

# EXHIBIT A

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**IN THE CIRCUIT COURT  
OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS**

RANDI MONZON, individually and on	)	
behalf of MINOR ANGELI MONZON	)	
	)	
Plaintiffs,	)	
	)	Case No: 21L1216
vs.	)	
	)	
ABBOTT LABORATORIES,	)	
	)	
Defendant.	)	

**COMPLAINT**

Plaintiff brings this Complaint against Abbott Laboratories (“Defendant”). Plaintiff alleges the following:

**NATURE OF THE ACTION**

1. This action arises out of the injuries suffered by Plaintiff’s premature infant, Angeli Monzon, (“Injured Infant”) who was given Defendant’s cow’s milk-based infant feeding products. Defendants’ products caused the Injured Infant to develop necrotizing enterocolitis (“NEC”), a life-altering and potentially deadly disease that largely affects premature babies who are given cow’s milk-based feeding products. As a result, the Injured Infant was seriously injured, resulting in long-term health effects and harm to the Injured Infant and her parent, Randi Monzon, (“Plaintiff Parent”).

2. Plaintiff brings these causes of action against Defendant to recover for injuries that are the direct and proximate result of the Injured Infant’s consumption of Defendant’s unreasonably dangerous cow’s milk-based infant feeding products.

**PARTIES**

3. Injured Infant Angeli Monzon is a natural person, minor, and resident of Memphis, Tennessee.

4. Plaintiff Randi Monzon is a natural person and Angeli Monzon’s mother. Randi Monzon is a resident of Memphis, Tennessee.

5. Defendant Abbott Laboratories (“Abbott”) is a corporation, incorporated under the laws of the State of Illinois. Its principal place of business is 100 Abbott Park Road, Abbott Park, Illinois, 60064. Abbott is a manufacturer of cow’s milk-based infant feeding products and markets many of its products under the “Similac” brand name.

**JURISDICTION AND VENUE**

6. This Court has general jurisdiction over this action because Abbott Laboratories maintains its principal place of business in Illinois and because Abbott Laboratories is incorporated in Illinois. 735 Ill. Comp. Stat. Ann. 5/2-209; *see also Rios v. BayerCorp.*, 2020 IL 125020, ¶ 19 (June 4, 2020) (citing *Daimler AG v. Bauman*, 571 U.S. 117, 137 (2014)).

7. Venue is proper in St. Clair County because Defendants regularly conduct business there; Defendants distribute and sell their products in St. Clair County, including Similac brand formula. 735 ILCS 5/2-101; 735 ILCS 5/2-102(a).

**FACTUAL ALLEGATIONS**

8. Angeli Monzon was born prematurely at 32 gestational weeks with a low birthweight at Regional One Health in Memphis, Tennessee.

9. Angeli Monzon was fed Similac cow’s milk-based products starting from birth.

10. Shortly after she first ingested Defendant's products, Angeli Monzon developed NEC.

11. Angeli Monzon was forced to undergo several treatments and has continued to suffer long-term health effects.

***Cow's Milk-Based Feeding Products Are Known to Cause NEC***

12. NEC is a devastating disease that is the most frequent and lethal gastrointestinal disorder affecting preterm infants. NEC develops when harmful bacteria breach the walls of the intestine, causing portions of the intestine to become inflamed and often to die. Once NEC develops, the condition can progress rapidly from mild feeding intolerance to systemic and fatal sepsis. Up to 30 percent of NEC-diagnosed infants die from the disease.

13. Preterm and low-birth-weight infants are especially susceptible to NEC because of their underdeveloped digestive systems. Extensive scientific research, including numerous randomized controlled trials, has confirmed that cow's milk-based feeding products cause NEC in preterm and low-birth-weight infants, which in turn may lead to other medical complications, surgeries, long-term health problems, and death.

14. For example, in one randomized, multicenter study of 926 preterm infants, NEC was ***six to ten*** times more common in exclusively cow's milk formula-fed babies than in exclusively breast milk-fed babies and ***three times*** more common in babies who received a combination of formula and breast milk. For babies born at more than 30 weeks gestation, NEC was ***20 times more common*** in those only fed cow's milk formula than in those fed breast milk.

15. Another randomized controlled trial showed that preterm babies fed an exclusive breast milk-based diet were ***90% less likely*** to develop surgical NEC (NEC that requires surgical treatment), compared to preterm babies fed a diet that included some cow's milk-based products.

16. Yet another study that analyzed the data from a 12-center randomized trial concluded that fortification of breast milk with a cow's milk-based fortifier resulted in a 4.2-fold increased risk of NEC and a 5.1-fold increased risk of surgical NEC or death, compared to fortification with a breast milk-based fortifier.

17. A Surgeon General report, *The Surgeon General's Call to Action to Support Breastfeeding*, warns that, "for vulnerable premature infants, formula feeding is associated with higher rates of necrotizing enterocolitis." The report also states that premature infants who are not breastfed are **138% more likely** to develop NEC.

18. The American Academy of Pediatrics, "an organization of 67,000 pediatricians committed to the optimal physical, mental, and social health and well-being for all infants, children, adolescents, and young adults," has advised that **all** premature infants should be fed either their mother's milk or, if their mother's milk is unavailable, pasteurized human donor milk. This recommendation is based on the "potent benefits of human milk," including "lower rates of . . . NEC."

19. A multicenter, randomized, controlled trial found that premature and low-birth-weight infants fed an exclusive breast milk-based diet suffered NEC only 3% of the time while premature and low-birth-weight infants receiving cow's milk-based formula suffered NEC **21% of the time**.

20. Another study conducted a randomized comparison of extremely preterm infants who were given either (a) a diet of breast milk fortified with a breast milk-based fortifier or (b) a diet containing variable amounts of cow's milk-based products. The babies given exclusively breast milk products suffered NEC 5% of the time. The babies given cow's milk products suffered NEC 17% of the time.

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