson & Johnson Baby Powder;

g. failing to adequately warn of the actual potential of Johnson & Johnson Baby Powder to be harmful to humans;

h. failing to adequately warn of the actual potential for the increase in risk of developing ovarian cancer when using Johnson & Johnson Baby Powder in specified manners;

i. concealing their full knowledge and experience regarding the potential that Johnson & Johnson Baby Powder is harmful to humans because there was a substantial risk their products would cause cancer;

j. promoting, marketing, advertising and/or selling Johnson & Johnson Baby Powder for use by adult women in the genital area given their knowledge and experience of the association between such use and an increased risk of ovarian cancer;

k. failing to adequately warn of Johnson & Johnson Baby Powderôs potential dangers, given their knowledge of the potential for its harm to humans;

l. failing to fulfill the standard of care required of a reasonably prudent cosmetic product manufacturer;

m. disregarding publicity, government and/or industry studies, information, documentation and recommendations, consumer complaints and reports and/or other information regarding the hazards of talc and its potential harm to humans;

n. promoting the safety of Johnson & Johnson Baby Powder on websites aimed at creating consumer demand despite knowledge that it may be harmful to humans when used in the manner intended. products used for uterine morcellation on websites aimed at creating user and consumer demand;

o. by failing to use due care under the circumstances; and

p. such other acts or omissions constituting negligence and carelessness as may appear during the course of discovery or at the trial of this case.

49. Defendants are liable for the actions of their agents and/or employees pursuant to the doctrines of *respondeat superior* and vicarious liability.

50. Despite the fact that Defendants knew or should have known that Johnson & Johnson Baby Powder was associated with and/or caused an increase in the risk of developing ovarian cancer, Defendants continued to market and distribute their Baby Powder to consumers throughout the world, including the Plaintiff.

51. Defendants knew or should have known that consumers, such as the Plaintiff, would foreseeably suffer injury as a result of Defendantsô failure to exercise ordinary care, as set forth above.

52. Defendantsô negligence and/or recklessness was the cause of and a substantial factor in bringing about Plaintiffôs injuries, harm and economic loss.

53. Defendants acted with actual malice, knowledge, and/or indifference to and/or in conscious disregard of, the high degree of risk of physical harm to women who relied on the Defendantsô claims that Johnson & Johnson Baby Powder was safe to use in the manner described herein, including Plaintiff, giving rise to punitive damages.

54. As a foreseeable, direct and proximate result of the Defendantsô negligence, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson & Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT II: STRICT PRODUCTS LIABILITY – FAILURE TO WARN
(The Johnson Defendants)

55. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 54, inclusive.

56. The Johnson Defendants were under an ongoing duty to keep abreast of medically known or knowable information related to their products and to advise consumers and the public of these risks in a timely manner to ensure the safe use of their product.

57. The Johnson Defendants failed to adequately warn the public and consumers, including Plaintiff, of the following risks associated with the use of Johnson & Johnson Baby Powder, all of which were known or scientifically knowable to Defendants prior to the date on which the Plaintiff was diagnosed with Stage IV ovarian cancer on September 14, 2014, including, but not limited to:

a. the risk that talc, the primary ingredient in Johnson & Johnson Baby Powder, when applied to a womanôs genital area, has the potential to translocate to the ovaries via the vaginal tract;

b. the positive association observed in numerous epidemiology studies between genital use of talc by females and an increased occurrence of ovarian cancer; and

c. the risk that habitual application of talc powder, including Johnson & Johnson Baby Powder, by a woman to the genital area significantly increases the risk of ovarian cancer.

58. The Johnson Defendantsô failure to adequately warn Plaintiff of the risks associated with daily genital talc use and thereby prevented Plaintiff from correctly and fully evaluating the risks and benefits of such use of Johnson & Johnson Baby Powder.

59. The Johnson Defendants failed to include a warning about the association of female genital talc use and ovarian cancer on the bottle or anywhere on Johnson & Johnsonôs website, www.safetyandcarecommitment.com, purportedly devoted to promoting the safety of its products, including Johnson & Johnson Baby Powder.

60. Had the Johnson Defendants timely and adequately warned of the risks of using Johnson & Johnson Baby Powder in the female genital area within a reasonable time after the association of such use and an increase in the risk of ovarian cancer was recognized in the medical community, such warnings would have been heeded by Plaintiff and she would have ceased using this non-essential product in that manner.

61. It is undisputed that genital application of Johnson & Johnson Baby Powder provides no medical benefit and that a safer alternative, in the form of cornstarch based powders, has been readily available for decades.

62. The Johnson Defendantsô failure to adequately warn about the risks associated with female genital use of Johnson & Johnson Baby Powder was a substantial and contributing factor in causing Plaintiffôs injuries. Due to the aforesaid failures to warn, the Johnson Defendants are strictly liable to Plaintiff.

63. As a foreseeable, direct, and proximate result of the aforementioned wrongful acts and omissions of the Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT III: STRICT PRODUCTS LIABILITY – DESIGN DEFECT (The Johnson Defendants)

64. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 63, inclusive.

65. Defendants engaged in the design, development, manufacture, marketing, sale, and distribution of Johnson & Johnson Baby Powder in a defective and unreasonably dangerous condition to consumers, including Plaintiff.

66. Defendants caused Johnson & Johnson Baby Powder to enter the stream of commerce and to be sold through various retailers, including Rite-Aid and Wal-Mart, where Plaintiff purchased Johnson & Johnson Baby Powder.

67. The Johnson & Johnson Baby Powder was expected to, and did, reach consumers, including Plaintiff, without change in the condition in which it was manufactured and sold by the Defendants and/or otherwise released into the stream of commerce.

68. Plaintiff used Johnson & Johnson Baby Powder in a manner normally intended, recommended, promoted, and marketed by the Defendants.

69. Johnson & Johnson Baby Powder failed to perform safely when used by Plaintiff in a reasonably foreseeable manner, specifically increasing Plaintiffôs risk of developing ovarian cancer.

70. The propensity of talc fibers to translocate into the female reproductive system, including the ovaries, and thereby substantially increase the risk of ovarian cancer renders Johnson & Johnson Baby Powder unreasonably dangerous when used in the manner it was intended and to an extent beyond that would be contemplated by the ordinary consumer.

71. Importantly, Johnson & Johnson Baby Powder is an inessential cosmetic product that does not treat or cure any serious disease. Further, safer alternatives, including corn-starch based powders, have been readily available for decades.

72. Defendants have known, or should have known, that Johnson & Johnson Baby Powder is unreasonably dangerous when used by a woman in her genital area but have continued to design, manufacture, sell, distribute, market, promote, and supply Johnson & Johnson Baby Powder so as to maximize sales and profits at the expense of public health and safety in conscious disregard of the foreseeable harm to the consuming public, including Plaintiff.

73. As a direct and proximate result of the Defendantsô conduct, including actions, omissions, and misrepresentations, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT IV: BREACH OF EXPRESS WARRANTY
(The Johnson Defendants)

74. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 73, inclusive.

75. Defendants expressly warranted through their labeling, advertising, and marketing materials, including www.safetyandcarecommitment.com, that Johnson & Johnson Baby Powder was safe for women to use in the genital area on a regular and prolonged basis, and withheld and concealed information from the public, including Plaintiff, about the substantial risks of serious injury and/or death associated with using Johnson & Johnson Baby Powder in the manner described.

76. The Johnson Defendants expressly warranted that Johnson & Johnson Baby Powder was safe for its intended uses and as otherwise described in this complaint.

77. The Johnson & Johnson Baby Powder used by Plaintiff in the manner described over a period of decades did not conform to these express representations, including, but not limited to, the representation that such use was not associated with an increased risk of developing ovarian cancer.

78. The Johnson Defendantsô made these material representations, which also included omissions of material fact, to the general public, including Plaintiff, with intent to induce consumers such as Ms. Slampa to engage is regular and prolonged use of Johnson & Johnson Baby Powder as a personal hygiene product.

79. Plaintiff relied on said express warranties in her decision to continue use Johnson & Johnson Baby Powder daily for the majority of her life.

80. At the various times of the making of these express warranties, the Johnson & Johnson Defendants had knowledge of the association between daily female genital talc use and an increased occurrence of ovarian cancer, yet expressly warranted that Johnson & Johnson Baby Powder was, in all respects, safe for such use.

81. By reason of the foregoing, Plaintiff has been severely and permanently injured.

82. As a foreseeable, direct, and proximate result of the aforementioned breach of express warranty by the Johnson & Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT V: BREACH OF IMPLIED WARRANTY
(The Johnson Defendants)

83. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 82, inclusive.

84. The Johnson Defendants impliedly represented and warranted to the users of Johnson & Johnson Baby Powder was safe and fit for the particular purpose for which said product was to be used, including as a personal hygiene product to be applied by a woman to her genital area.

85. These aforementioned representations and warranties were false, misleading, and inaccurate in that Johnson & Johnson Baby Powder was unsafe and was a substantial contributing factor in Plaintiffôs ovarian cancer diagnosis.

86. Plaintiff relied on the implied warranty of fitness for a particular use and purpose.

87. Johnson & Johnson Baby Powder was placed into the stream of commerce by the Defendants in a defective, unsafe, and inherently dangerous condition and the products and materials were expected to and did reach users, handlers, and persons coming into contact with said products without substantial change in the condition in which they were sold.

88. The Johnson Defendants breached the aforesaid implied warranty, as Johnson & Johnson Baby Powder was not reasonably fit for their intended purposes and uses.

89. As a foreseeable, direct, and proximate result of the aforementioned breach of implied warranties by the Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT VI: FRAUD – INTENTIONAL MISREPRESENTATION
(The Johnson Defendants)

90. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 89, inclusive.

91. The Johnson Defendants, who engaged in the development, manufacture, marketing, sale and distribution of personal hygiene products, including Johnson & Johnson Baby Powder, owed a duty to provide accurate and complete information regarding said products.

92. The Johnson & Johnson Defendants fraudulently misrepresented the use of Johnson & Johnson Baby Powder as safe and effective, specifically:

a. Johnson & Johnsonôs website calls it a ñmisconceptionò that talc in baby powder can be ñabsorbed into the bodyò;

b. Johnson & Johnson print advertisements directed at adult women asserted that, because Johnson & Johnson Baby Powder is used on babies, women can ñtrustò that Johnson & Johnson will take ñjust as much careò of their skin;

c. Misleading consumers in advertisements that the talc in Johnson & Johnson Baby Powder is safe because it comes from ñnatureò and is ñpureò;

d. Johnson & Johnson, on its website, claims that ñ30 years of research by independent scientists, review boards and global authorities [] have concluded that talc can be used safely in personal care products,ò failing to mention the dozens of studies demonstrating a relationship between feminine talc use and ovarian cancer, as well as the decision by IARC to label feminine talc powder use as ñpossibly carcinogenicò; and

e. On the Johnson & Johnson Baby Powder bottle, Defendants include a conspicuous warning to mothers to prevent babies from inhaling the powder and the inclusion of this lone warning implies to the consumer that Johnson & Johnson Baby Powder is safe in all other manners of use.

93. The Johnson Defendants knew that these misrepresentations and/or omissions were material, and that they were false, incomplete, misleading, deceptive and deceitful when they were made.

94. The Johnson Defendants made the misrepresentations and/or omissions for the purpose of deceiving and defrauding consumers, including Plaintiff, with the intention of having them act and rely on such misrepresentations and/or omissions.

95. The Plaintiff relied, with reasonable justification, on the misrepresentations by the Johnson Defendants, which induced Plaintiff to purchase and use Johnson & Johnson Baby Powder on a regular basis for decades.

96. The Johnson Defendants profited, significantly, from their unethical and illegal conduct that fraudulently induced Plaintiff, and millions of other consumers, to purchase a dangerous and defective product.

97. The Johnson Defendantsô actions, and Plaintiffôs justifiable reliance thereon, were substantial contributing factors in causing injury and incurrence of substantial damages.

98. As a foreseeable, direct, and proximate result of the aforementioned fraudulent misrepresentations by the Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT VII: FRAUD – CONCEALMENT
(The Johnson Defendants)

99. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 98, inclusive.

100. Johnson Defendants owed consumers, including Plaintiff, a duty to fully and accurately disclose all material facts regarding Johnson & Johnson Baby Powder, not to conceal material defects related thereto, not to place these defective products into the stream of commerce, and to fully and accurately label its product packaging. To the contrary, Johnson Defendants explicitly and/or implicitly represented that Johnson & Johnson Baby Powder was safe and effective.

101. Johnson & Johnson actively and intentionally concealed and/or suppressed material facts, referenced in Paragraphs 18 through 33 herein, in whole or in part, to induce consumers, including Plaintiff, to purchase and use Johnson & Johnson Baby Powder and did so at the expense of Plaintiff. Specifically:

a. The Johnson Defendants have been aware of the positive association between feminine talc use and ovarian cancer demonstrated by epidemiology studies since at least 1982 and more than a dozen such published studies, including meta-analyses, have been published demonstrating similar results;

b. The Johnson Defendants have been aware, for decades, of the propensity for talc particles to translocate from the perineum through the vaginal tract into the ovaries;

c. IARC, the recognized world authority of agent carcinogenicity, has determined that there is a credible causal connection between feminine talc use and ovarian cancer; and

d. Johnson & Johnsonôs own paid consultant, Dr. Alfred Wehner, advised the company on multiple occasions, by at least 1997, that Johnson & Johnsonôs denial

of a positive association between feminine talc use and ovarian cancer was ñtechnically and factually incorrect.

102. The Johnson Defendants made the misrepresentations and/or omissions for the purpose of deceiving and defrauding Plaintiff and with the intention of having Plaintiff act and rely on such misrepresentations and/or omissions.

103. The Johnson Defendants knew that their, concealment, misrepresentations and/or omissions were material, and that they were false, incomplete, misleading, deceptive, and deceitful when they were made. Alternatively, the Johnson Defendants concealed information, and/or made the representations with such reckless disregard for the truth that knowledge of the falsity can be imputed to them.

104. The Johnson Defendants profited, significantly, from their unethical and illegal conduct that caused Plaintiff to purchase and habitually use a dangerous and defective product.

105. The Johnson Defendantsô actions, and Plaintiffôs justifiable reliance thereon, were substantial contributing factors in causing injury and incurrence of substantial damages.

106. As a foreseeable, direct, and proximate result of the aforementioned fraudulent concealments by the Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably

incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

COUNT VIII: VIOLATION OF MARYLAND'S CONSUMER PROTECTION ACT
(The Johnson Defendants)

107. Plaintiff realleges and incorporates by reference as if fully set forth herein the allegations contained in Paragraphs 1 through 106, inclusive.

108. The Maryland Consumer Protection Act (hereinafter the ñMCPAò), Md. Code Ann., Com. Law Art. §13-301 et. seq., applies to the Johnson Defendantsô actions and conduct described herein because it extends to transactions which are intended to result, of which have resulted, in the sale of goods to consumers.

109. The Johnson Defendants sold and continue to sell consumer products in Maryland, and therefore, qualify as a merchant within the meaning of Md. Code Ann., Com. Law Art. §13-101(g).

110. Plaintiff was a ñconsumerò within the meaning of the MCPA.

111. Plaintiff purchased, primarily for personal use, at least dozens of bottles of Johnson & Johnson Baby Powder and, thereby, suffered ascertainable losses as a result of the Johnson Defendantsô actions in violation of the consumer protection laws.

112. Said purchases occurred in the State of Maryland.

113. The Johnson Defendants have violated and continue to violate the MCPA in representing that goods have characteristics and benefits which they do not have.

114. Had the Johnson Defendants not engaged in the deceptive conduct described herein, Plaintiff would not have purchased and/or paid for Johnson & Johnson Baby Powder, and would not have incurred related medical costs and injury.

115. The Johnson Defendants engaged in knowingly wrongful conduct while at the same time obtaining, under false pretenses, money from Plaintiff for Johnson & Johnson Baby Powder that would not have been paid had Defendants not engaged in such unfair and deceptive conduct.

116. The untrue, misleading, and/or deceptive assertions, representations or statements of fact regarding Johnson & Johnson Baby Powder were made by the Johnson & Johnson Defendants to the public in promotional materials and advertisements, with the intent to induce an obligation.

117. Plaintiff justifiably relied on the untrue, misleading, and/or deceptive assertions, representations or statements of fact made by the Johnson Defendants to the public in promotional materials and advertisements regarding Johnson & Johnson Baby Powder in purchasing and using said product regularly for a period of decades.

118. Plaintiff was injured by the cumulative and indivisible nature of the Johnson Defendantsô conduct. The cumulative effect of Defendantsô conduct directed at consumers was to create demand for and to sell Johnson & Johnson Baby Powder. Each aspect of Defendantsô conduct combined to artificially create sales of said product.

119. The Johnson Defendants had actual knowledge of the defective and dangerous condition of Johnson & Johnson Baby Powder and failed to take any action to cure such defective and dangerous condition.

120. Reasonable consumers, including Plaintiff, were injured by the Johnson Defendantsô unfair and deceptive acts.

121. The Johnson Defendants' failure to inform Plaintiff of the risks and hazards associated with the use of Johnson & Johnson Baby Powder was deceptive and was a violation of

the MCPA, Md. Code Ann., Com. Law Art. §13-301(3), and constitutes an unfair and deceptive trade practice in violation of §13-303 of the MCPA.

122. As a foreseeable, direct, and proximate result of the aforementioned violations of the MCPA by the Johnson Defendants, Plaintiff sustained the following damages:

a. Economic losses including medical care, past and future; and lost earnings, past and future; and

b. Noneconomic losses including physical and mental pain and suffering, emotional distress, fear of recurrence of cancer, inconvenience, and loss of enjoyment and impairment of quality of life, past and future.

WHEREFORE, Plaintiff demands judgment against the Johnson Defendants for compensatory damages in excess of $75,000 plus litigation costs and expenses reasonably incurred; punitive damages allowed by law to be determined by a jury at trial of this action; pre-judgment interest; post-judgment interest; and attorneyôs fees recoverable by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against the Defendants on each of the above-referenced claims and Causes of Action and as follows:

a. Awarding compensatory damages in excess of $75,000, including, but not limited to pain, suffering, emotional distress, loss of enjoyment of life, and other non-economic damages in an amount to be determined at trial of this action;

b. Awarding economic damages in the form of medical expenses, out of pocket expenses, lost earnings and other economic damages in an amount to be determined at trial of this action;

c. Punitive and/or exemplary damages for the wanton, willful, fraudulent, reckless acts of the Defendants who demonstrated a complete disregard and reckless indifference for the safety and welfare of the general public and the Plaintiff in an amount sufficient to punish Defendants and deter future similar conduct;

d. Prejudgment interest;

e. Postjudgment interest;

f. Awarding Plaintiffôs reasonable attorneys' fees;

g. Awarding Plaintiff the costs of these proceedings; and

h. Such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury as to all issues stated herein, and all issues so triable.

Date: March 24, 2016

Respectfully submitted,

/s/ Craig M. Silverman
Jay D. Miller (Bar No.04653)
jmiller@lawpga.com
Craig M. Silverman (Bar No.16898)
csilverman@lawpga.com
Nicholas C. Bonadio (Bar No. 13679)
nbonadio@lawpga.com
Law Offices of Peter G. Angelos, P.C.
100 North Charles Street, 22nd Floor
Baltimore, Maryland 21201
410-649-2000
410-649-1780 (Fax)
Attorneys for Norma J. Slampa

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Norma J. Slampa

(b) County of Residence of First Listed Plaintiff Anne Arundel, MD
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Law Offices of Peter G. Angelos, P.C.
100 N. Charles St. 22nd Floor
Baltimore, Maryland 21201; 410-649-2000

DEFENDANTS

Johnson & Johnson; Johnson & Johnson Consumer Companies, Inc.

County of Residence of First Listed Defendant Middlesex, NJ
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☒ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☒ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☒ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
U.S.C. 1332

Brief description of cause:
Talcum Powder Products Liability

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $ >$75,000

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
03/24/2016

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

JS 44 Reverse (Rev. 12/12)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)

III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. **Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. **Origin.** Place an "X" in one of the six boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Maryland

Norma J. Slampa

Plaintiff(s)

v.

Johnson & Johnson; Johnson & Johnson Consumer Companies, Inc.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, New Jersey 08933

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

The Law Offices of Peter G. Angelos, P.C.
Jay Miller, Craig Silverman, Nicholas Bonadio
100 N. Charles St. 22nd Floor
Baltimore, Maryland 21201
410-649-2000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Maryland

Norma J. Slampa

Plaintiff(s)

v.

Johnson & Johnson; Johnson & Johnson Consumer Companies, Inc.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Johnson & Johnson Consumer Companies, Inc.
199 Gradview Road
Skillman, New Jersey 08558

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

The Law Offices of Peter G. Angelos, P.C.
Jay Miller, Craig Silverman, Nicholas Bonadio
100 N. Charles St. 22nd Floor
Baltimore, Maryland 21201
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CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk