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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 3:19-md-02913-WHO
Honorable William H. Orrick

This Document Relates to:

Janine Franklin, on behalf of her daughter, J.F., a
minor.

JURY TRIAL DEMANDED

**SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL
(PERSONAL INJURY)**

The Plaintiff(s) named below file(s) this *Short-Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference the allegations contained in *Plaintiffs' Consolidated Master Complaint (Personal Injury)*, in *In re Juul Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2913 in the United States District Court for the Northern District of California. Plaintiff(s) file(s) this *Short-Form Complaint* as permitted by Case Management Order No. 7 of this Court.

Plaintiff(s) select and indicate by checking-off where requested, the Parties and Causes of Actions specific to this case.¹

Plaintiff, by and through their undersigned counsel, allege as follows:

¹ If Plaintiff wants to allege additional Cause(s) of Action other those selected in paragraph 10, the specific facts supporting any such additional Cause(s) of Action, must be pled in a manner complying with the requirements of the Federal Rules of Civil Procedure (*see* paragraph 11). In doing so you may attach additional pages to this *Short-Form Complaint*.

1 **I. DESIGNATED FORUM²**

- 2 1. Identify the Federal District Court in which the Plaintiff would have filed in the
3 absence of direct filing:

4 United States District Court for the Northern District of California

5 _____
6 (“Transferee District Court”).

6 **II. IDENTIFICATION OF PARTIES**

7 **A. PLAINTIFF(S)**

- 8 2. *Injured Plaintiff(s)*: Name of the individual injured due to use of JUUL products:

9 Janine Franklin, on behalf of her daughter, J.F., a minor.

10 _____
11 (“Plaintiff”).

- 11 3. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:

12 7429 East Easter Drive, Centennial, Colorado 80112

- 13 4. *Consortium Plaintiff*: Name of the individual(s) that allege damages for loss of
14 consortium:

15 N/A

16 _____
17 (“Consortium Plaintiff”).

- 18 5. *Survival and/or Wrongful Death Claims*:

- 19 (a) Name and residence of Decedent Plaintiff when he/or she suffered a JUUL
20 related death:

21 N/A

- 22 (b) Plaintiff/Decedent died on:

23 N/A

- 24 (c) Plaintiff is filing this case in a representative capacity as N/A of N/A, having
25 been duly appointed as such by the Court of N/A.
26

27 _____
28 ² See Case Management Order No. 3, at II(C) (ECF No. 309).

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B. DEFENDANT(S)

6. Plaintiff(s) name(s) the following Defendants in this action:

- JUUL LABS, INC., previously d/b/a as PAX LABS, INC. and PLOOM INC.;³
- ALTRIA GROUP, INC.;⁴
- PHILIP MORRIS USA, INC.;⁵
- ALTRIA CLIENT SERVICES LLC;⁶
- ALTRIA GROUP DISTRIBUTION COMPANY;⁷
- ALTRIA ENTERPRISES LLC;⁸

THE MANGEMENT DEFENDANTS

- JAMES MONSEES;⁹
- ADAM BOWEN;¹⁰
- NICHOLAS PRITZKER;¹¹
- HOYOUNG HUH;¹²
- RIAZ VALANI;¹³

³ Delaware corporation, with its principal place of business in San Francisco, California.

⁴ Virginia corporation, with its principal place of business in Richmond, Virginia.

⁵ Virginia corporation with its principal place of business in Richmond, Virginia.

⁶ Virginia limited liability company with its principal place of business in Richmond, Virginia.

⁷ Virginia corporation with its principal place of business in Richmond, Virginia.

⁸ Virginia limited liability company with its principal place of business in Richmond, Virginia.

⁹ A resident of California.

¹⁰ A resident of California.

¹¹ A resident of California.

¹² A resident of California.

¹³ A resident of California.

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THE E-LIQUID MANUFACTURING DEFENDANTS

- MOTHER MURPHY'S LABS, INC.;¹⁴
- ALTERNATIVE INGREDIENTS, INC.;¹⁵
- TOBACCO TECHNOLOGY, INC.;¹⁶
- eLIQUITECH, INC.;¹⁷

THE DISTRIBUTOR DEFENDANTS

- MCLANE COMPANY, INC.;¹⁸
- EBY-BROWN COMPANY, LLC;¹⁹
- CORE-MARK HOLDING COMPANY, INC.;²⁰

THE RETAILER DEFENDANTS

- CHEVRON CORPORATION;²¹
- CIRCLE K STORES INC.;²²
- SPEEDWAY LLC;²³
- 7-ELEVEN, INC.;²⁴

¹⁴ North Carolina corporation, with a principal place of business in North Carolina.

¹⁵ North Carolina corporation, with a principal place of business in North Carolina.

¹⁶ Maryland corporation, with a principal place of business in Maryland.

¹⁷ Maryland corporation, with a principal place of business in Maryland.

¹⁸ Texas corporation with a principal place of business in Texas.

¹⁹ Delaware limited liability company with a principal place of business in Illinois.

²⁰ Delaware corporation. From 2015-2018, principal place of business California; as of 2019, principal place of business Texas.

²¹ Delaware corporation with a principal place of business in California.

²² Texas corporation with a principal place of business in Arizona.

²³ Delaware corporation with a principal place of business in Ohio.

²⁴ Texas corporation with a principal place of business in Texas.

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WALMART;²⁵

WALGREENS BOOTS ALLIANCE, INC.²⁶

C. PRODUCT USE

7. Plaintiff used JUUL during the time period including from September 2017 to the present and that use caused and or substantially contributed to his/her injury.

D. PHYSICAL INJURY²⁷

8. The Plaintiff(s) experienced the following physical condition, injury or illness alleged to have been caused and or contributed to as a substantial factor by JUUL:

ADDICTION

NICOTINE POISONING

BEHAVIORAL ISSUES/MENTAL HEALTH (check all that apply):

ANGER/OUTBURSTS

MOOD SWINGS

IRRITABILITY

SUICIDAL THOUGHTS

SUICIDAL ATTEMPTS

DEATH BY SUICIDE

OTHER (specify): ___ anxiety; hospitalization

COGNITIVE ISSUES (check all that apply):

ATTENTION DEFICIT DISORDER

LEARNING IMPAIRMENTS

²⁵ Delaware corporation with a principal place of business in Arkansas.

²⁶ Delaware corporation with a principal place of business in Illinois.

²⁷ Plaintiff(s) must check-off all physical injuries allegedly caused by Plaintiff’s use of JUUL. Plaintiff is not required to plead here emotional or psychological injuries, or all manifestations of the physical injury alleged which will be inquired into as part of the Plaintiff’s Fact Sheet (“PFS”). This *Short-Form Complaint* assumes that emotional and psychological damages are asserted by the Plaintiff.

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