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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**AMENDED MASTER SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS AND JURY  
DEMAND**

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Velvet Rodgers

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
consortium claim:

Effie Delphine Rodgers

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

Effie Delphine Rodgers as Administrator of the Estate of Velvet Rodgers

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
the time of implant:

Alabama

1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
2 the time of injury:

3 Alabama

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5 Velvet Rodgers is deceased. Effie Delphine Rodgers resides in Alabama

6 7. District Court and Division in which venue would be proper absent direct filing:

7 United States District Court – Middle District of Alabama

8 8. Defendants (check Defendants against whom Complaint is made):

9  C.R. Bard Inc.

10  Bard Peripheral Vascular, Inc.

11 9. Basis of Jurisdiction:

12  Diversity of Citizenship

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

14 a. Other allegations of jurisdiction and venue not expressed in Master  
15 Complaint:

16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a  
20 claim (Check applicable Inferior Vena Cava Filter(s)):

21  Recovery® Vena Cava Filter

22  G2® Vena Cava Filter

- 1               G2<sup>®</sup> Express (G2<sup>®</sup>X) Vena Cava Filter
- 2               Eclipse<sup>®</sup> Vena Cava Filter
- 3               Meridian<sup>®</sup> Vena Cava Filter
- 4              Denali<sup>®</sup> Vena Cava Filter
- 5               Other: \_\_\_\_\_

6           11.   Date of Implantation as to each product:

7                   December 7, 2015

8           12.   Counts in the Master Complaint brought by Plaintiff(s):

- 9               Count I:     Strict Products Liability – Manufacturing Defect
- 10              Count II:    Strict Products Liability – Information Defect (Failure to
- 11                   Warn)
- 12              Count III:   Strict Products Liability – Design Defect
- 13              Count IV:    Negligence - Design
- 14              Count V:     Negligence - Manufacture
- 15               Count VI:    Negligence – Failure to Recall/Retrofit
- 16              Count VII:   Negligence – Failure to Warn
- 17              Count VIII:  Negligent Misrepresentation
- 18              Count IX:    Negligence *Per Se*
- 19              Count X:     Breach of Express Warranty
- 20              Count XI:    Breach of Implied Warranty
- 21               Count XII:   Fraudulent Misrepresentation
- 22              Count XIII:  Fraudulent Concealment

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Count XIV: Violations of Applicable \_\_\_\_\_(insert state) Law  
Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s): \_\_\_\_\_ (please state the facts supporting  
this Count in the space immediately below)

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13. Jury Trial demanded for all issues so triable?

Yes

No

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of July, 2017.

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/s/ Ben C. Martin  
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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of July, 2017, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Ben C. Martin  
Ben C. Martin