

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Charles A. Davis, Esq., APC (SBN#60927) 755 Baywood Drive, Second Floor Petaluma, CA 94954 TELEPHONE NO: (415) 898-6475 FAX NO. (Optional): (415) 898-4227 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Karima Norrise, et.al.	FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold;">FILED BY FAX</div> <div style="font-size: 24pt; font-weight: bold;">ALAMEDA COUNTY</div> <div style="font-size: 24pt; font-weight: bold;">December 17, 2012</div> <div style="font-size: 24pt; font-weight: bold;">CLERK OF THE SUPERIOR COURT</div> <div style="font-size: 24pt; font-weight: bold;">By Rosanne Case, Deputy</div> <div style="font-size: 24pt; font-weight: bold;">CASE NUMBER: RG12660084</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME:	
PLAINTIFF: Karima Norrise, individually, and as Guardian ad Litum for Maurice Norrise DEFENDANT: Kaiser Foundation Hospitals & Health Plan, Inc.; The Permanente Medical Group; Bristol-Meyers Squibb; <input checked="" type="checkbox"/> DOES 1 TO 100 Sanofi Aventis,	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Medical Malpractice <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER:

1. Plaintiff (name or names): **Karima Norrise, individually, and as Guardian ad Litum for Maurice Norrise** alleges causes of action against defendant (name or names): **Kaiser Foundation Hospitals & Health Plan, Inc.; The Permanente Medical Group; Bristol-Meyers Squibb;**
2. This pleading, including attachments and exhibits, consists of the following number of pages: **5 /** et.al.
3. Each plaintiff named above is a competent adult
 - a. ☒ except plaintiff (name): **Maurice Norrise**
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☒ an adult
 - (a) ☒ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):
 - b. ☐ except plaintiff (name):
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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Karima Norrise, et. al. v. Kaiser Foudation Hospitals, et. al.

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4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): Kaiser Permanente **(1) ☐ a business organization, form unknown(2) ☒ a corporation(3) ☐ an unincorporated entity (describe):

*Medical Group, Inc.

(4) ☐ a public entity (describe):(5) ☐ other (specify):c. ☒ except defendant (name): Bristol-Meyers Squibb(1) ☐ a business organization, form unknown(2) ☒ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):b. ☒ except defendant (name): Kaiser Foundation *(1) ☒ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):

* Hospitals

(4) ☐ a public entity (describe):(5) ☐ other (specify):

* Health Plan, Inc

d. ☒ except defendant (name): Sanofi Aventis(1) ☐ a business organization, form unknown(2) ☒ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):☒ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☒ Doe defendants (specify Doe numbers): 1-50 were the agents or employees of other named defendants and acted within the scope of that agency or employment.b. ☒ Doe defendants (specify Doe numbers): 51-100 are persons whose capacities are unknown to plaintiff.7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☒ at least one defendant now resides in its jurisdictional area.b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.d. ☐ other (specify):9. ☒ Plaintiff is required to comply with a claims statute, anda. ☒ has complied with applicable claims statutes, orb. ☐ is excused from complying because (specify):

Plaintiff timely served CCP Section 364 Notice.

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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☒ Products Liability
- e. ☐ Premises Liability
- f. ☒ Other (specify):

Medical Negligence

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☒ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☒ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (specify):

As a proximate result of the negligence of the defendants, and each of them, Plaintiff Karima Norrise suffered the loss of consortium of her husband Maurice Norrise including the loss of love, care, companionship, sexual relations, affection, and society; Prejudgment Interest.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: December 13, 2012

Charles A. Davis, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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FIRST

(number)

CAUSE OF ACTION—General Negligence

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ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Karima Norrise, individually, and as Guardian ad Litum for Maurice Norrise

alleges that defendant (name): Kaiser Foundation Hospitals, Kaiser Foundation Health Plan, Inc.,
The Permanente Medical Group, Inc.☒ Does 1 to 100

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 09/22/2011 continuing

at (place): Oakland, CA

(description of reasons for liability):

1. Kaiser Foundation Hospitals; The Permanente Medical Group; Kaiser Foundation Health Plan, Inc. are now and at all times relevant herein an association of physicians and surgeons duly authorized to practice medicine in Oakland, CA.
2. The members of these associations are named as Does 1-50. Plaintiffs allege on information and belief that each of these defendants was in some manner negligently and proximately responsible in the events and damages alleged in the complaint, and each was the agent and employee or their co-defendants and at all times was acting within the scope and agency of said employment. Each defendant was negligent in the selection and hiring of each other defendant as an agent or employee, and each ratified the acts of one another.
3. Prior to Maurice Norrise having suffering multiple cardiovascular/cerebralvascular accidents (stroke) on 09/22/2011, and a massive stroke on 10/16/2011, Maurice Norrise employed the defendants and each of them to treat his medical conditions including diagnosing and prescribing medicine for problems involving his heart and well-being and to perform necessary medical treatment.
4. At all times relevant herein the defendants and each of them, negligently failed to possess and exercise, in both diagnosis and treatment, that reasonable degree or knowledge and skill that is ordinarily possessed and exercised by other physicians in the same or similar locality in similar circumstances, in that the defendants, and each of them, prescribed and gave Maurice Norrise Plavix and other medications known, or reasonably should have been known by the defendants to cause, exacerbate, and aggravate Maurice Norrise's conditions resulting in his suffering strokes on or about 09/22/2011, and 10/16/2011, and thereafter. Notwithstanding the above, the defendants and each of them continue to diagnose, treat, and medicate Maurice Norrise to this date. Wherefore, plaintiffs pray as herein set forth.

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SECOND

CAUSE OF ACTION—Products Liability

Page 5

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

Plaintiff (name): Karima Norrise, individually, and as Guardian ad Litum for Maurice Norrise

Prod. L-1. On or about (date): 09/22/2011

plaintiff was injured by the following product:

Plavix and/or equivalent

Prod. L-2. Each of the defendants knew the product would be purchased and used without inspection for defects.

The product was defective when it left the control of each defendant. The product at the time of injury was being

☒ used in the manner intended by the defendants.☒ used in the manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod. L-3. Plaintiff was a

☒ purchaser of the product.☒ user of the product.☒ bystander to the use of the product.☐ other (specify):

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod. L-4. ☒ Count One—Strict liability of the following defendants whoa. ☒ manufactured or assembled the product (names):

Bristol-Meyers Squibb, Sanofi Aventis

☒ Does 1 to 50b. ☒ designed and manufactured component parts supplied to the manufacturer (names):

Bristol-Meyers Squibb, Sanofi Aventis

☒ Does 1 to 50c. ☒ sold the product to the public (names):

Bristol-Meyers Squibb, Sanofi Aventis

☒ Does 1 to 50Prod. L-5. ☒ Count Two—Negligence of the following defendants who owed a duty to plaintiff (names):

Bristol-Meyers Squibb, Sanofi Aventis

☒ Does 1 to 50Prod. L-6. ☒ Count Three—Breach of warranty by the following defendants (names):

Bristol-Meyers Squibb, Sanofi Aventis

☒ Does 1 to 50a. ☐ who breached an implied warrantyb. ☒ who breached an express warranty which was☒ written ☐ oralProd. L-7. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are☐ listed in Attachment-Prod. L-7 ☐ as follows: