

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form shall be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075. (See instructions for completion.)

I. CASE STYLE

50 2011 CA 008067 XXXX MB

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

AWILDA MARIE MOORE and GERRICK D. MOORE, her husband,

CASE #:

Plaintiffs,

Judge:

vs.

STRYKER CORPORATION, STRYKER SALES CORPORATION, BREG, INC., I-FLOW CORPORATION, McKINLEY MEDICAL, LLC., MOOG, INC., CURLIN MEDICAL, INC., DJO, LLC, f/k/a DJ ORTHOPEDICS, INC.,

Defendants.

SHARON R. BOCK, CLERK PALM BEACH COUNTY, FL CIRCUIT CIVIL 2011 JUN -1 PM 3:36

AD FILED

II. TYPE OF CASE

(If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x in both the main category and subcategory boxes.

- Condominium
Contracts and indebtedness
Eminent domain
Auto negligence
Negligence—other
Business governance
Business torts
Environmental/Toxic tort
Third party indemnification
Construction defect
Mass tort
Negligent security
Nursing home negligence
Premises liability—commercial

- Homestead residential foreclosure \$0 - \$50,000
Homestead residential foreclosure \$50,001 - \$249,999
Homestead residential foreclosure \$250,000 or more
Nonhomestead residential foreclosure \$0 - \$50,000
Nonhomestead residential foreclosure \$50,001 - \$249,999
Nonhomestead residential foreclosure \$250,000 or more
Other real property actions \$0 - \$50,000
Other real property actions \$50,001 - \$249,999
Other real property actions \$250,000 or more
Professional malpractice
Malpractice—business

DEFENDANT'S EXHIBIT 1

- Premises liability—residential
- Products liability
- Real property/Mortgage foreclosure
 - Commercial foreclosure \$0 - \$50,000
 - Commercial foreclosure \$50,001 - \$249,999
 - Commercial foreclosure \$250,000 or more
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
- Malpractice—medical
- Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

III. REMEDIES SOUGHT (check all that apply):

- monetary;
- nonmonetary declaratory or injunctive relief;
- punitive

IV. NUMBER OF CAUSES OF ACTION: [4]

(specify) NEGLIGENCE; STRICT LIABILITY; FAILURE TO WARN; CONSORTIUM

V. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- no
- yes If "yes," list all related cases by name, case number, and court.

VII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- yes
- no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature 
Attorney or party

Fla. Bar # 374131
(Bar # if attorney)

C Calvin Warriner, III
(type or print name)

June 1, 2011
Date

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO.:

AWILDA MARIE MOORE and
GERRICK D. MOORE, her husband,

50 2011 CA 008067 XXXX MB

Plaintiffs,

AD

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, BREG, INC., I-
FLOW CORPORATION, McKINLEY
MEDICAL, LLC., MOOG, INC., CURLIN
MEDICAL, INC., DJO, LLC, f/k/a DJ
ORTHOPEDICS, INC.,

Defendants.

2011 JUN - 1 PM 3:36
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CIVIL

FILED

COMPLAINT

Plaintiffs, AWILDA MARIE MOORE and GERRICK D. MOORE, her husband, sue
Defendants, STRYKER CORPORATION, STRYKER SALES CORPORATION, BREG, INC.,
I-FLOW CORPORATION, McKINLEY MEDICAL, LLC., MOOG, INC., CURLIN
MEDICAL, INC., DJO, LLC, f/k/a DJ ORTHOPEDICS, INC., and allege as follows:

1. This is an action for damages that exceeds the jurisdictional amount of this court.
2. Venue is proper in Palm Beach County, Florida as the product which caused injury to Plaintiff was marketed, sold, distributed and used in Palm Beach County, Florida.

PARTIES

3. Plaintiff AWILDA MARIE MOORE was at all relevant times a resident and citizen of Wellington, Palm Beach County, Florida.

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4. At all times material, Plaintiff GERRICK D. MOORE was the lawful husband of Plaintiff AWILDA MARIE MOORE and is also a resident and citizen of Wellington, Palm Beach County, Florida.

5. Defendants STRYKER CORPORATION and STRYKER SALES CORPORATION (collectively referred to as "STRYKER DEFENDANTS") are corporations organized under the laws of the State of Michigan, having their principal places of business in Kalamazoo, Michigan. STRYKER DEFENDANTS engaged in regular and sustained business in Florida by selling and distributing their pain pump products in Florida as described below.

6. Defendant BREG, INC. is a corporation organized under the laws of the State of California, having its principal place of business in Vista, California.

7. Defendant BREG, INC. conducted regular and sustained business in Florida by selling and distributing its pain pump products in Florida as described below.

8. Defendant I-FLOW CORPORATION is a corporation organized under the laws of the State of Delaware, having its principal place of business in Lake Forest, California.

9. Defendant I-FLOW CORPORATION conducted regular and sustained business in Florida by selling and distributing its pain pump products in Florida as described below.

10. Defendant MCKINLEY MEDICAL, LLC is a company organized under the laws of the State of Colorado having its principal place of business in Wheat Ridge, Colorado.

11. Defendant MCKINLEY MEDICAL, LLC conducted regular and sustained business in Florida by selling and distributing its pain pump products in Florida as described below.

12. Defendant MCKINLEY MEDICAL, LLC was purchased by Defendant MOOG, INC. in August 2006.

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13. Defendant MOOG, INC. is a corporation organized under the laws of the State of New York, having its principal place of business in East Aurora, New York.

14. Defendant MOOG, INC. is a global corporation that designs and manufactures aircraft, industrial and medical device products.

15. Defendant MOOG, INC. conducted regular and sustained business in Florida by incorporating, selling and distributing its pain pump products in Florida as described below.

16. Defendant CURLIN MEDICAL, INC. is a corporation organized under the laws of the State of California, having its principal place of business in California.

17. Defendant CURLIN MEDICAL, INC. is a subsidiary of MOOG, INC.

18. Defendant CURLIN MEDICAL, INC. conducted regular and sustained business in Florida by selling and distributing its pain pump products in Florida as described below.

19. Defendant DJO, LLC f/k/a DJ ORTHOPEDICS, INC. is a corporation organized under the laws of the State of Delaware, having its principal place of business in Vista, California.

20. Defendant DJO LLC f/k/a DJ ORTHOPEDICS, INC. conducted regular and sustained business in Florida by selling and distributing its pain pump products in Florida as described below.

21. Defendants DJO INCORPORATED and DJO, LLC f/k/a DJ ORTHOPEDICS, INC. and, upon information and belief, wholly owned by DJO OPCO HOLDINGS, INC. are all Delaware corporations with their principal places of business in Vista, California. Defendants DJO INCORPORATED and DJO, LLC f/k/a DJO ORTHOPEDICS, INC. manufacturers pain

pumps which are the subject of this action, which are sold throughout the State of Florida and worldwide.

22. Defendants STRYKER DEFENDANTS, BREG, INC., DJO LLC f/k/a DJ ORTHOPEDICS, INC., I-FLOW CORPORATION, MCKINLEY MEDICAL, LLC, MOOG, INC., CURLIN MEDICAL, INC., are collectively referred to herein as DEFENDANT PAIN PUMP MANUFACTURERS.

FACTUAL BACKGROUND

23. Plaintiff AWILDA MARIE MOORE underwent shoulder surgery on August 30, 2004 at Wellington Regional Medical Center. During the procedure, a post-operative pain pump, manufactured and distributed by DEFENDANT PAIN PUMP MANUFACTURERS was implanted into her shoulder by her orthopedic surgeon. The pain pump was assembled, placed and filled with anesthetic pain medication in accord with the DEFENDANTS' instructions for use. The pump continuously delivered anesthetic pain medication into the patient's shoulder joint for an extended length of time.

24. Each of the DEFENDANT PAIN PUMP MANUFACTURERS designed, manufactured, marketed, distributed, sold or promoted the pain pump that was used during and installed in Plaintiff AWILDA MARIE MOORE'S shoulder following surgery.

25. DEFENDANT PAIN PUMP MANUFACTURERS' product caused the cartilage in Plaintiff AWILDA MARIE MOORE'S shoulder joint to disintegrate resulting in total destruction of the entire articular surface in the joint, a condition known as gleno-humeral chondrolysis.

26. Gleno-humeral chondrolysis is a severe, disabling condition that results in loss of range of motion, loss of functional use of the arm, and severe, debilitating, permanent pain and suffering.

27. The instructions for use accompanying the pain pump contained no warning or cautionary statement regarding the risk of cartilage injury.

28. DEFENDANT PAIN PUMP MANUFACTURERS designed, manufactured, marketed, and distributed the pain pump used in Plaintiff AWILDA MARIE MOORE'S shoulder. The device is designed and intended to deliver, via a catheter implanted under the skin, a continuous infusion of large doses of pain medication directly into the patient's shoulder joint.

29. DEFENDANTS knew or should have known that continuous exposure to large doses of anesthetic pain medication is toxic to cartilage. However, the DEFENDANTS conducted no pre-market testing to evaluate the safety of their product when used as intended during orthopedic surgery. DEFENDANTS failed to conduct testing to evaluate the effect on articular cartilage of continuous exposure to large doses of commonly used pain medication over extended periods of time.

30. DEFENDANT PAIN PUMP MANUFACTURERS sought and were denied FDA approval for the use of pain pumps products in orthopedic surgery and specifically denied approval for orthopedic applications and intra-articular catheter placement as an indication for use.

31. The FDA has confirmed in a recently published statement that no pain pump has ever been approved for the intended use of intra-articular placement.

32. Despite being denied such clearance by the FDA, the DEFENDANTS marketed and sold their pain pump line to orthopedic surgeons and to facilities where orthopedic surgery

was performed, representing that the product was cleared for such use and specifically appropriate for intra-articular placement during joint surgery.

33. As a result of the DEFENDANTS' manufacture, marketing, advertising, off-label promotion, distribution and/or sale of pain pumps, Plaintiff has sustained severe and permanent personal injuries.

34. The pain pump that injured Plaintiff AWILDA MARIE MOORE was placed into the stream of commerce by DEFENDANTS. The product was expected to and did reach Plaintiff AWILDA MARIE MOORE without substantial change affecting its condition from the time it left the DEFENDANTS' possession.

35. Plaintiff AWILDA MARIE MOORE underwent four additional shoulder surgeries on March 28, 2005, July 2, 2009, August 10, 2009, and April 5, 2010, as a result of damage done by the pain pump inserted after the August 30, 2004 surgery.

36. Despite all the surgeries, Plaintiff continues to have significant problems with her right shoulder and her prognosis is poor. On August 10, 2009, she underwent a right shoulder arthroplasty. More likely than not due to her age, she will be forced to undergo future surgical procedures including another total shoulder replacement.

37. The pain pump placed in Plaintiff AWILDA MARIE MOORE'S shoulder was used in a manner reasonably foreseeable to DEFENDANTS.

COUNT I

38. Plaintiff repeats the allegations of paragraphs 1 through 37.

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39. This is an action for negligent design, manufacture, sale, distribution and promotion of the pain pump used during and following Plaintiff AWILDA MARIE MOORE'S shoulder surgery.

40. DEFENDANTS had a duty to exercise reasonable care in the design, manufacture, sale, distribution and promotion of pain pumps.

41. DEFENDANTS failed to exercise reasonable care in the design, manufacture, sale and distribution of the pain pumps in that Defendants knew or should have known that using pain pumps as designed and intended exposed users to an identifiable, preventable, significant and undisclosed risk of suffering complete destruction of their shoulder joints.

42. The negligence of the DEFENDANTS, their agents, servants, and/or employees, included but was not limited to the following acts and/or omissions:

- a. Failing to conduct adequate pre-market testing to ensure its pain pumps were safe when used as intended;
- b. Failing to conduct adequate pre-market testing to evaluate and identify the toxic effect on cartilage of continuous exposure to large quantities of commonly used anesthetic pain medication when exposed over extended periods of time;
- c. Failing to identify and warn physicians and consumers of the substantial risk of placing the pain pump catheter inside a patient's joint;
- d. Failing to warn physicians and consumers of the potential devastating risk of joint destruction if a pain pump was placed intra-articularly following surgery;
- e. Failing to make open and complete disclosure to the FDA about the true intended use and marketing of pain pumps so that proper pre-market evaluation and testing would be required;
- f. Failing to abide by the limitation placed upon the manufacturer of marketing and detailing the cleared device solely for the cleared intended use;

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- g. Failing to conduct adequate post-marketing testing and surveillance to identify the risk posed to consumers of their pain pumps;
- h. Failing to recall its dangerous and defective intra-articular pain pumps at the earliest date that it became known that pain pumps were, in fact, dangerous and defective;
- i. Representing that intra-articular pain pumps were safe when used for their intended purpose when, in fact, they were unsafe;
- j. Improperly concealing and/or misrepresenting information from the Plaintiff, healthcare professionals, and/or the public, concerning the severity of risks and dangers of intra-articular pain pumps; and
- k. Defendants violated statutes, rules and ordinances concerning the manufacturing, marketing, and/or testing of their product.

43. In addition to the duty to exercise reasonable care, DEFENDANTS had a duty to warn physicians and patients of the reasonable and knowable risks to which use of their pain pumps exposed consumers.

44. DEFENDANTS failed to meet its duty since the warnings that accompanied the product failed to inform physician and patient of the reasonable and knowable risks attendant to use during orthopedic surgery and specifically for intra-articular catheter placement. Specifically, the warnings that accompanied the product failed to warn against intra-articular placement and failed to warn of any risk the product posed for damage to articular cartilage.

45. Defendants were negligent in the designing, researching, supplying, manufacturing, promoting, packaging, distributing, testing, advertising, warning, marketing and sale of intra-articular pain pumps in that they:

- a. failed to use due care in designing and manufacturing intra-articular pain pumps so as to avoid the aforementioned risks to individuals when the pain pumps were used for their intended purpose in the glenohumeral joint;

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Complaint

- b. failed to accompany their product with proper warnings regarding all possible adverse side effects concerning the exposure of the cartilage of the glenohumeral joint to the medication administered through intra-articular pain pumps;
- c. failed to accompany their product with proper and/or accurate warnings regarding all possible adverse side effects associated with the use of intraarticular pain pumps;
- d. failed to warn Plaintiff of the severity and duration of such adverse effects, as the warnings given did not accurately reflect the symptoms or severity of the side effects;
- e. failed to conduct adequate testing, including pre-clinical and clinical testing and post-marketing surveillance to determine the safety of intra-articular pain pumps;
- f. failed to warn Plaintiff, prior to actively encouraging the sale of the intra-articular pain pumps and bupivacaine, either directly or indirectly, orally or in writing, about the need for more comprehensive, more regular medical monitoring than usual to ensure early discovery of potentially serious side effects;
- g. failed to provide that level of information that an ordinary consumer, including Plaintiff, would expect when using the pain pump and bupivacaine products in a manner reasonably foreseeable by Defendants; and
- h. were otherwise careless and/or negligent.

46. Despite the fact that Defendants knew or should have known that intra-articular pain pumps using bupivacaine products caused unreasonably dangerous side effects, Defendants continued to market, manufacture, distribute and/or sell pain pumps to consumers, including to the Plaintiff.

47. DEFENDANTS' negligence was the direct and proximate cause of Plaintiff's injuries.

48. DEFENDANTS' negligence has caused Plaintiff, AWILDA MARIE MOORE to experience bodily injury, pain and suffering, disability, physical impairment, mental anguish, inconvenience, aggravation of a pre-existing condition, loss of the capacity for the enjoyment of

life, the costs of medical care and expenses, loss of earnings and loss of the ability to earn money, all of which damages and losses will continue in the future.

Plaintiff AWILDA MARIE MOORE demands judgment against all DEFENDANTS together with the costs of this action, post-judgment interest, and such other relief as this Court deems just. Plaintiff further demands trial by jury.

COUNT II

49. Plaintiff repeats the allegations of paragraphs 1 through 37.

50. This is an action for strict liability based upon design defect against all DEFENDANTS.

51. DEFENDANTS' pain pumps are designed in such a way that, when used as intended, they cause serious, permanent and devastating damage to articular cartilage.

52. DEFENDANTS' pain pumps do not perform as safely as an ordinary consumer would expect when used as intended or in a manner reasonably foreseeable to DEFENDANTS.

53. The risks of using DEFENDANTS' pain pumps outweigh the benefits of using them.

54. The pain pump installed in Plaintiff AWILDA MARIE MOORE'S shoulder was designed to continuously deliver large doses of anesthetic pain medication, over long durations, directly to patient's joints. It has been medically proven that anesthetic pain medication is toxic to cartilage and is both time and dose dependent. As such, the pumps were defectively designed since when used as designed and intended, the pumps posed an unreasonable risk of causing devastating injury to plaintiff's shoulder.

55. The design defect in DEFENDANTS' pain pump caused serious damage to Plaintiff AWILDA MARIE MOORE including bodily injury, pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, aggravation of a preexisting condition, loss of the capacity for the enjoyment of life, the costs of medical care and expenses, loss of earnings and loss of the ability to earn money, all of which damage and losses will continue in the future.

Plaintiff AWILDA MARIE MOORE demands judgment against all DEFENDANTS together with the costs of this action, post-judgment interest, and such other relief as this Court deems just. Plaintiff further demands trial by jury.

COUNT III

56. Plaintiff repeats the allegations of paragraphs 1 through 37.

57. This is an action for strict liability based on a failure to warn against all DEFENDANTS.

58. The pain pump inserted into Plaintiff AWILDA MARIE MOORE'S shoulder contained no warnings or, in the alternative, inadequate warnings cautioning against intra-articular catheter placement and the risk that the product could cause articular cartilage damage.

59. The warnings that accompanied the pain pump failed to provide that level of information that an ordinary consumer would expect when using the pain pump in a manner reasonably foreseeable to the DEFENDANTS.

60. Had Plaintiff AWILDA MARIE MOORE received a proper or adequate warning as to the risks associated with using the pain pump, she would not have used the product.

61. Had Plaintiff's surgeon received a proper or adequate warning as to the risks associated with using the pain pump, he would not have recommended the pump; would not have

placed the catheter of the pain pump in the shoulder joint; or would have shared the information regarding risks with his patient and allowed her to make an informed decision armed with all available information regarding the risks the product posed.

62. The failure to warn of the pain pump's risks caused serious damage to Plaintiff AWILDA MARIE MOORE including bodily injury, pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, aggravation of a preexisting condition, loss of the capacity for the enjoyment of life, the costs of medical care and expenses, loss of earnings and loss of the ability to earn money, all of which damage and losses will continue in the future.

WHEREFORE, Plaintiff AWILDA MARIE MOORE demands judgment against all DEFENDANTS together with the costs of this action, post-judgment interest, and such other relief as this Court deems just.

COUNT VI

LOSS OF CONSORTIUM

63. Plaintiff GERRICK D. MOORE realleges paragraphs 1 through 37 above.

64. At the time of Plaintiff AWILDA MARIE MOORE injuries as noted herein, and at all other material times, she was the lawful wife to Plaintiff GERRICK D. MOORE, who brings this action for his loss of consortium.

65. By reason of the injuries sustained by Plaintiff, AWILDA MARIE MOORE and as a proximate result of the negligence of Defendants and defective condition of their drugs as outlined herein, Plaintiff AWILDA MARIE MOORE has been and will continue to be deprived of consortium, society, comfort, protection, and service, thereby causing and continuing to cause grief, sorrow, mental anguish, emotion distress and pain and suffering.

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WHEREFORE, Plaintiff GERRICK D. MOORE demands judgment against all Defendants together with the costs of this action, post-judgment interest, and such other relief as the Court deems just.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand trial by jury as to all issues.

Dated this 1st day of June, 2011.



C. Calvin Warriner, III
Florida Bar No.: 374131
Searcy Denney Scarola Barnhart & Shipley, P.A.
2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33409
Phone: (561) 686-6300
Fax: (561) 383-9442
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011CA008067 XXXX MB

AWILDA MARIE MOORE and GERRICK D.
MOORE, her husband,

Plaintiffs,

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, BREG, INC., I-
FLOW CORPORATION, McKINLEY
MEDICAL, LLC., MOOG, INC., et al.,

Defendants.

FILED
2011 AUG 26 PM 4:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROSTATE

SUMMONS:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

Curlin Medical, Inc.
By Serving its Registered Agent:
The Corporation Trust Company
1209 N. Orange St
Wilmington, DE 19801

Each defendant is required to serve written defenses to the complaint or petition on C. Calvin
Warriner, III, Esquire, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart &
ShIPLEY, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20
days after service of this summons on that defendant, exclusive of the day of service, and to file
the original of the defenses with the Clerk of Court, Circuit Civil Division, Palm Beach County
Courthouse, 205 N. Dixie Highway, West Palm Beach, Florida 33401, either before service on
plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be
entered against that defendant for the relief demanded in the complaint or petition.

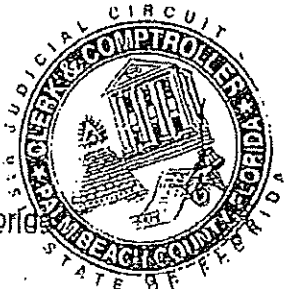
DATED on 1 AUG 26 2011, 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY: *E. Smith*
Deputy Clerk

EDNA SMITH

SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4667
West Palm Beach, Florida
33402-4667



"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Krista Garber, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

"Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Krista Garber, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711."

"Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedè sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Krista Garber, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711."

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011 CA 008067 XXXX MB

AWILDA MARIE MOORE and
GERRICK D. MOORE, her husband,

Plaintiffs,

vs.

STRYKER CORPORATUION, STRYKER
SALES CORPORATION, et al.,

Defendants.

SUMMONS:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

BREG, INC.
By Serving its Registered Agent:
NRAI Services, Inc.
515 E. Park Avenue
Tallahassee, FL 32301

Each defendant is required to serve written defenses to the complaint or petition on C. Calvin Warriner, III, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of Court, Circuit Civil Division, 205 North Dixie Highway, West Palm Beach, Florida 33401, either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

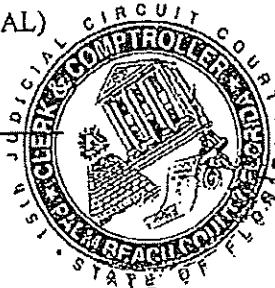
DATED on AUG 26 2011, 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY:

Edna Smith
Deputy Clerk

EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4867
West Palm Beach, Florida
33402-4867

FILED

2011 AUG 26 PM 4:00

SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROBATE

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Krista Garber, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

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"Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedè sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Krista Garber, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711."

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011CA008067 XXXX MB

A WILDA MARIE MOORE and GERRICK D.
MOORE, her husband,

Plaintiff,

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, BREG, INC., I-
FLOW CORPORATION, McKINLEY
MEDICAL, LLC., MOOG, INC., et al.,

Defendant.

SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL / PROBATE
2011 AUG 26 PM 4:00
FILED

S U M M O N S :

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

DJO, LLC
By Serving its Registered Agent:
NRAI Services, Inc.
2731 Executive Park Drive, #4
Weston, FL 33331

Each defendant is required to serve written defenses to the complaint or petition on C. Calvin Warriner, III, Esquire, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of Court, Circuit Civil Division, Palm Beach County Courthouse, 205 N. Dixie Highway, West Palm Beach, Florida 33401, either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

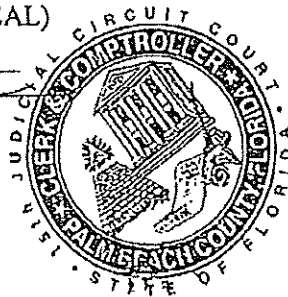
DATED on AUG 26 2011 , 20 .

CLERK OF THE CIRCUIT COURT (SEAL)

BY: Edna Smith

Deputy Clerk

EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4667
West Palm Beach, Florida
33402-4667

1 5

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Krista Garber, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

"Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Krista Garber, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711."

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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011 CA 008067 XXXX MB

AWILDA MARIE MOORE and
GERRICK D. MOORE, her husband

Plaintiffs,

vs.

,STRUKER CORPORATION, STRYKER
SALES CORPORATION, et al.,

Defendant.

S U M M O N S:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

STRYKER SALES CORPORATION

By Serving its Registered Agent:

CT Corporation System
1200 Pine Island Road
Plantation, FL 33324

Each defendant is required to serve written defenses to the complaint or petition on C. Calvin Warriner, III, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of Court, Circuit Civil Division, 205 North Dixie Highway, West Palm Beach, Florida 33401, either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

DATED on 1 AUG 26 2011, 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY: *E. Smith*

Deputy Clerk
EDNA SMITH

SHARON R. BOCK
Clerk & Corruptors
P.O. Box 4667
West Palm Beach, Florida
33402-4667

FILED
2011 AUG 26 PM 4: 00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROBATE

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Krista Garber, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011 CA 008067 XXXX MB

AWILDA MARIE MOORE and
GERRICK D. MOORE, her husband

Plaintiffs,

vs.

STRUKER CORPORATION, STRYKER
SALES CORPORATION, et al.,

Defendant.

FILED
2011 AUG 26 PM 4:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL / PROBATE

SUMMONS:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this action on defendant:

STRYKER CORPORATION
By Serving its Registered Agent:
CT Corporation System
1200 Pine Island Road
Plantation, FL 33324

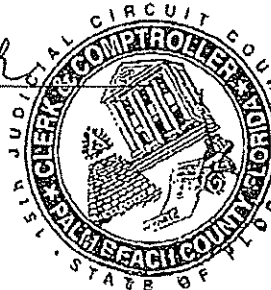
Each defendant is required to serve written defenses to the complaint or petition on C. Calvin Warriner, III, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of Court, Circuit Civil Division, 205 North Dixie Highway, West Palm Beach, Florida 33401, either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

DATED on _____, 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY:

Edna Smith
Deputy Clerk
EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4667
West Palm Beach, Florida
33402-4667

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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011 CA 008067 XXXX MB

AWILDA MARIE MOORE and GERRICK D.
MOORE, her husband, ,

Plaintiffs,

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, et al., ,

Defendants.

SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROSTATE
2011 AUG 26 PM 4: 00
FILED

S U M M O N S:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

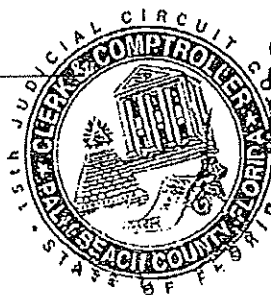
McKINLEY MEDICAL, LLC
By Serving Its Registered Agent:
William F. Leonard G.C.
252 Clayton Street, 4th Floor
Denver, CO 80206

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Warriner, III, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart & Shipley,
P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20 days after
service of this summons on that defendant, exclusive of the day of service, and to file the original
of the defenses with the Clerk of Court, Circuit Civil Division, 205 North Dixie Highway, West
Palm Beach, Florida 33401, either before service on plaintiff's attorney or immediately
thereafter. If a defendant fails to do so, a default will be entered against that defendant for the
relief demanded in the complaint or petition.

DATED on Aug 26 2011, 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY: Edna Smith
Deputy Clerk
EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4667
West Palm Beach, Florida
33402-4667

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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011CA008067 XXXX MB

A WILDA MARIE MOORE and GERRICK D.
MOORE, her husband,

Plaintiffs,

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, BREG, INC., I-
FLOW CORPORATION, McKINLEY
MEDICAL, LLC., MOOG, INC., et al.,

Defendants.

FILED
2011 AUG 26 PM 4:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROBATE

SUMMONS:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

Moog, Inc.
By Serving its Registered Agent:
c/o Hodgson Russ Andrews Woods & Goodyear LLP
140 Pearl Street
Buffalo, NY 14202

Each defendant is required to serve written defenses to the complaint or petition on C. Calvin
Warriner, III, Esquire, Plaintiff's attorney, whose address is Searcy Denney Scarola Barnhart &
Shiple, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33409, within 20
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the original of the defenses with the Clerk of Court, Circuit Civil Division, Palm Beach County
Courthouse, 205 N. Dixie Highway, West Palm Beach, Florida 33401, either before service on
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entered against that defendant for the relief demanded in the complaint or petition.

DATED on AUG 26, 2011 , 20 .

CLERK OF THE CIRCUIT COURT (SEAL)

BY: *Edna Smith*
Deputy Clerk
EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4667
West Palm Beach, Florida
33402-4667

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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50 2011 CA 008067 XXXX MB

AWILDA MARIE MOORE and
GERRICK D. MOORE, her husband,

Plaintiffs,

vs.

STRYKER CORPORATION, STRYKER
SALES CORPORATION, et al.,

Defendants.

SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CIVIL/PROBATE
2011 AUG 26 PM 4:00
FILED

SUMMONS:

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this
action on defendant:

I-FLOW CORPORATION
By Serving its Registered Agent:
National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

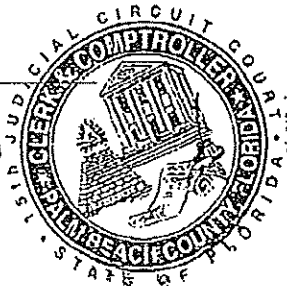
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thereafter. If a defendant fails to do so, a default will be entered against that defendant for the
relief demanded in the complaint or petition.

DATED on AUG 26 , 2011.

CLERK OF THE CIRCUIT COURT (SEAL)

BY: Edna Smith
Deputy Clerk

EDNA SMITH



SHARON R. BOCK
Clerk & Comptroller
P.O. Box 4887
West Palm Beach, Florida
33402-4667

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