

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: DAVOL, INC./C.R. BARD, INC.,  
POLYPROPYLENE HERNIA MESH  
PRODUCTS LIABILITY LITIGATION**

**Case No. 2:18-md-2846**

**JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson**

**This document relates to:**

**Civil Action No. \_\_\_\_\_**

**SHORT FORM COMPLAINT**

Plaintiff files this Short Form Complaint pursuant to Case Management Order No. 9 and is to be bound by the rights, protections, and privileges and obligations of that Order. Plaintiff hereby incorporates the Master Complaint in MDL No. 2846 by reference. Plaintiff further shows the Court as follows:

1. The name of the person implanted with Defendants' Hernia Mesh Device(s):  
\_\_\_\_\_
2. The name of any Consortium Plaintiff (if applicable):  
N/A \_\_\_\_\_
3. Other Plaintiff(s) and Capacity (i.e., administrator, executor, guardian, conservator):  
N/A \_\_\_\_\_
4. State of Residence:  
\_\_\_\_\_
5. District Court and Division in which action would have been filed absent direct filing:

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

A. Davol, Inc.

B. C.R. Bard, Inc.

C. Other (please list: \_\_\_\_\_)

7. Identify which of Defendants' Hernia Mesh Device(s) was/were implanted (Check device(s) implanted):

3DMax Mesh

3DMax Light Mesh

Bard (Marlex) Mesh Dart

Bard Mesh

Bard *Soft* Mesh

Composix

Composix E/X

Composix Kugel Hernia Patch

Composix L/P

Kugel Hernia Patch

Marlex

Modified Kugel Hernia Patch

Perfix Light Plug

PerFix Plug

Sepramesh IP

Sperma-Tex

Ventralex Hernia Patch

Ventralex ST Patch

Ventralight ST

Ventrio Patch

Ventrio ST

Visilex

Other (please list in space provided below):

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8. Defendants' Hernia Mesh Device(s) about which Plaintiff is making a claim (Check applicable device(s)):

3DMax Mesh

3DMax Light Mesh

Bard (Marlex) Mesh Dart

Bard Mesh

Bard *Soft* Mesh

Composix

Composix E/X

Composix Kugel Hernia Patch

Composix L/P

Kugel Hernia Patch

Marlex

Modified Kugel Hernia Patch

Perfix Light Plug

PerFix Plug

Sepramesh IP

Sperma-Tex

Ventrex Hernia Patch

Ventrex ST Patch

Ventralight ST

Ventrio Patch

Ventrio ST

Visilex

Other (please list in space provided below):

\_\_\_\_\_

9. Date of Implantation and state of implantation: \_\_\_\_\_

10. As of the date of filing this Short Form Complaint, has the person implanted with Defendants' Hernia Mesh Device(s) had subsequent surgical intervention due to the Hernia Mesh Device(s)?: Yes\_\_\_\_\_ No\_\_\_\_\_

11. Basis of Jurisdiction:

Diversity of Citizenship

Other: \_\_\_\_\_

12. Counts in the Master Complaint adopted 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– Negligence Per Se

Count VI– Gross Negligence

Count VII – State Consumer Protection Laws (Please identify applicable State Consumer Protection law(s)):

R.I. GEN. LAWS §§ 6-13.1, *et seq.*; N.J. STAT. ANN §§ 56:8-1, *et seq.*

Count VIII – Breach of Implied Warranty

Count IX – Breach of Express Warranty

Count X – Negligent Infliction of Emotional Distress

Count XI – Intentional Infliction of Emotional Distress

Count XII – Negligent Misrepresentation

Count XIII – Fraud and Fraudulent Misrepresentation

Count XIV – Fraudulent Concealment

Count XV – Wrongful Death

Count XVI – Loss of Consortium

Count XVII – Punitive Damages

Other Count(s) (please identify and state factual and legal bases for other claims not included in the Master Complaint below):

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Jury Trial is Demanded as to All Counts

Jury Trial is NOT Demanded as to All Counts; if Jury Trial is Demanded as to Any Count(s), identify which ones (list below):

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Respectfully submitted,

/s/ Kelsey L. Stokes

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