

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**IN RE: ZANTAC (RANITIDINE)
PRODUCTS LIABILITY
LITIGATION**

**MDL NO 2924
20-MD-2924**

**JUDGE ROBIN
ROSENBERG**

**MAGISTRATE JUDGE
BRUCE REINHART**

THIS DOCUMENT RELATES TO:

Oswald Anfossi and Arlene Anfossi

JURY TRIAL DEMANDED

SHORT-FORM COMPLAINT

The Plaintiffs named below, by counsel, file this Short Form Complaint against Defendants named below. Plaintiffs incorporate by reference the allegations contained in the Master Personal Injury Complaint (“MPIC”) in *In re: Zantac (Ranitidine) Products Liability Litigation*, MDL No. 2924 (S.D. Fla). Plaintiff(s) file(s) this Short-Form Complaint as permitted by Pretrial Order No. 31.

Plaintiffs select and indicate by completing where requested, the Parties and Causes of Actions specific to this case. Where certain claims require additional pleading or case specific facts and individual information, Plaintiffs shall add and include them herein.

Plaintiffs, by counsel, allege as follows:

I. PARTIES, JURISDICTION, AND VENUE

A. PLAINTIFF(S)

1. Plaintiff(s) Oswald Anfossi (“Plaintiff(s)”) brings this action (check the applicable designation):

- ☒ On behalf of himself;
In representative capacity as the _____, on behalf
☐ of the injured party, (Injured Party's Name).

2. Injured Party is currently a resident and citizen of Parkland, Broward County, Florida and claims damages as set forth below.

—OR—

Decedent died on (Month, Day, Year) _____. At the
time of Decedent's death, Decedent was a resident and citizen of
(City, State).

If any party claims loss of consortium,

3. Arlene Anfossi alleges damages for loss of consortium.
4. At the time of the filing of this Short Form Complaint, Consortium Plaintiff is
a citizen of Parkland, Broward County, Florida.
5. At the time the alleged injury occurred, Arlene Anfossi resided in Parkland,
Broward County, Florida.

B. DEFENDANT(S)

3. Plaintiff(s) name(s) the following Defendants from the Master Personal
Injury Complaint in this action:

a. Brand Manufacturers: Boehringer Ingelheim; GlaxoSmithKline,
Pfizer; Sanofi

b. Generic Manufacturers: Acic Pharmaceuticals; Ajanta;
AmerisourceBergen; Amneal; ANDA Repository; Ani Pharmaceuticals;
Apotex; Appco Pharma LLC; Autobindo; Contract Pharmacal; Dr.
Reddy's; Geri-Care; Glenmark; Granules; Heritage; Hikma; Hi-Tech; JB
Chemicals; Lannett; Mylan; Nostrum; Novitium; PAI; Par
Pharmaceutical; Perrigo; Sandoz; Strides; Taro; Teva; Torrent; VKT;
Wockhardt; Zydus-Cadila

c. Distributors: Amerisource Bergen; Cardinal Health; Chattem; McKesson

d. Retailers: Walmart Inc. f/k/a Wal-Mart Stores, Inc.

e. Repackagers: Denton Pharma; GSMS; Precision Dose

f. Others Not Named in the MPIC:

C. JURISDICTION AND VENUE

7. Identify the Federal District Court in which Plaintiff(s) would have filed this action in the absence of Pretrial Order No. 11 (direct filing) [or, if applicable, the District Court to which their original action was removed]: Southern District of Florida
8. Jurisdiction is proper upon diversity of citizenship.

II. PRODUCT USE

9. The Injured Party used Zantac and/or ranitidine: *[Check all that apply]*

☐ By prescription

☒ Over the counter

10. The Injured Party used Zantac and/or generic ranitidine from approximately 2017 to 2019.

III. PHYSICAL INJURY

11. As a result of the Injured Party's use of the medications specified above, he was diagnosed with the following specific type of cancer (check all that apply):

Check all that apply	Cancer Type	Approximate Date of Diagnosis
	BLADDER CANCER	

	BRAIN CANCER	
	BREAST CANCER	
	COLORECTAL CANCER	
	ESOPHAGEAL/THROAT/NASAL CANCER	
	INTESTINAL CANCER	
	KIDNEY CANCER	
	LIVER CANCER	
	LUNG CANCER	
	OVARIAN CANCER	
	PANCREATIC CANCER	
	PROSTATE CANCER	
X	STOMACH CANCER	2019
	TESTICULAR CANCER	
	THYROID CANCER	
	UTERINE CANCER	
X	OTHER CANCER:	Gall bladder damage
	DEATH (CAUSED BY CANCER)	

12. Defendants, by their actions or inactions, proximately caused the injuries to Plaintiff(s).

IV. CAUSES OF ACTION ASSERTED

13. The following Causes of Action asserted in the Master Personal Injury Complaint are asserted against the specified defendants in each class of Defendants enumerated therein, and the allegations with regard thereto are adopted in this Short Form Complaint by reference:

Check if Applicable	COUNT	Cause of Action
X	I	STRICT PRODUCTS LIABILITY – FAILURE TO WARN
X	II	STRICT PRODUCTS LIABILITY – DESIGN DEFECT
X	III	STRICT PRODUCTS LIABILITY – MANUFACTURING DEFECT
X	IV	NEGLIGENCE – FAILURE TO WARN

X	V	NEGLIGENT PRODUCT DESIGN
X	VI	NEGLIGENT MANUFACTURING
X	VII	GENERAL NEGLIGENCE
X	VIII	NEGLIGENT MISREPRESENTATION
X	IX	BREACH OF EXPRESS WARRANTIES
X	X	BREACH OF IMPLIED WARRANTIES
X	XI	VIOLETION OF CONSUMER PROTECTION AND DECEPTIVE TRADE PRACTICES LAWS and specify the state's statute below: Florida Statute § 501.201-501.213
X	XII	UNJUST ENRICHMENT
X	XIII	LOSS OF CONSORTIUM
	XIV	SURVIVAL ACTION
	XV	WRONGFUL DEATH
	XVI	OTHER:
	XVII	OTHER:

If Count XVI or Count XVII is alleged, additional facts supporting the claim(s):

V. JURY DEMAND

14. Plaintiff(s) hereby demand(s) a trial by jury as to all claims in this action.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff(s) has/have been damaged as a result of Defendants' actions or inactions and demand(s) judgment against Defendants on each of the above-referenced causes of action, jointly and severally to the full extent available in law or equity, as requested in the Master Personal Injury Complaint.

THE LAW OFFICES OF
BERMAN & BERMAN, P.A.
Attorneys for Plaintiffs
Post Office Box 272789
Boca Raton, Florida 33427
Telephone: (561) 826-5200
Facsimile: (561) 826-5201

By: /s/ Vincent Duffy
Vincent Duffy, Esq.
Florida Bar No.: 82151
Service@thebermanlawgroup.com
VDuffy@thebermanlawgroup.com