

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**In Re: TAXOTERE (DOCETAXEL)  
PRODUCTS LIABILITY  
LITIGATION**

**MDL NO. 2740**

**THIS DOCUMENT RELATES TO:  
ALL CASES**

**SECTION "N" (5)**


**PRETRIAL ORDER NO. 41**

**[Amended Exemplar Short Form Complaint]**

THE COURT being fully advised on the matter, hereby **GRANTS** Plaintiffs' Co-Liaison Counsel's Consent Motion to Amend Exhibit A (Rec. Doc. 318-1) to Pretrial Order No. 37 (Rec. Doc. 318) to allow for the names of Plaintiff(s) and Defendant(s) to be inserted into the case caption of the Exemplar Complaint and enters Pretrial Order No. 41.

**IT IS ORDERED** that Exhibit A to Pretrial Order No. 37 (Rec. Doc. 318-1) be and it is hereby amended so that the names of Plaintiff(s) and Defendant(s) shall be inserted into the case caption of the Exemplar Complaint (Rec. Doc. 318-1 ).

New Orleans, Louisiana, this 17th day of April, 2017.

  
KURT D. ENGELHARDT  
UNITED STATES DISTRICT JUDGE



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

\_\_\_\_\_

4. Current State of Residence: \_\_\_\_\_

5. State in which Plaintiff(s) allege(s) injury: \_\_\_\_\_

6. Defendants (check all Defendants against whom a Complaint is made):

a. Taxotere Brand Name Defendants

- A. Sanofi S.A.
- B. Aventis Pharma S.A.
- C. Sanofi US Services Inc. f/k/a Sanofi-Aventis U.S. Inc.
- D. Sanofi-Aventis U.S. LLC

b. Other Brand Name Drug Sponsors, Manufacturers, Distributors

- A. Sandoz, Inc.
- B. Accord Healthcare, Inc.
- C. McKesson Corporation d/b/a McKesson Packaging
- D. Hospira Worldwide Inc.
- E. Hospira Inc
- F. Sun Pharma Global FZE
- G. Sun Pharma Global Inc.
- H. Caraco Pharmaceutical Laboratories Ltd.
- I. Pfizer Inc.
- J. Allergan Finance LLC f/k/a Actavis Inc.
- K. Actavis Pharma Inc.

L. Other:

7. Basis for Jurisdiction:

Diversity of Citizenship

Other (any additional basis for jurisdiction must be pled in sufficient detail as required by the applicable Federal Rules of Civil Procedure):

8. Venue:

District Court and Division in which remand and trial is proper and where you might have otherwise filed this Short Form Complaint absent the direct filing Order entered by this Court:

9. Brand Product(s) used by Plaintiff (check applicable):

A. Taxotere

B. Docefrez

C. Docetaxel Injection

D. Docetaxel Injection Concentrate

E. Unknown

F. Other:

10. First date and last date of use (or approximate date range, if specific dates are unknown) for Products identified in question 9:

11. State in which Product(s) identified in question 9 was/were administered:

12. Nature and extent of alleged injury (including duration, approximate date of onset (if known), and description of alleged injury):

13. Counts in Master Complaint brought by Plaintiff(s):

- Count I – Strict Products Liability - Failure to Warn
- Count II – Strict Products Liability for Misrepresentation
- Count III – Negligence
- Count IV – Negligent Misrepresentation
- Count V – Fraudulent Misrepresentation
- Count VI – Fraudulent Concealment
- Count VII – Fraud and Deceit
- Count VIII – Breach of Express Warranty (Sanofi Defendants only)
  
- Other: Plaintiff(s) may assert the additional theories and/or State Causes of Action against Defendant(s) identified by selecting “Other” and setting forth such claims below. If Plaintiff(s) includes additional theories of recovery, for example, Redhibition under Louisiana law or state consumer protection claims, the specific facts and allegations supporting additional theories must be pleaded by Plaintiff in sufficient detail as required by the applicable Federal Rules of Civil Procedure.

14. Name of Attorney(s), Bar Number(s), Law Firm(s), Phone Number(s), Email Address(es) and Mailing Address(es) representing Plaintiff(s):

By: