

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: ETHICON PHYSIOMESH
FLEXIBLE COMPOSITE
HERNIA MESH PRODUCTS
LIABILITY LITIGATION

MDL DOCKET NO. 2782
CIVIL ACTION NO.
1:17-MD-02782-RWS

This document relates to:

Jim B. Crumbley and Diane Crumbley v. : Civil Action No.: _____
Johnson and Johnson and Ethicon, Inc.

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for their Complaint against the Defendants named below, incorporate the Master Complaint in MDL No. 2782 by reference. Plaintiff(s) further show the court as follows:

1. Plaintiff Implanted with Physiomesb

Jim B. Crumbley

2. Plaintiff's Spouse (if applicable)

Diane Crumbley

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

4. State of Residence and Citizenship of each Plaintiff (including any Plaintiff in a representative capacity) at time of filing of Initial Complaint

Georgia and the United States

5. State of Residence and Citizenship at the Time of Implantation

Georgia and the United States

6. District Court and Division in which personal jurisdiction and venue would be proper absent direct filing.

United States District Court for the Northern District of Georgia

7. Defendants (Check Defendants against whom Complaint is made):

☒ A. Ethicon, Inc.

☒ B. Johnson & Johnson

8. Basis of Jurisdiction

☒ Diversity of Citizenship (28 U.S.C. § 1332(a))

☐ Other: _____

- A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

Paragraphs 3-13

B. Other allegations of jurisdiction and venue:

9.

| Date(s) Plaintiff was Implanted with Physiomesh (list date of each implant surgery, where applicable, on separate line) | Hospital(s) where Plaintiff was implanted with Physiomesh (include City and State of Hospital) | Implanting Surgeon(s) |
|---|--|---------------------------|
| July 17th, 2014 | Piedmont Henry Hospital Stockingbridge, GA | Manohar Nallathambi, M.D. |
| | | |
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10. Counts in the Master Complaint brought by Plaintiff(s):

- ☒ Count I — Strict Product Liability — Defective Design
- ☒ Count II — Strict Product Liability — Failure to Warn
- ☒ Count III — Strict Product Liability — Manufacturing Defect
- ☒ Count IV — Negligence
- ☒ Count V — Consumer Protection Laws (Please identify applicable State Consumer Protection law(s) and state any additional facts and legal basis for application of State Consumer Protection law(s) in this case)

Georgia Fair Business Practices Act Ca. Code Ann. §10-1-390, et seq.

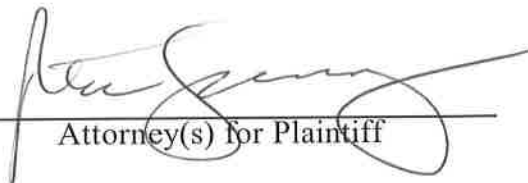
- ☒ Count VI — Gross Negligence
- ☒ Count VII — Loss of Consortium
- ☒ Count VIII — Punitive Damages
- ☒ Count IX — Discovery Rule, Equitable Tolling/Estoppel (Please state any additional facts and legal basis for Discovery Rule and Tolling below)

Georgia's Statute of Limitations

☐ Other Count(s) (Please state factual and legal basis for other claims not included in the Master Complaint below):

☒ Jury Trial Is Demanded as to All Counts

☐ Jury Trial is NOT Demanded as to Any Count



Attorney(s) for Plaintiff

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