

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL**

**IN RE: PARAQUAT PRODUCTS
LIABILITY LITIGATION**

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**MAY TERM, 2022
NO. 559**

ORDER

AND NOW, this 29th day of March 2023, it is **ORDERED** that Short-Form Complaint attached as Exhibit A is approved for use in the Paraquat Products Liability Litigation pending in this Court.

BY THE COURT:

Asse F. J.
J.

ORDER-In Re: Paraquat Products Litigation



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Exhibit A

**IN THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS
TRIAL DIVISION – CIVIL SECTION**

**IN RE: PARAQUAT PRODUCTS
LIABILITY LITIGATION**

**May Term, 2022
No. 559**

This Document Relates to:

**Term: _____
Case ID: _____**

**PLAINTIFF NAME
PLAINTIFF ADDRESS
CITY, STATE AND ZIP CODE**

**Plaintiff,
vs.**

[INSERT DEFENDANT NAMES],

Defendants.

NOTICE TO DEFEND

NOTICE You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. PHILADELPHIA BAR ASSOCIATION LAWYER REFERRAL AND INFORMATION SERVICE, ONE READING CENTER, PHILADELPHIA, PENNSYLVANIA 19107. TELEPHONE: (215) 238-6333; TTY: (215) 451-6197.**

AVISO Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de lan demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiendandes u otros derechos importantes para uted. **LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIOI, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL. ASOCIACION DE LICENCIADOR DE FILADELFIA, SERVICIO DE REFERENCIA E INFORMACION LEGAL, ONE READING CENTER, FILADELFIA, PENNSYLVANIA 19107. TELEFONO: (215) 238-6333; TTY: (215) 451-6197.**

**IN THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
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PLAINTIFF ADDRESS
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**Plaintiff,
vs.**

[INSERT DEFENDANT NAMES],

Defendants.

SHORT FORM COMPLAINT AND JURY DEMAND

Plaintiff(s) file this Short Form Complaint seeking judgment against Defendant(s) for injuries suffered as a result of [Insert name of Injured Person]'s exposure to Paraquat.

Plaintiff(s) incorporate by reference the following allegations contained within the *Long Form Complaint and Demand for Jury Trial* (and any and all amendments thereto approved by this Court) under Docket Number 559 in the Court of Common Pleas of Philadelphia County, Pennsylvania, before the Honorable Abbe F. Fletman pursuant to Case Management Order No. 2 (the "Long Form Complaint"):

- ☐ Paragraphs 1-156 of the Long Form Complaint **OR**
- ☐ [insert applicable paragraphs].

Additionally, Plaintiff(s) select and indicate by checking off in the appropriate spaces in Section IV, those claims and corresponding allegations from the Long Form Complaint that are specific to his/her/their case. Where certain claims require additional pleading or case-specific facts and individual information, Plaintiff(s) shall add and include them herein.

INDIVIDUAL ALLEGATIONS

I. PLAINTIFF(S)

1. The person who was exposed to paraquat is [Insert Name of Injured Person] (hereinafter “Injured Person”). The Injured Person’s information is as follows:

- a. Date of birth: _____
- b. Date of death (if applicable): _____
- c. Current (or final) street address, city, and state: _____

- d. Name of current spouse or widow(er) (if applicable) and current street address, city, and state: _____

- e. Date of marriage to spouse or widow(er) (if applicable): _____

2. The named Plaintiff(s) in this lawsuit is/are:

- ☐ The Injured Person.
- ☐ The Injured Person and his/her/their spouse.
- ☐ A representative of the Injured Person.

3. If the named Plaintiff(s) in this lawsuit is/are a representative:

- a. Name(s) of representative(s): _____
- b. Relationship(s) to Injured Person (spouse, child, parent, etc.): _____
- c. Legal Capacity to Represent Decedent/Injured Person (personal representative, administrator, trustee ad litem, executor, guardian, conservator, etc.): _____
- d. To the best of your recollection, what was the date of your appointment as representative(s) (if applicable): _____

II. DEFENDANTS

4. Plaintiff(s) name the following Defendant(s) in this action (check all that apply):

- ☐ Syngenta AG
- ☐ Syngenta Crop Protection, LLC
- ☐ Chevron U.S.A. Inc.
- ☐ FMC Corporation
- ☐ Other: _____

III. JURISDICTION AND VENUE

5. Plaintiff(s) allege the basis for jurisdiction and venue as follows:

- ☐ As alleged in the Long Form Complaint; **AND/OR**
- ☐ Other: _____

IV. CLAIMS/COUNTS

6. The following claims and allegations asserted in the Long Form Complaint are adopted in this Short Form Complaint by reference:

- ☐ Count I – Strict Products Liability Design Defect Against Syngenta
 - ☐ Paragraphs 158 - 165 **OR**
 - ☐ Paragraphs _____
- ☐ Count II – Strict Products Liability Design Defect Against Chevron
 - ☐ Paragraphs 167 – 174 **OR**
 - ☐ Paragraphs _____
- ☐ Count III – Strict Products Liability Design Defect Against FMC
 - ☐ Paragraphs 176 – 183 **OR**
 - ☐ Paragraphs _____
- ☐ Count IV – Strict Products Liability Failure to Warn Against Syngenta
 - ☐ Paragraphs 185 – 190 **OR**
 - ☐ Paragraphs _____
- ☐ Count V – Strict Products Liability Failure to Warn Against Chevron
 - ☐ Paragraphs 192 – 197 **OR**
 - ☐ Paragraphs _____
- ☐ Count VI – Strict Products Liability Failure to Warn Against FMC
 - ☐ Paragraphs 199 – 204 **OR**
 - ☐ Paragraphs _____
- ☐ Count VII – Negligence Against Syngenta
 - ☐ Paragraphs 206 – 212 **OR**
 - ☐ Paragraphs _____

- ☐ Count VIII – Negligence Against Chevron
 - ☐ Paragraphs 214 – 220 **OR**
 - ☐ Paragraphs _____
- ☐ Count IX – Negligence Against FMC
 - ☐ Paragraphs 222 – 228 **OR**
 - ☐ Paragraphs _____
- ☐ Count X – Breach of Implied Warranty of Merchantability Against Syngenta
 - ☐ Paragraphs 230 – 234 **OR**
 - ☐ Paragraphs _____
- ☐ Count XI – Breach of Implied Warranty of Merchantability Against Chevron
 - ☐ Paragraphs 236 – 240 **OR**
 - ☐ Paragraphs _____
- ☐ Count XII – Breach of Implied Warranty of Merchantability Against FMC
 - ☐ Paragraphs 242 – 246 **OR**
 - ☐ Paragraphs _____
- ☐ Count XIII – Fraud Against Syngenta
 - ☐ Paragraphs 248 - 252 **OR**
 - ☐ Paragraphs _____
- ☐ Count XIV – Fraud Against Chevron
 - ☐ Paragraphs 254 - 258 **OR**
 - ☐ Paragraphs _____
- ☐ Count XV – Fraud Against FMC
 - ☐ Paragraphs 260 - 264 **OR**
 - ☐ Paragraphs _____

- ☐ Count XVI – Concerted Action, Aiding-And-Abetting Fraud Against Chevron
 - ☐ Paragraphs 266 - 274 **OR**
 - ☐ Paragraphs _____
- ☐ Count XVII – Concerted Action, Aiding-And-Abetting Fraud Against FMC
 - ☐ Paragraphs 276 - 284 **OR**
 - ☐ Paragraphs _____
- ☐ Count XVIII – Loss of Consortium Against Syngenta
 - ☐ Paragraphs 286 - 287 **OR**
 - ☐ Paragraphs _____
- ☐ Count XIX – Loss of Consortium Against Chevron
 - ☐ Paragraphs 289 - 290 **OR**
 - ☐ Paragraphs _____
- ☐ Count XX – Loss of Consortium Against FMC
 - ☐ Paragraphs 292 - 293 **OR**
 - ☐ Paragraphs _____
- ☐ Count XXI – Wrongful Death Against Syngenta
 - ☐ Paragraphs 295 - 298 **OR**
 - ☐ Paragraphs _____
- ☐ Count XXII – Wrongful Death Against Chevron
 - ☐ Paragraphs 300 - 303 **OR**
 - ☐ Paragraphs _____
- ☐ Count XXIII – Wrongful Death Against FMC
 - ☐ Paragraphs 305 – 308 **OR**
 - ☐ Paragraphs _____

7. If additional Counts and/or Counts directed to other Defendant(s) are alleged, the specific facts supporting these allegations must be pleaded by the Plaintiff(s) in a manner complying with the requirements of the Pennsylvania Rules of Civil Procedure, and the Defendant(s) against whom they are alleged must be specifically identified on a separate sheet of paper attached to the *Short Form Complaint*.

a. Plaintiff(s) assert the following additional theories against the Defendant(s) listed in paragraph 4:

_____.

b. Plaintiff(s) assert the following additional theories against other Defendant(s):

_____.

V. PARAQUAT USE/EXPOSURE

8. The Injured Person was exposed to Paraquat from approximately

_____ to approximately _____

and that exposure caused his/her injury.

9. The Injured Person was exposed to Paraquat in the following state(s):

_____.

10. If the Injured Person's Paraquat use/exposure occurred through his/her/their employment,

Employer's name and address: _____

_____.

11. Brief description of the Injured Person's Paraquat exposure:

_____.

VI. PERSONAL INJURY

12. The Injured Person was diagnosed with ☐ Parkinson's disease, or ☐

_____ on approximately: _____ [date] in
_____ [state].

13. The Defendants by their actions or inactions, proximately caused Plaintiff(s)' injuries.

WHEREFORE, Plaintiff(s) pray for relief as set forth in the Plaintiff(s)' *Long Form Complaint* in *In Re: Paraquat Products Liability Litigation* in the Philadelphia County Court of Common Pleas.

JURY DEMAND

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

Dated: _____

Respectfully Submitted,

By: _____
Attorney Name
Law Firm Name
Address
Email