

ORIGINAL

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10 **Attorneys for Petitioners**

FILED
ALAMEDA COUNTY

JUL 12 2016

CLERK OF THE SUPERIOR COURT
By *Darrelia*
D OLIVER Deputy

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF ALAMEDA**

13 SHEILA GRIFFIN,

14 Plaintiff,

15 v.

16 JOHNSON & JOHNSON, et al.,

17 Defendants.

Case No. RG16820115

**NOTICE OF SUBMISSION OF
POTENTIAL ADD-ON CASES FOR
COORDINATION OF THIS CASE
INTO JCCP 4872**

[Cal. Rule of Court 3.522]

18
19
20 TO: THE CLERK OF THE COURT, THE COURT, EACH PARTY AND ALL COUNSEL OF
21 RECORD:

22 **PLEASE TAKE NOTICE** that on or about June 24, 2016, a Notice of Potential Add-On Cases
23 to the petition for coordination of Johnson & Johnson Talcum Powder Cases JCCP 4872, was submitted
24 by plaintiff and petitioner SHEILA GRIFFIN, through Robinson Calcagnie Robinson Shapiro Davis,
25 Inc., attorneys for Petitioners, 19 Corporate Plaza Drive, Newport Beach, CA 92660, to the chair of the
26 Judicial Council, requesting that this case be added to the Petition for Coordination. A true and correct
27 copy of said Petition for Coordination and Notice of Potential Add-On Cases are attached hereto as
28 Exhibits 1 and 2 respectively.

FAXED

PLEASE TAKE FURTHER NOTICE that any written opposition or response to the herein Petition must be filed and served at least nine (9) court days before the hearing on this Petition for Coordination. A hearing on the Petition for Coordination is scheduled for July 29, 2016, at 10:00 a.m. in Department 308 of the Los Angeles County Superior Court, 600 S. Commonwealth Avenue, Los Angeles, CA 90006.

ROBINSON CALCAGNIE ROBINSON
SHAPIRO DAVIS, INC.

Dated: June 28, 2016

By:

Mark P. Robinson, Jr.
Mark P. Robinson, Jr.

Mark P. Robinson, Jr.

EXHIBIT 1

RECEIVED
Judicial Council of California

MAY 24 2016

By _____
Coordination Attorney

1 Mark P. Robinson, Jr., Esq., SBN 054426
2 Karen L. Karavatos, Esq., Bar # 131718
3 **ROBINSON CALCAGNIE ROBINSON**
4 **SHAPIRO DAVIS, INC.**
19 Corporate Plaza Drive
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5 Attorneys for Plaintiffs and JCCP Petitioners

6 JUDICIAL COUNCIL OF CALIFORNIA

7 CHAIR OF THE JUDICIAL COUNCIL

8 IN RE: TALCUM POWDER LITIGATION)

Judicial Council Coordination Proceeding

9)
JCCP No. _____

10 ADELE TRENT, an individual,)

11 Plaintiff,)

Los Angeles County Superior Court Case No.
BC615443

12 v.)

13 JOHNSON & JOHNSON, a New Jersey
corporation doing business in California;)

San Bernardino County Superior Court Case No.
CIVDS1606434

14 JOHNSON & JOHNSON CONSUMER
COMPANIES, INC., a New Jersey corporation
doing business in California;)

Los Angeles County Superior Court Case No.
BC620355

16 IMERYS TALC AMERICA, INC. a Delaware
Corporation with its principal place of business in
the state of California; and DOES 1 through 100,
Inclusive,)

Los Angeles County Superior Court Case No.
BC620876

18 Defendants.)

PETITION FOR COORDINATION AND
REQUEST FOR STAY OF ALL INCLUDED
ACTIONS; SUPPORTING MEMORANDUM
OF POINTS AND AUTHORITIES

19 LENORE JARA,)

20 Plaintiff,)

21 v.)

[Filed concurrently with Declaration of Mark P.
Robinson, Jr.]

22 JOHNSON & JOHNSON, a New Jersey
corporation doing business in California;)

23 JOHNSON & JOHNSON CONSUMER
COMPANIES, INC., a New Jersey corporation
doing business in California;)

25 IMERYS TALC AMERICA, INC. a Delaware
Corporation with its principal place of business in
the state of California; and DOES 1 through 100,
Inclusive,)

28 Defendants.)

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1 SONIA CERNA,)
2)
3 Plaintiff,)
4 v.)
5 JOHNSON & JOHNSON, a New Jersey)
6 corporation doing business in California;)
7 JOHNSON & JOHNSON CONSUMER)
8 COMPANIES, INC., a New Jersey corporation)
9 doing business in California;)
10 IMERYS TALC AMERICA, INC. a Delaware)
11 Corporation with its principal place of business in)
12 the state of California; and DOES 1 through 100,)
13 Inclusive,)
14 Defendants.)

15 GLORIA CERVANTES, et al.,)
16)
17 Plaintiffs,)
18 v.)
19 JOHNSON & JOHNSON, a New Jersey)
20 corporation doing business in California;)
21 JOHNSON & JOHNSON CONSUMER)
22 COMPANIES, INC., a New Jersey corporation)
23 doing business in California;)
24 IMERYS TALC AMERICA, INC. a Delaware)
25 Corporation with its principal place of business in)
26 the state of California; and DOES 1 through 100,)
27 Inclusive,)
28 Defendants.)

21 **TO THE HONORABLE TANI CANTIL-SAKAUYE, CHAIR OF THE JUDICIAL**
22 **COUNCIL, CHIEF JUSTICE OF CALIFORNIA, TO THE SUPERIOR COURTS, THE**
23 **PARTIES TO THE ACTIONS, AND TO THEIR COUNSEL OF RECORD:**

24 **PLEASE TAKE NOTICE** that, pursuant to the California Code of Civil Procedure section 404,
25 *et seq.*, and California Rules of Court 3.500, *et seq.*, Plaintiffs and Petitioners ADELE TRENT, LENORE
26 JARA, SONIA CERNA, and GLORIA CERVANTES, et al., by and through their counsel, Robinson
27 Calcagnie Robinson Shapiro Davis, Inc., 19 Corporate Plaza Drive, Newport Beach, California 92660,
28 respectfully submit this Petition for all pretrial purposes only, to the Chair of the Judicial Council to

1 coordinate the actions listed below and order an immediate stay of all included actions while the herein
2 petition is under consideration.

3 **PLEASE TAKE FURTHER NOTICE** that any written opposition or response to the herein
4 Petition must be filed and served at least nine (9) court days before the hearing date set on this Petition. A
5 hearing on this Petition for coordination is hereby requested.

6 All of the proposed included actions involve allegations that Defendants designed, developed,
7 manufactured, marketed, advertised, promoted, distributed, and sold, either directly or indirectly through
8 third parties or related entities, products known as Johnson & Johnson Baby Powder and Shower to
9 Shower (hereinafter referred to as "TALC" or "PRODUCTS") to women throughout the State of
10 California for perineal use. Plaintiffs and Petitioners herein are individual consumers that suffered
11 damages as a result of use of the PRODUCT by, *inter alia*, development of ovarian cancer and related
12 sequelae. Petitioners seek to coordinate the cases listed below as well as similar cases filed in the State
13 of California that constitute the subject of the herein petition.

14 1. *TRENT v. JOHNSON & JOHNSON, JOHNSON & JOHNSON CONSUMER*
15 *COMPANIES, INC., IMERYS TALC AMERICA, INC. and DOES 1 through 100, Inclusive*, Los Angeles
16 County Superior Court Case No. BC615443, filed 3/31/16, assigned to Hon. Gregory Keosian, Dept. 61,
17 Stanley Mosk Courthouse, Los Angeles County Superior Court;

18 2. *JARA v. JOHNSON & JOHNSON, JOHNSON & JOHNSON CONSUMER COMPANIES,*
19 *INC., IMERYS TALC AMERICA, INC. and DOES 1 through 100, Inclusive*, San Bernardino County
20 Superior Court Case No. CIVDS1606434, filed 4/27/16, assigned to Hon. Michael A. Sachs, Dept. S28,
21 San Bernardino County Superior Court;

22 3. *CERNA v. JOHNSON & JOHNSON, JOHNSON & JOHNSON CONSUMER*
23 *COMPANIES, INC., IMERYS TALC AMERICA, INC. and DOES 1 through 100, Inclusive.*, Los Angeles
24 County Superior Court Case No. BC620355, filed 5/12/16 and deemed provisionally complex, assigned
25 to Hon. Steven J. Kleifield, Dept. 324, Los Angeles County Superior Court Central Civil West; and

26 4. *CERVANTES, et al. v. IMERYS TALC AMERICA, INC., JOHNSON & JOHNSON,*
27 *JOHNSON & JOHNSON CONSUMER COMPANIES, INC., and DOES 1 through 100, Inclusive*, Los
28 Angeles County Superior Court Case No. BC620876, filed 5/18/16 and deemed provisionally complex,

1 assigned to Hon. Steven J. Kleifield, Dept. 324, Los Angeles County Superior Court Central Civil West.

2 Petitioners are not aware of any other actions filed in the State of California that share common
3 questions of law or fact. Petitioners respectfully request that the Los Angeles County Superior Court
4 Complex Civil Panel be assigned to determine whether coordination of these actions is appropriate.

5 This Petition for Coordination (the "Petition") is made pursuant to Section 404 of the California
6 Code of Civil Procedure ("CCP") and Rule 3.521 of the California Rules of Court ("CRC") on the
7 ground that one judge hearing all actions for all pretrial purposes only in the Superior Court for the
8 County of Los Angeles will promote the ends of justice for the following reasons:

- 9 • All of the cases allege identical or virtually identical legal and factual theories, are based upon
10 similar events and thus have many of the same issues of fact and law;
- 11 • The cases involve the same defendants that will presumably be represented by the same
12 counsel;
- 13 • Coordination will further the efficient utilization of judicial resources and avoid the
14 unnecessary duplication and waste of judicial resources;
- 15 • Coordination will further the convenience of the parties, witnesses and counsel;
- 16 • Coordination will avoid duplicative or inconsistent rulings and orders; and
- 17 • Coordination will increase the possibility of settlement of the disputed matters.

18 Satisfaction of such grounds is more particularly set forth in the accompanying Declaration of
19 Mark P. Robinson, Jr., the Memorandum of Points and Authorities, and other supporting documents
20 submitted herewith. The actions sought to be coordinated fall within the definition of "complex
21 litigation" under Section 19 of the Standards of Judicial Administration and Rule 3.400 et seq., of the
22 California Rules of Court. (See the Declaration of Mark P. Robinson, Jr. filed herewith.)

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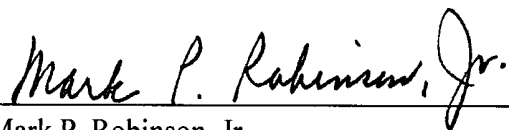
1 Proof of filing in each included action of a Notice of Submission of Petition for Coordination and
2 a copy of this Petition pursuant to Rule 3.522 of the California Rules of Court, and any documents to be
3 submitted pursuant to Rule 3.523 of the California Rules of Court will be submitted to the Chair of the
4 Judicial Council within the time frames provided by Rules 3.522 and 3.523.

5
6 Respectfully submitted,

7 Dated: May 24, 2016

**ROBINSON CALCAGNIE ROBINSON
SHAPIRO DAVIS, INC.**

8
9
10 By:


Mark P. Robinson, Jr.
Attorneys for Plaintiffs and JCCP Petitioners

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION

3 1. California law authorizes the coordination of complex cases pending in different courts
4 whenever they share a common question of law or fact. CCP § 404. The statute seeks to coordinate
5 these types of cases to promote the efficient use of judicial resources and to facilitate resolution of all
6 actions. CCP § 404.1 (factors to be considered). Petitioners seek to coordinate the following complex
7 actions in Los Angeles County Superior Court Central Civil West: *TRENT v. JOHNSON & JOHNSON*,
8 *et al.*; Los Angeles County Superior Court Case No. BC615443, filed 3/31/16, assigned to Hon. Gregory
9 Keosian, Dept. 61, Stanley Mosk Courthouse, Los Angeles County Superior Court;

10 2. *JARA v. JOHNSON & JOHNSON, et al.*, San Bernardino County Superior Court Case No.
11 CIVDS1606434, filed 4/27/16, assigned to Hon. Michael A. Sachs, Dept. S28, San Bernardino County
12 Superior Court;

13 3. *CERNA v. JOHNSON & JOHNSON, et al.*, Los Angeles County Superior Court Case No.
14 BC620355, filed 5/12/16 and deemed provisionally complex, assigned to Hon. Steven J. Kleifield, Dept.
15 324, Los Angeles County Superior Court Central Civil West; and

16 4. *CERVANTES, et al. v. IMERYS, et al.*, Los Angeles County Superior Court Case No.
17 BC620876, filed 5/18/16 and deemed provisionally complex, assigned to Hon. Steven J. Kleifield, Dept.
18 324, Los Angeles County Superior Court Central Civil West.

19 These actions all assert similar allegations against the same Defendants, and claims which arise
20 out of the same products, the same transaction, occurrence, or series of transactions or occurrences, and
21 questions of law and fact which are common to all of the Plaintiffs will arise in the actions. All claims in
22 this actions are a direct and proximate result of the conduct, acts and/or omissions of Defendants and/or
23 their corporate predecessors in connection with the design, development, manufacture, testing,
24 packaging, promoting, marketing, distribution, labeling, and/or sale of the products known as Johnson &
25 Johnson Baby Powder and Shower to Shower (hereinafter "the Products.") All Plaintiffs in the actions
26 seek recovery for injuries and damages as a result of developing ovarian cancer, and allege that such
27 injuries and damages were directly and proximately caused by Defendants' conduct, acts, and omissions,
28 the unreasonably dangerous and defective nature of talcum powder, and the attendant effects of

1 developing ovarian cancer. All of the claims in the actions involve common legal, common factual, and
2 common medical issues. All of the listed cases further allege that Plaintiffs have suffered further injuries
3 and damages in the form of extreme pain and suffering, permanent bodily impairment, mental anguish,
4 loss of enjoyment of life, general damages and special damages according to proof at the time of trial
5 (collectively referred to as "injuries"). All of the subject actions further allege that Defendants
6 specifically promoted the products to consumers, including the Plaintiffs, as a safe, gentle, "clinically
7 tested" feminine hygiene product for daily perineal use without any warnings that such use may increase
8 the risk of ovarian cancer, as well as other serious adverse events and sequelae. All of the subject actions
9 further allege that Plaintiffs were exposed to Defendants' marketing campaigns in the State of California.
10 All of the subject actions further allege that Defendants' products were marketed to consumers, including
11 the Plaintiffs, as safe, gentle, and effective for use in the perineal regions of the body.

12 Coordinating the actions "will promote the ends of justice" as required under CCP sections 404
13 and 404.1. All four cases involve nearly identical allegations and will likely seek similar discovery,
14 especially since the same defendants are named in all four actions. Coordination will save the courts and
15 parties significant resources by avoiding duplicative motions and discovery and prevent inconsistent
16 rulings.

17 Finally, CCP section 404 authorizes coordination of these actions because all are complex
18 pursuant to California Rule of Court 3.400(b). The cases will include the following: (1) numerous
19 pretrial motions raising difficult or novel legal issues that will be time-consuming to resolve; (2)
20 management of a large number of witnesses or a substantial amount of documentary evidence; and (3)
21 coordination with related actions pending in one or more courts in other counties. Therefore, Petitioners
22 respectfully request that the cases be coordinated and Los Angeles County Superior Court, Central Civil
23 West be designated as the appropriate venue.

24 **II. FACTUAL BACKGROUND**

25 **A. The TRENT Action.**

26 On or about March 31, 2016, Petitioners filed this action in Los Angeles County Superior Court.
27 This action seeks recovery for injuries and damages as a result of developing ovarian cancer, and alleges
28 that such injuries and damages were directly and proximately caused by Defendants' Products. This

1 action alleges the following causes of action:

- 2 1. Strict Liability - Failure to Warn
- 3 2. Strict Liability - Design Defect
- 4 3. Negligence
- 5 4. Breach of Express Warranty
- 6 5. Breach of Implied Warranty
- 7 6. Negligent Misrepresentation
- 8 7. Deceit by Concealment; and
- 9 8. Fraud.

10 See Complaint, Robinson Decl. ¶18, Exhibit 1.

11 The Plaintiff is represented by Mark P. Robinson, Jr. and Karen L. Karavatos of ROBINSON
12 CALCAGNIE ROBINSON SHAPIRO DAVIS, INC., 19 Corporate Plaza Drive, Newport Beach, CA
13 92660; Phone 949-720-1288; Fax 949-720-1292. Defendant Imerys Talc America, Inc. has been served
14 with the summons and first amended complaint. Defendant Johnson & Johnson and Defendant Johnson
15 Consumer Companies, Inc. are being served with the summons and first amended complaint concurrently
16 with the herein Petition for Coordination

17 **B. The JARA Action.**

18 On or about April 27, 2016, Petitioners filed this action in Los Angeles County Superior Court.
19 This action seeks recovery for injuries and damages as a result of developing ovarian cancer, and alleges
20 that such injuries and damages were directly and proximately caused by Defendants' Products. This
21 action alleges the following causes of action:

- 22 1. Strict Liability - Failure to Warn
- 23 2. Strict Liability - Design Defect
- 24 3. Negligence
- 25 4. Breach of Express Warranty
- 26 5. Breach of Implied Warranty
- 27 6. Negligent Misrepresentation
- 28 7. Deceit by Concealment; and

1 8. Fraud.

2 *See* Complaint, Robinson Decl. ¶19, Exhibit 2.

3 The Plaintiff is represented by Mark P. Robinson, Jr. and Karen L. Karavatos of ROBINSON
4 CALCAGNIE ROBINSON SHAPIRO DAVIS, INC., 19 Corporate Plaza Drive, Newport Beach, CA
5 92660; Phone 949-720-1288; Fax 949-720-1292. Defendant Imerys Talc America, Inc. has been served
6 with the summons and first amended complaint. Defendant Johnson & Johnson and Defendant Johnson
7 Consumer Companies, Inc. are being served with the summons and first amended complaint concurrently
8 with the herein Petition for Coordination.

9 **C. The CERN Action.**

10 On or about May 12, 2016, Petitioners filed this action in Los Angeles County Superior Court.
11 This action seeks recovery for injuries and damages as a result of developing ovarian cancer, and alleges
12 that such injuries and damages were directly and proximately caused by Defendants' Products. This
13 action alleges the following causes of action:

- 14 1. Strict Liability - Failure to Warn
- 15 2. Strict Liability - Design Defect
- 16 3. Negligence
- 17 4. Breach of Express Warranty
- 18 5. Breach of Implied Warranty
- 19 6. Negligent Misrepresentation
- 20 7. Deceit by Concealment; and
- 21 8. Fraud.

22 *See* Complaint, Robinson Decl. ¶20, Exhibit 3.

23 The Plaintiff is represented by Mark P. Robinson, Jr. and Karen L. Karavatos of ROBINSON
24 CALCAGNIE ROBINSON SHAPIRO DAVIS, INC., 19 Corporate Plaza Drive, Newport Beach, CA
25 92660; Phone 949-720-1288; Fax 949-720-1292. Defendant Imerys Talc America, Inc. has been served
26 with the summons and first amended complaint. Defendant Johnson & Johnson and Defendant Johnson
27 Consumer Companies, Inc. are being served with the summons and first amended complaint concurrently
28 with the herein Petition for Coordination.

1 **D. The CERVANTES Action.**

2 On or about May 18, 2016, Petitioners filed this action in Los Angeles County Superior Court.
3 This action includes the following eight (8) Plaintiffs: Gloria Cervantes, Marilu Haworth, Guadalupe
4 Barron, Juliana Medina, Sheiron Allen Barasa, Carolyn Pouliot, Barbara Miranda, and Arlene Hoffman.
5 This action seeks recovery for injuries and damages as a result of developing ovarian cancer, and alleges
6 that such injuries and damages were directly and proximately caused by Defendants' Products. This
7 action alleges the following causes of action:

- 8 1. Strict Liability - Failure to Warn
9 2. Strict Liability - Design Defect
10 3. Negligence
11 4. Breach of Express Warranty
12 5. Breach of Implied Warranty
13 6. Negligent Misrepresentation
14 7. Deceit by Concealment; and
15 8. Fraud.

16 See Complaint, Robinson Decl. ¶21, Exhibit 2.

17 The Plaintiffs are represented by Mark P. Robinson, Jr. and Karen L. Karavatos of ROBINSON
18 CALCAGNIE ROBINSON SHAPIRO DAVIS, INC., 19 Corporate Plaza Drive, Newport Beach, CA
19 92660; Phone 949-720-1288; Fax 949-720-1292. Defendant Imerys Talc America, Inc. has been served
20 with the summons and complaint. Defendant Johnson & Johnson and Defendant Johnson Consumer
21 Companies, Inc. are being served with the summons and complaint concurrently with the herein Petition
22 for Coordination.

23 **III. COORDINATION IS PROPER AND WILL PROMOTE THE ENDS OF JUSTICE**

24 Coordination promotes "judicial efficiency and economy by providing for the unified
25 management of both pretrial and trial phases of the coordinated cases." *Citicorp North Am., Inc. v. Sup.*
26 *Ct.*, 213 Cal. App. 3d 563, 565 n.3 (1989). CCP section 404 governs the method for coordination when
27 complex cases share a common question of law or fact. Coordination is proper when two requirements
28 are met: (1) the actions are "complex" as defined by the Judicial Council, and (2) the actions meet the

1 coordination criteria set forth in CCP section 404.1. CCP § 404. Specifically, the Court must consider
2 whether coordination promotes the ends of justice by taking into account whether common questions of
3 fact or law predominate and are significant to the litigation; the convenience of the parties, witnesses, and
4 counsel; the relative development of the actions and the work product of counsel; the efficient utilization
5 of judicial facilities and manpower; the calendar of the courts; the disadvantages of duplicative and
6 inconsistent rulings or orders; and, the likelihood of settlement of the actions without further litigation
7 should coordination be denied. CCP §§ 404, 404.1. All such elements form the basis of this Petition,
8 therefore, this Petition should be granted.

9 **A. The Actions Are Complex**

10 The four (4) actions sought to be coordinated constitute complex litigation under Section 19 of the
11 Standards of Judicial Administration and Rule 3.400, *et seq.* of the California Rules of Court and, thus,
12 satisfy the first prong for coordination. The cases will include the following: (1) numerous pretrial
13 motions raising difficult or novel legal issues that will be time-consuming to resolve; (2) management of
14 a large number of witnesses or a substantial amount of documentary evidence; and (3) coordination with
15 related actions pending in one or more courts in other counties.

16 **B. Common Questions Of Fact Or Law Are Predominating And Significant**

17 The allegations of the actions are factually and legally indistinguishable. In all four actions,
18 Plaintiffs allege essentially the same legal causes of action and have sued essentially the same entities as
19 well.

20 **C. These Cases Meet The Requirements Of California CCP Section 404.1**

21 CCP section 404.1 sets forth the following criteria for coordination:

22 Coordination of civil actions sharing a common question of fact or law is appropriate if one
23 judge hearing all of the actions for all purposes in a selected site or sites will promote the
24 ends of justice taking into account whether the common question of fact or, law is
25 predominating and significant to the litigation; the convenience of the parties, witnesses,
26 and counsel; the relative development of the actions and the work product of counsel; the
27 efficient utilization of judicial facilities and manpower; the calendar of the courts;
28 disadvantages of duplicative and inconsistent rulings, orders, or judgments; and, the
likelihood of settlement of the actions without further litigation should coordination be
denied.

1 A court must weigh and balance all of these factors when considering a petition for coordination.
2 *Pesses v. Sup. Ct.* (1980) 107 Cal. App. 3d 117, 125-26. Here, coordination of the four (4) actions meets
3 the foregoing criteria, as explored in detail below.

4 **1. Plaintiffs in All Actions Allege Common Question Of Fact And Law That**
5 **Predominate And Are Significant To The Litigation**

6 As set forth above, the factual predicate of all four actions are substantially similar, allege many
7 of the same causes of action and involve many of the same allegations of wrongdoing against most of the
8 same Defendants. Clearly, the matters involve the same questions of law and fact because all assert the
9 same core claims on behalf of overlapping classes.

10 **2. Coordination Will Promote the Efficient Use of Judicial Resources and Will**
11 **Advance the Convenience of the Parties, Witnesses and Counsel**

12 Coordination will promote the efficient use of judicial resources and will accommodate the
13 convenience of all counsel by preventing the duplication of effort and the costly adjudication of the same
14 or substantially similar motions, such as demurrers, judgment on the pleadings and summary judgment.
15 Coordination will avoid duplicative testimony at trial and during depositions.

16 Many witnesses are likely to be identical given that most of the Defendants are named in all four
17 complaints. Thus, coordination will benefit the probable witnesses. Coordination also will advance the
18 convenience of counsel by conserving their resources through cooperative discovery that will benefit all
19 parties. As one court has held, "[t]he preparation for trial in terms of depositions, interrogatories,
20 admissions... will be better achieved if done in a coordinated manner." *McGhan Med Corp. v. Sup. Ct.*,
21 (1992) 11 Cal. App. 4th 804, 814. Judicial resources will also be conserved in overseeing settlement
22 negotiations.

23 **3. The Relative Development of the Actions Weigh in Favor of Coordination**

24 A petition for coordination "may be made at any time after filing of the complaint." (Cal. Rule Ct.
25 3.521(a)). Coordination is particularly appropriate now because each case was just recently filed. The
26 need for coordination is immediately apparent and will only increase as the cases develop. No party will
27 be prejudiced by coordination. No party will benefit from any delay in coordination; in fact, delay will
28 only result in duplicative efforts and rulings, wasting the resources of the courts, counsel and the parties.

1 **4. Coordination Will Unburden the Calendars of the Courts**

2 The actions are pending in San Francisco, San Diego, Los Angeles, and Shasta County Superior
3 Courts. Coordination will unburden the judicial system by avoiding adjudication of four lawsuits involving
4 common questions of fact and law. All four actions seek damages arising out of the same Products. Since
5 motion practice, discovery, witnesses and other aspects of litigation in these cases undoubtedly will track
6 one another, coordination will unburden the court from needlessly adjudicating the same case.

7 **5. Coordination Will Prevent Duplicative and Inconsistent Rulings**

8 The four actions likely will involve significant motion practice. Coordination will promote
9 uniform and consistent rulings. By contrast, allowing these cases to proceed independently will result in
10 two or more courts determining the same issues, via the same motions, including demurrers, discovery
11 motions and summary judgment. Not only does this create the potential for inconsistent rulings, but the
12 rulings will be subject to review in different Courts of Appeal. Coordination will assist in achieving
13 uniformity. *McGhan Med. Corp., supra*, 11 Cal. App. 4th at 814.

14 **6. If Coordination is Denied, It is Unlikely These Cases Will Settle Without Further**
15 **Litigation**

16 The final factor to be considered under CCP section 404.1 is “the likelihood of settlement of the
17 actions without further litigation should coordination be denied.” It is unlikely that denial of
18 coordination would foster settlement – in fact, it would likely do the opposite. The included actions are
19 in litigation on multiple claims and significant issues. With potentially millions of dollars at stake, these
20 cases are sure to be vigorously litigated. Generally, coordination assists in the settlement process because
21 the parties, at the Court’s urging, are required to create organized plans for mediation or settlement. If
22 experience is a guide, coordination should lead to greater efficiencies in the litigation process, and to
23 coordinated settlement discussions.

24 **IV. LOS ANGELES COUNTY SUPERIOR COURT CENTRAL CIVIL WEST IS THE**
25 **APPROPRIATE VENUE FOR THE COORDINATION PROCEEDING**

26 Should this Petition be granted, the Los Angeles County Superior Court Central Civil West
27 should be selected as the site for the coordinated proceedings. The Los Angeles County Superior Court
28 assigns specific judges to hear complex actions. This program permits those judges to gain invaluable

1 expertise in presiding over unwieldy and complex cases. These factors strongly favor Los Angeles
2 County Superior Court Central Civil West as the forum that most likely will promote judicial efficiency.
3 See CRC 3.530.

4 **V. CONCLUSION**

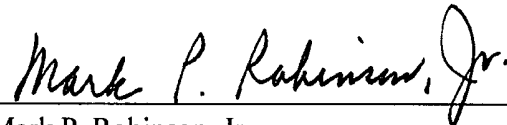
5 For the foregoing reasons, Petitioners respectfully requests that their Petition for Coordination be
6 granted.

7 Respectfully submitted,

8 Dated: May 24, 2016

**ROBINSON CALCAGNIE ROBINSON
SHAPIRO DAVIS, INC.**

10 By:



11 Mark P. Robinson, Jr.

12 Attorneys for Plaintiffs and JCCP Petitioners
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EXHIBIT 2

1 Mark P. Robinson, Jr., Esq. Bar # 054426
2 Karen L. Karavatos, Esq., Bar # 131718
3 Cynthia Garber, Esq., Bar # 208922
4 **ROBINSON CALCAGNIE ROBINSON**
5 **SHAPIRO DAVIS, INC.**
6 19 Corporate Plaza Drive
7 Newport Beach, CA 92660
8 949-720-1288; Fax 949-720-1292

9 **Attorneys for JCCP Petitioners**

10 **JUDICIAL COUNCIL OF CALIFORNIA**

11 **CHAIR OF THE JUDICIAL COUNCIL**

12 COORDINATION PROCEEDING
13 SPECIAL TITLE (Rule 3.550)

14 **JCCP NO. 4872**
15 [Coordination Motion Judge:
16 The Hon. Jane Johnson]

17 **JOHNSON & JOHNSON TALCUM POWDER**
18 **CASES**

19 This document relates to:

20 *KRESTIAN, et al. v. JOHNSON & JOHNSON, et al.*;
21 Superior Court of California, County of Santa Clara,
22 Case No. 15-cv-289573

23 **NOTICE OF POTENTIAL ADD-ON**
24 **CASES**

25 *THREADGILL, et al. v. JOHNSON & JOHNSON, et*
26 *al.*; Superior Court of California, County of Los
27 Angeles, Case No. BC617311

28 [Filed concurrently with Notice of
Lodgment of Complaints]

GUSTAFSON, et al. v. JOHNSON & JOHNSON, et
al.; Superior Court of California, County of Santa
Clara, Case No. 16-cv-292902

FLORES, et al. v. JOHNSON & JOHNSON, et al.;
Superior Court of California, County of Santa Clara,
Case No. 16-cv-293936

SOUSA, et al. v. JOHNSON & JOHNSON, et al.;
Superior Court of California, County of Santa Clara,
Case No. 16-cv-294620

1 *DECHRISTOFARO, et al. v. JOHNSON &*
2 *JOHNSON, et al.*; Superior Court of California,
County of Los Angeles, Case No. BC622173

3 *FELLS, et al. v. IMERYS TALC AMERICA, et al.*;
4 Superior Court of California, County of Santa Clara,
Case No. 16-cv-295876

5 *GRIFFIN v. JOHNSON & JOHNSON, et al.*;
6 Superior Court of California, County of Alameda,
7 Case No. RG16-820115

8 *HARDIMAN, et al. v. JOHNSON & JOHNSON, et al.*;
9 Superior Court of California, County of Santa Clara,
Case No. 16-cv-294911

10 *LEE v. JOHNSON & JOHNSON, et al.*; Superior
11 Court of California, County of Los Angeles, Case No.
12 BC623923

13 *ROSEMAN, et al. v. JOHNSON & JOHNSON, et al.*;
14 Superior Court of California, County of Santa Clara,
Case No. 16-cv-295807

15 *WARREN, et al. v. JOHNSON & JOHNSON, et al.*;
16 Superior Court of California, County of Santa Clara,
17 Case No. 16-cv-296624

18 *WOLF, et al. v. IMERYS TALC AMERICA, INC., et*
19 *al.*; Superior Court of California, County of Orange,
Case No. 30-2016-00857356-CU-PL-CXC

20 *ANFINSON, et al. v. JOHNSON & JOHNSON, et al.*;
21 Superior Court of California, County of Los Angeles,
22 Case No. BC621999

23

24 **TO THE HONORABLE TANI CANTIL-SAKAUYE, CHAIR OF THE JUDICIAL**
25 **COUNCIL, CHIEF JUSTICE OF CALIFORNIA, TO THE SUPERIOR COURTS, THE**
26 **PARTIES TO THE ACTIONS, AND TO THEIR COUNSEL OF RECORD:**

27 ///

28 ///

PLEASE TAKE NOTICE that, pursuant to California Rules of Court 3.531, after the filing of the initial Petition for Coordination in JCCP No. 4872, JCCP Petitioners herein became aware of the following potential add-on cases, and hereby request that such cases be added to the Petition for Coordination filed in JCCP No. 4872 and set for hearing on July 29, 2016:

TITLE	COURT	CASE NUMBER	FILING DATE
<i>LORRAINE KRESTIAN, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 15-cv-289573	12/4/2015
<i>SOREN THREADGILL, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Los Angeles	Case No. BC617311	4/15/2016
<i>SHARON KATHLEEN GUSTAFSON, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-292902	3/18/2016
<i>JESSICA FLORES, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-293936	4/15/2016
<i>ELAINE M. SOUSA, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-294620	5/3/2016
<i>JULIENNE DECHRISTOFARO, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Los Angeles	Case No. BC622173	6/1/2016
<i>NORMAN FELLS, et al. v. IMERYS TALC AMERICA, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-295876	6/2/2016
<i>SHEILA GRIFFIN v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Alameda	Case No. RG16-820115;	6/17/2016
<i>LAMONT HARDIMAN, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-294911	5/9/2016
<i>ANNIE RUBY S. LEE v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Los Angeles	Case No. BC623923	6/14/2016
<i>LYN KILLIAN ROSEMAN, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv-295807	6/1/2016

TITLE	COURT	CASE NUMBER	FILING DATE
<i>WILLIAM WARREN, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Santa Clara	Case No. 16-cv- 296624	6/20/2016
<i>DAVID WOLF, et al. v. IMERY'S TALC AMERICA, INC., et al.</i>	The Superior Court of California, County of Orange	Case No. 30- 2016-00857356- CU-PL-CXC	6/10/2016
<i>CAROL ANFINSON, et al. v. JOHNSON & JOHNSON, et al.</i>	The Superior Court of California, County of Los Angeles	Case No. BC621999	6/15/2016

True and correct copies of the complaints filed in the above actions are submitted concurrently with Petitioner's Notice of Lodgment of Complaints and a Notice of Submission will be filed and served in each of the above listed cases.

Proof of filing of a Notice of Submission of Notice of Potential Add-On Case in each potential add-on case and a copy of this notice pursuant to Rule 3.522 of the *California Rules of Court*, and any documents to be submitted pursuant to Rule 3.523 of the *California Rules of Court* will be submitted to the Chair of the Judicial Council within the time frames provided by Rules 3.522 and 3.523.

Respectfully submitted,

Dated: June 28, 2016

ROBINSON CALCAGNIE ROBINSON
SHAPIRO DAVIS, INC.

By: Mark P. Robinson, Jr.
Mark P. Robinson, Jr. Esq.
Attorneys for JCCP Petitioners

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I certify that I am over the age of 18 years and not a party to the within action; that my business address is:

ROBINSON CALCAGNIE ROBINSON SHAPIRO DAVIS, INC.
19 Corporate Plaza Drive
Newport Beach, CA 92660

On June 24, 2016, served the foregoing document described as:

NOTICE OF POTENTIAL ADD-ON CASES

on the parties in this action as stated on the attached mailing list as follows:

— (By Federal Express) Said documents were delivered to an authorized courier or driver authorized by the express service carrier to receive documents with delivery fees paid or provided for.

X (By Mail) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

— (By Personal Service) I caused each document to be delivered by hand to the home of the addressee.

— (By FAX) I caused each document to be sent by FAX to the parties listed on the attached mail list.

— (By Electronic Service) I caused each document to be sent by electronic service by transmitting a true and correct PDF version as indicated above of the foregoing document(s) via each individual's email.

X STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

— FEDERAL: I declare that I am employed in the office of a member of a Bar of this Court at whose direction the service was made.

Executed on June 24, 2016, at Newport Beach, California.



CONDA TAKANABE

MAILING LIST

G. Gregg Webb Shook, Hardy & Bacon L.L.P. One Montgomery, Suite 2700 San Francisco, CA 94104 Tel: 415-544-1900 Fax: 415-391-0281 gwebb@shb.com	<i>Attorneys for Specially Appearing Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc. sued as Johnson & Johnson Consumer Companies, Inc.</i>
J. Dominic Campodonico Gordon & Rees LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111 Tel: 415-986-5900 Fax: 415-986-8054 dcampodonico@gordonrees.com	<i>Attorneys for Defendant Imerys Talc America, Inc.</i>
Rachel Abrams Levin Simes 44 Montgomery Street, Floor 32 San Francisco, CA 94104 Tel: 415-426-3000 Fax: 415-426-3001 rabrams@levinsimes.com	<i>Attorneys for Interested Party</i>
Curtis Hoke The Miller Firm LLC The Sherman Building 108 Railroad Avenue Orange, VA 22960 Tel: 540-672-2065 Fax: 540-672-3055 choke@millerfirmllc.com	<i>Attorneys for Interested Party</i>
Keith D. Griffin Girardi Keese 1127 Wilshire Boulevard Los Angeles, CA 90017 Tel: 213-977-0211 Fax: 213-481-1554 kgriffin@girardikeese.com	<i>Attorneys for Interested Party</i>

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8 9 10 11	Laurie E. Kamerrer Lenze Kamerrer Moss PLC 1300 Highland Avenue, Suite 207 Manhattan Beach, CA 90266 Tel: 310-322-8800 Fax: 310-322-8811 kamerrer@lkmlawfirm.com	<i>Attorneys for Interested Party</i>
12 13 14 15 16	Helen Zukin Melanie Meneses Palmer Nichole Ramirez Kiesel Law LLP 8648 Wilshire Boulevard Beverly Hills, CA 90211-2910 Tel: 310-854-4444 Fax: 310-854-0812 zukin@kbla.com palmer@kbla.com ramirez@kbla.com	<i>Attorneys for Interested Party</i>
17 18 19 20 21	Raymond P. Boucher Shehnaz Bhujwala Boucher LLP 21600 Oxnard Street, Suite 600 Woodland Hills, CA 91367 Tel: 818-340-5400 Fax: 818-340-5401 ray@boucher.la bhujwala@boucher.la	<i>Attorneys for Interested Party</i>
22 23 24 25 26 27	Robert A. Mosier Timothy M. Clark Lauren A. Welling Rachel N. Van Sanders, Phillips Grossman, LLP 2860 Michelle Drive, Suite 220 Irvine, CA 92606 Tel: 877-480-9142 Fax: 213-330-0346 rmosier@thesandersfirm.com	<i>Attorneys for Interested Party</i>

1 Assistant Supervising Judge of
2 Complex Litigation Courts
3 Superior Court of California
4 County of Los Angeles
5 Central Civil West, Dept. 308, Room 1415
6 600 South Commonwealth Avenue
7 Los Angeles, CA 90005

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I certify that I am over the age of 18 years and not a party to the within action; that my business address is:

ROBINSON CALCAGNIE ROBINSON SHAPIRO DAVIS, INC.
19 Corporate Plaza Drive
Newport Beach, CA 92660

On June 28, 2016, served the foregoing document described as:

**NOTICE OF SUBMISSION OF POTENTIAL ADD-ON CASES FOR COORDINATION OF
THIS CASE INTO JCCP 4872**

on the parties in this action as stated on the attached mailing list as follows:

— (By Federal Express) Said documents were delivered to an authorized courier or driver authorized by the express service carrier to receive documents with delivery fees paid or provided for.

X (By Mail) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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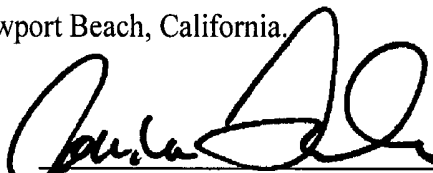
— (By FAX) I caused each document to be sent by FAX to the parties listed on the attached mail list.

— (By Electronic Service) I caused each document to be sent by electronic service by transmitting a true and correct PDF version as indicated above of the foregoing document(s) via each individual's email

X STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

— FEDERAL: I declare that I am employed in the office of a member of a Bar of this Court at whose direction the service was made.

Executed on June 28, 2016, at Newport Beach, California.



CONDA TAKANABE

MAILING LIST

G. Gregg Webb Shook, Hardy & Bacon L.L.P. One Montgomery, Suite 2700 San Francisco, CA 94104 Tel: 415-544-1900 Fax: 415-391-0281 gwebb@shb.com	<i>Attorneys for Specially Appearing Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc. sued as Johnson & Johnson Consumer Companies, Inc.</i>
J. Dominic Campodonico Gordon & Rees LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111 Tel: 415-986-5900 Fax: 415-986-8054 dcampodonico@gordonrees.com	<i>Attorneys for Defendant Imerys Talc America, Inc.</i>
Clerk of the Court County of Alameda 1225 Fallon Street Oakland, CA 94612	
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