Exhibit A

Notice of Service of Process

RFM / ALL
Transmittal Number: 23981922
Date Processed: 10/27/2021

Primary Contact: Vicki Ann Swanson
Medtronic
710 Medtronic Pkwy
Minneapolis, MN 55432-5603

Electronic copy provided to: Julie Bonczek

Entity:	Medtronic, Inc. Entity ID Number 3810357
Entity Served:	Medtronic, Inc.
Title of Action:	Emery I. Feeser vs. Medtronic, Inc.
Matter Name/ID:	Emery I. Feeser vs. Medtronic, Inc. (11669824)
Document(s) Type:	Summons/Complaint
Nature of Action:	Product Liability
Court/Agency:	Charleston County Court of Common Pleas, SC
Case/Reference No:	2021-CP-10-4686
Jurisdiction Served:	Minnesota
Date Served on CSC:	10/27/2021
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Certified Mail
Sender Information:	Wigger Law Firm, Inc. 843-553-9800

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

Exhibit A

Wigger Law Firm, Inc.

ATTORNEYS AT LAW

8086 Rivers Avenue, Suite A
North Charleston, SC 29406

(843) 553-9800
(843) 203-1496 Fax

JARREL L. WIGGER*
EMILY H. TONG

EDWARD J. MCALPINE, III (TREY)

*Board Certified Civil Trial Specialist
By National Board of Trial Advocacy

Summerville
(843) 851-9900

West Ashley
(843) 203-1500

October 18, 2021

Medtronic, Inc.
Corporation Service Company, Registered Agent
2345 Rice St., Suite 230
Roseville, MN 55113-5603

RE: Emery I. Feeser v. Medtronic, Inc.
Case No.: 2021-CP-10-4686

Dear Sir or Madam:

Enclosed please find the Summons & Complaint for service upon you as Registered Agent for Medtronic, Inc., the Defendant in the above referenced matter.

Should you have any questions, please do not hesitate to call. Thank you for your attention to this matter.

Sincerely,

Jarrel L. Wigger

JLW/sah
Enclosures

Exhibit A

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	THE COURT OF COMMON PLEAS IN THE NINTH JUDICIAL CIRCUIT
EMERY I. FEESER, PLAINTIFF, V. MEDTRONIC, INC., DEFENDANT.	CASE NO.: 2021-CP-10-_____ **SUMMONS** **(JURY TRIAL DEMANDED)**

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and requested to answer the Complaint in this action of which a copy is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the subscriber at her office, 8086 Rivers Avenue, Suite A, North Charleston, SC 29406, within thirty (30) days after service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for the relief demanded in the Complaint.

WIGGER LAW FIRM, INC.

s/ Jarrel L. Wigger
Jarrel L. Wigger, Esq.
Attorney for the Plaintiff
8086 Rivers Avenue
N. Charleston, SC 29406
Phone No.: (843) 553-9800
Fax No.: (843) 203-1496

North Charleston, South Carolina
This 11TH Day of October 2021.

Exhibit A

IN THE STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT
EMERY I. FEESER, Plaintiff, v. MEDTRONIC, INC., Defendant.	CASE NUMBER: 2021-CP-10-____ **COMPLAINT** **(JURY TRIAL REQUESTED)**

The Plaintiff complaining of the Defendant would show unto this Honorable Court as follows:

ONE: The Plaintiff, Emery I. Feeser, is a citizen and resident of Charleston County, South Carolina.

TWO: The Defendant, Medtronic, Inc. is, upon information and belief, a corporation headquartered and incorporated in the State of Minnesota, which sells, markets, and distributes medical devices, in particular, various dual chamber pacemakers, including Medtronic model W3 DR 01 with serial number RNJ201863H, (hereinafter "Pacemaker"), and is authorized to do business within South Carolina on a regular basis through its dealers, distributors and internet sales.

THREE: The incident which is the subject of this lawsuit occurred in Charleston County, South Carolina.

FOUR: The parties, matters and all things and matters hereinafter alleged are within the jurisdiction of this Court based in part upon the provisions of the Code of Laws of South Carolina, Sec. 36-2-803(1)(c), as amended, commonly known as the long arm statute.

FIVE: Prior to October 2018, Medtronic sold medical equipment on a regular basis and was involved in the design, development, manufacturing, and distribution of such equipment.

SIX: It is well known in the industry that medical equipment that is going to be inserted into the body will cause the body to reject the device and can cause serious injury and death.

SEVEN: In an effort to prevent injury and death, a manufacturer is required to do a Failure Mode and Effects Analysis (FMEA) and identify any hazards. Once a hazard is identified, a company must employ a hazard analysis and eliminate or minimize any hazards, and if the company is unable to eliminate the hazards, they must adequately guard against the hazard; and if they can't adequately guard against the hazard, they must adequately warn.

EIGHT: In the medical equipment inserted into the Plaintiff, it is a well-known hazard that the body may need to reject the foreign equipment. As there are no alternatives to eliminate that

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hazard, the Defendant employed a system to guard from the hazard by coating the device with a PTFE coating.

NINE: On the device inserted into the Plaintiff, they negligently manufactured the device because they left the protective coating off and distributed this negligently manufactured device of equipment to be inserted into the Plaintiff.

TEN: In or about July 7, 2018, the Plaintiff underwent surgery to implant the above referenced Pacemaker at Roper Hospital in Charleston, South Carolina. Following the procedure, the Plaintiff started having problems with the Pacemaker and it stopped working altogether. Due to the faulty Pacemaker, the Plaintiff had to undergo a second surgery on October 16, 2018, to remove it and replace it with a new Medtronic pacemaker, model DDDR S1, serial number NWA 238501H, with the PTFE coating.

ELEVEN: In or about April of 2019, the Defendant issued a "Physician Notification Detail Report," which was an "Urgent Medical Device Recall Communication" to all physicians and/or healthcare providers who purchased and/or surgically implanted a subset of Medtronic dual chamber pacemakers from March 10, 2017, to January 7, 2019. This communication was to put the physicians and/or healthcare providers on notice that this particular subset of pacemakers were being recalled because they did not have the special coating on them when they should have.

TWELVE: This particular recalled subset of dual chamber pacemakers included the model that was implanted in the Plaintiff on July 7, 2018; and which subject faulty Pacemaker injured the Plaintiff and ultimately caused the Plaintiff to have to undergo a second procedure on October 16, 2018, to remove the faulty Medtronic Pacemaker and replace it with the new one.

THIRTEEN: The Plaintiff has suffered and continues to suffer from an unsightly scar on his chest due to the many procedures and surgeries he's had to have related to Defendant's faulty Pacemaker.

FOURTEEN: This incident has also impacted the Plaintiff's life both emotionally and physically. The Plaintiff has been unable to perform daily tasks and unable to participate in activities with family and friends, all due to the faulty Medtronic Pacemaker.

FOR A FIRST CAUSE OF ACTION
NEGLIGENCE/GROSS NEGLIGENCE/BREACH OF DUTY OF CARE

FIFTEEN: The Plaintiff reiterates each and every allegation above as if fully repeated herein.

SIXTEEN: The Defendant owed to the Plaintiff a duty of reasonable care.

SEVENTEEN: The Defendant knew or should have known that the subject Pacemaker was an inherently dangerous product.

EIGHTEEN: The Defendant knew or should have known through reasonable inspection and diligence that the subject Pacemaker was manufactured without the special coating that it needed in order to function properly.

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NINETEEN: The Defendant held themselves out as possessing superior knowledge regarding the safe design and manufacture of the subject Pacemaker.

TWENTY: The Defendant owed a duty to design, construct, and manufacture this and other similar products in a reasonable manner that would eliminate or lessen the chance for injuries to persons using these products.

TWENTY-ONE: The Defendant, through the use of reasonable care, could have prevented the defective condition of the subject Pacemaker.

TWENTY-TWO: The Defendant, in the design and manufacture of the subject Pacemaker, breached their duty to Plaintiff and acted negligently in the following particulars:

1. In failing to include as a part of the basic design of the pacemaker, a system equipped so as to prevent injuries to the Plaintiff;

2. In failing and neglecting to take reasonable care in the design of the subject Pacemaker;

3. In failing and neglecting to take out all risk of injury in the design and manufacture of the subject Pacemaker;

4. In failing and neglecting to design a product meeting applicable safety requirements;

5. In failing and neglecting to meet industry standards in the design and manufacture of the subject Pacemaker;

6. In failing and neglecting to properly inspect the subject Pacemaker before releasing it for use by the general public;

7. In failing and neglecting to ensure the proper coating was on the outside of the Pacemaker before releasing it for use by the general public; and

8. In other particulars which discovery may show.

TWENTY-THREE: One or more of the failures listed above were the proximate cause of Plaintiff's emotional and physical injuries.

TWENTY-FOUR: Such acts by the Defendant were the proximate cause of Plaintiff's injuries and such acts were wanton, willful, reckless, negligent, and grossly negligent and such acts were without regard for the safety of Plaintiff and others using their products.

FOR A SECOND CAUSE OF ACTION
PRODUCT LIABILITY/STRICT LIABILITY IN TORT

TWENTY-FIVE: Plaintiff reiterates each and every allegation above as if fully repeated herein.

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TWENTY-SIX: The Defendant engaged in the business of manufacturing, selling, and distributing pacemakers, such as the Pacemaker that is the subject matter of this case.

TWENTY-SEVEN: The product and/or its components were unreasonably dangerous and constituted a hazard to the user.

TWENTY-EIGHT: This incident and Plaintiff's subsequent injuries could have been prevented by an appropriate change or changes in design and manufacture and adequate inspection for the pacemakers that were recalled, which included the subject Pacemaker.

TWENTY-NINE: The subject Pacemaker was defective and unreasonably dangerous due to improper, inadequate, and deficient design and manufacture. The Defendant was negligent in the following particulars, to wit:

1. In designing, manufacturing, distributing, selling, and providing dual chamber pacemakers with deficient materials which created an unlawful and hazardous condition through foreseeable use;

2. In failing to perform thorough and adequate testing and/or inspection, before and after manufacturing and marketing of the subject Pacemaker to determine the potential for injury to anticipated users;

3. In failing to eliminate all hazards through the use of adequate design;

4. In failing to adequately guard against known hazards;

5. In failing to provide its distributors with adequate instructions and information as to the dangerous propensities which could foreseeably result from the use of its product as intended;

6. In failing and neglecting to take reasonable care in the design of the subject Pacemaker;

7. In failing and neglecting to take out all risk of injury in the manufacture of the product;

8. In failing and neglecting to design a product meeting applicable safety requirements;

9. In failing and neglecting to meet industry standards in the design and manufacture of the subject Pacemaker;

10. In failing and neglecting to properly inspect the subject Pacemaker before releasing it for use by the general public;

11. In failing and neglecting to ensure the proper coating was on the outside of the Pacemaker before releasing it for use by the general public; and

12. In failing and neglecting to recognize the risk of hazard.

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THIRTY: Such acts of the Defendant were the proximate cause of the Plaintiff's injuries and such acts were wanton, willful, reckless, negligent, and grossly negligent and such acts were without regard for the safety of the Plaintiff and others using these products.

FOR A THIRD CAUSE OF ACTION
BREACH OF WARRANTY

THIRTY-ONE: Plaintiff reiterates each and every allegation above as if fully repeated herein.

THIRTY-TWO: The Defendants were negligent in the sale and distribution of this product and in breaching the warranty of this product.

THIRTY-THREE: The Defendants were negligent and grossly negligent in the following ways:

1. In breaching the express warranty in violation of the Code of Laws of South Carolina, Sec. 36-2 313, as amended;

2. In breaching the implied warranty of merchantability of the product in violation of the Code of Laws of South Carolina, Sec. 36-2 315, as amended;

3. In breaching the implied warranty of fitness for particular purpose in violation of the Code of Laws of South Carolina, Sec. 36-2-315, as amended.

THIRTY-FOUR: Such acts by the Defendants were the proximate cause of Plaintiff's injuries and such acts were wanton, willful, reckless, negligent, and grossly negligent and such acts were without regard for the safety of Plaintiff and others using their products.

THIRTY-FIVE: As a direct and sole consequence of the aforesaid injuries, the Plaintiff has incurred expenses for medical care and other incidental costs. He has suffered physical and emotional pay and suffering. The Plaintiff also has permanent scarring and his injuries have resulted in the loss of enjoyment of life.

THIRTY-SIX: Plaintiff is entitled to actual and punitive damages from the Defendant, each of them, in amounts more fully set forth hereafter.

WHEREFORE, Plaintiff prays for judgment against the Defendant as follows:

a) As to Negligence/Gross Negligence/Breach of Duty of the Defendant, Plaintiff demands judgment against Defendant in an amount of actual damages, punitive damages, and costs of this action in an amount to be determined by the trier of fact.

b) As to Product Liability/Strict Liability in Tort, Plaintiff demands judgment against the Defendant in an amount of actual damages, punitive damages, and costs of this action in an amount to be determined by the trier of fact.

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c) As to Breach of Warranty, Plaintiff demands judgment against the Defendant in an amount of actual damages, punitive damages, attorneys' fees, and costs of this action in an amount to be determined by the trier of fact.

d) And for such other and further relief this Honorable Court deems just and proper.

WIGGER LAW FIRM, INC.

s/ Jarrel L. Wigger
Jarrel L. Wigger, Esq.
Attorney for the Plaintiff
8086 Rivers Avenue
N. Charleston, SC 29406
Phone No.: (843) 553-9800
Fax No.: (843) 203-1496

North Charleston, South Carolina
This 11TH Day of October 2021.

Wigger Law Firm, Inc.

ATTORNEYS AT LAW

8086 Rivers Avenue, Suite A
North Charleston, SC 29406

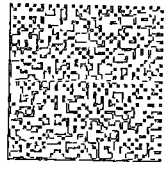
CERTIFIED MAIL®

Exhibit A

7020 2450 0000 9661 2116

Rtrn. Rcpt. Requested

FIRST-CLASS



PITNEY BOWES

US POSTAGE

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