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**Life-Altering Side Effects:
Taxotere Litigation
Overview and Case Criteria**



Today's Presenters



JESSIE HOERMAN
FOUNDER / CEO



PATRICK HOTZE
FOUNDING PARTNER



Background

- When is Taxotere prescribed?
- How much market share does it have?

\$2.5 BILLION

Sanofi-Aventis net annual sales in 2009
(prior to losing patent protection)

300,000

Women diagnosed with
breast cancer each year

➤ 2020: Taxotere net sales of \$196 Million globally

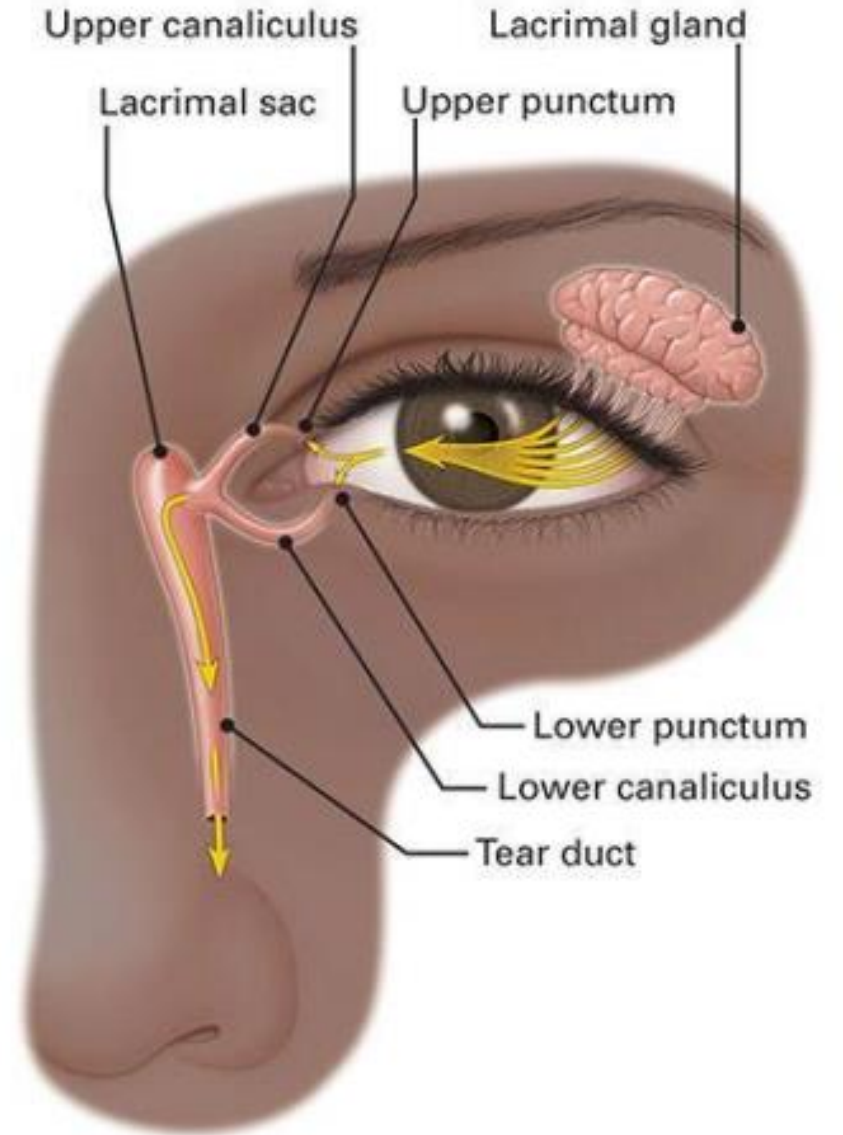


Austin Visuals



Taxotere Injuries

- How many women will experience “permanent excessive tearing”?
- What is the injury?
 - Stents / surgery
 - Diagnosing Canalicular Stenosis
 - Symptoms
 - Misdiagnosis



Taxotere Label Change

Old Label

Ophthalmologic: conjunctivitis, lacrimation or lacrimation with or without conjunctivitis. Excessive tearing which may be attributable to lacrimal duct obstruction has been reported. Rare cases of transient visual disturbances (flashes, flashing lights, scotomata) typically occurring during drug infusion and in association with hypersensitivity reactions have been reported. These were reversible upon discontinuation of the infusion. Cases of cystoid macular edema (CME) have been reported in patients treated with TAXOTERE.

New Label

Ophthalmologic: conjunctivitis, lacrimation or lacrimation with or without conjunctivitis, cystoid macular edema (CME). Excessive tearing which may be attributable to lacrimal duct obstruction. Transient visual disturbances (flashes, flashing lights, scotomata), typically occurring during drug infusion and reversible upon discontinuation of the infusion, in association with hypersensitivity reactions.

Taxotere Injuries



MDL

- Is this the same MDL as the Taxotere hair loss litigation?
- What is the status of the MDL?
 - Preemption briefing: August
 - Oral arguments and science day: October
 - Leadership



Master Complaint

Medical literature states that: (1) the onset of damage to the lacrimal system can be rapid upon initiation of Taxotere administration, (2) immediate referral to a lacrimal specialist for monitoring is essential, (3) damage to the lacrimal system can be permanent, (4) this side effect is preventable, and (5) oncologists are not aware of the severity of this side effect.

- Tricky SOL Issues

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JADE PORTER,

Plaintiff,

v.

SANOFI US SERVICES, INC. f/k/a

SANOFI-AVENTIS U.S., INC.; and

SANOFI-AVENTIS U.S., LLC,

Defendants.

Case No. 3:21-CV-01891-EMC

FIRST AMENDED COMPLAINT

JURY TRIAL DEMANDED

-1-

FIRST AMENDED COMPLAINT

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1 Plaintiff Jade Porter, for her First Amended Complaint against Defendants SANOFI US

2 SERVICES, INC., f/k/a SANOFI-AVENTIS U.S., INC. and SANOFI-AVENTIS U.S., LLC

3 (collectively "Sanofi"), alleges:

INTRODUCTION

Sanofi manufactures and sells a chemotherapy drug named Taxotere (generic
cel), which is administered to many who suffer primarily from breast cancer. While
any drugs effective at treating breast cancer, Sanofi has known for years that the
a significant risk of causing permanent and irreversible damage to the lacrimal
ding punctal and canalicular stenosis.

A simple preventative procedure at the onset of chemotherapy-induced tearing,
temporary placement of silicone stents, allows a patient to continue her Taxotere
ie removing the likelihood of permanent and irreversible damage to the lacrimal
ough Sanofi warns that "excessive tearing which may be attributable to lacrimal
ion has been reported", Sanofi failed to warn patients and oncologists of the risk
age can occur quickly and can be **permanent and irreversible**. Further, Sanofi
ort the severity and frequency of this risk to the Food and Drug Administration
rse, Sanofi misled patients and oncologists about the severity and frequency of this
side effect even though this condition can be entirely preventable with early
ind treatment during chemotherapy. As a result, Mrs. Porter suffers from permanent
ase she used Taxotere.

Plaintiff is grateful for the chemotherapy that helped to save her life; however,
is diminished by the fact that she now must endure a permanent and life-altering
t could have been prevented with an adequate warning to her physicians. Plaintiff's
juries to her lacrimal system, specifically punctal and canalicular stenosis, cause
ion to her life due to excessive tearing, or epiphora. For those who have never
epiphora, the condition might seem like a minor annoyance. However, for cancer
e Mrs. Porter, the irritated, swollen, watering eyes and the ongoing medical
of the condition affect their work, their self-esteem, interpersonal relationships,

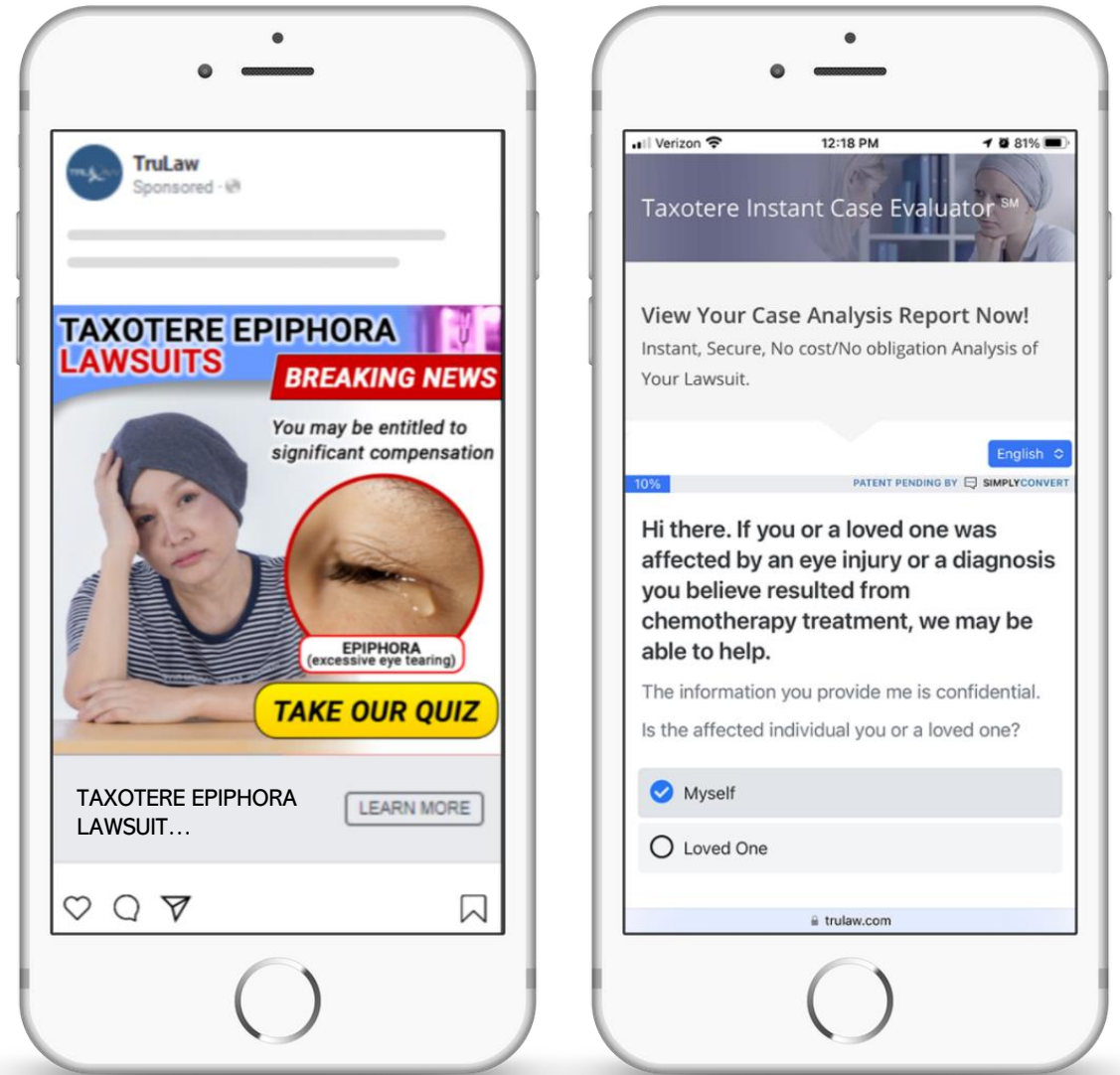
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FIRST AMENDED COMPLAINT

TRULAW

Next Steps

- How your firm can get involved
- Referrals
- Gathering new cases
- Using TruLaw and SimplyConvert to assist in automating outreach to Taxotere hair loss clients who may be experiencing eye injury as well



Case Criteria

Available for download:
SimplyConvert.com > Resources >
Litigations and Practice Areas

SIMPLYCONVERT

TAXOTERE (April 2022)

Select the date that chemotherapy treatment began.

- MM/YYYY

Select the date of the last chemotherapy treatment? (User is disqualified if last chemotherapy date falls before start date.)

- MM/YYYY
 - Before 11/2011
 - After 11/2011

Was Taxotere used for the chemotherapy treatment?

- Yes
- No
- I don't know

Select the cancer being treated by the chemotherapy.

- Breast cancer
- Lung cancer
- Prostate cancer
- Stomach cancer
- Head cancer
- Neck cancer
- Mesothelioma
- Other cancer
- No cancer

User must meet the criteria in [A] alone OR all three sections marked [B].

[A] Select any diagnosis received during or after the chemotherapy treatment.

- Canalicular stenosis
- Punctal stenosis
- Nasolacrimal duct obstruction
- Permanent Stenosis
- Epiphora
- Alopecia (Hair loss)
- Other diagnosis
- No diagnosis

Do you have a lawyer assisting you with a chemotherapy hair loss lawsuit?

- Yes
- No
- I don't know

(Only asked if yes was selected previously.) What is the name of the law firm that is working on the hair loss case?

- Text box

Select any stents or tubes used in treatment of the eye injury?

- Crawford stents
- Mini Monoka stents
- Silicone tubes
- Jones tubes
- Other stents or tubes
- No stents or tubes placed

[B] Select any side effects or injuries that occurred during or after the chemotherapy treatment.

- Excessive eye watering or tearing
- Blurred or clouded vision
- Cystoid macular edema (Vision changes)
- Headaches
- Light sensitivity
- Eye irritations and infections
- Swelling of the eyelids
- Keratoconjunctivitis sicca (Dry eye)
- Other side effect or injury
- No side effects or injuries

[B] (Only asked if yes was selected previously.) Did the excessive eye watering or tearing occur during or after the chemotherapy treatment?

- After chemo treatment
- Before chemo treatment

[B] (Only asked if yes was selected previously.) Are you experiencing the excessive eye watering or tearing?

- Yes
- No, with stents or tubes
- No, no stents or tubes

Qualifying Case Criteria
Updated as required or requested

SIMPLYCONVERT

TAXOTERE

- Instant Case Evaluator
- Automated Contracting
- Case-Specific Client Nurturing
- Attorney Referral Network

Taxotere (docetaxel) is a drug used in the treatment of various forms of cancer, including breast cancer. It is one of many drugs effective at treating breast cancer, however it comes with a serious side effect. The drug's manufacturer, Sanofi, has known for years that the it carries a significant risk of causing permanent and irreversible damage to the lacrimal system, including punctal and canalicular stenosis.

Although Sanofi warns that "excessive tearing which may be attributable to lacrimal duct obstruction has been reported," Sanofi failed to warn patients and oncologists of the risk that the damage can occur quickly and can be permanent and irreversible.

SimplyConvert is working to help firms across the country gather Taxotere clients and hold the manufacturer accountable.

Criteria created by leading lawyers

We partner with the most qualified lawyers in every litigation and practice area to formulate the criteria for qualifying clients. Once we program our AI-powered chatbot with the litigation-specific criteria, it is ready to chat with website visitors and qualify potentially viable claims for the litigation.

Case intake has never been easier

Firms on the SimplyConvert platform can immediately begin case intake for the litigation. Simply publish a website page or blog post, login to add the practice area or litigation name as the starting point for your bot, and you are ready to convert website visitors into qualified clients. It's that easy.

www.simplyconvert.com

THANK YOU!

Questions?

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