

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**IN RE: ZANTAC (RANITIDINE)  
PRODUCTS LIABILITY  
LITIGATION**

**MDL No. 2924  
20-MD-2924**

**JUDGE ROBIN L. ROSENBERG  
MAGISTRATE JUDGE BRUCE E. REINHART**

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**THIS DOCUMENT RELATES TO: ALL MATTERS**

**BOEHRINGER INGELHEIM DEFENDANTS' ANSWER AND AFFIRMATIVE  
DEFENSES TO SECOND AMENDED MASTER PERSONAL INJURY COMPLAINT**

Defendants Boehringer Ingelheim Pharmaceuticals, Inc., Boehringer Ingelheim Corporation, Boehringer Ingelheim USA Corporation, Boehringer Ingelheim International GmbH, and Boehringer Ingelheim Promeco, S.A. de C.V. (collectively, "BI") respond to Plaintiffs' Second Amended Master Personal Injury Complaint ("Complaint") (ECF No. 3887) as follows:

**PRELIMINARY STATEMENT**

The following matters are incorporated by reference into BI's responses to each Paragraph of the Complaint.

A. BI is submitting this Answer only on behalf of itself. Where allegations are made against "Defendants" as a group, however described, BI's responses only apply to itself.

B. The Complaint contains purported references to documents and third-party publications and statements that have often been excerpted, paraphrased, characterized, and otherwise taken out of context. These documents and third-party publications and statements should be considered, if at all, in context and in unmodified form, and BI respectfully refers the Court to the respective documents for their accurate and complete contents.

C. Except as otherwise expressly stated herein, BI expressly denies each and every allegation contained in the Complaint, including without limitation any allegations contained in the preamble, unnumbered paragraphs, headings, subheadings, table of contents, and footnotes of the Complaint, and specifically denies any liability to Plaintiffs.

D. BI preserves the right to seek to amend and supplement its answer as may be appropriate or necessary.

E. The allegations in the Paragraphs preceding the section titled “Introduction” consist of arguments and legal conclusions that are incomplete, vague, and overly broad with respect to governing legal requirements, to which no response is required. BI denies the allegations in these Paragraphs to the extent they are directed at BI and lacks knowledge or information sufficient to form a belief as to the truth of the allegations of these Paragraphs as they relate to other Defendants and therefore denies those allegations.

#### **RESPONSE TO SECTION TITLED “INTRODUCTION”**

1. BI denies every allegation in this Paragraph, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI respectfully refers the Court to Plaintiffs’ Complaint but denies that its conduct caused or contributed to Plaintiffs’ alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

2. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated by the FDA, which speaks for itself.

Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

3. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

4. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

5. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI denies every allegation in this Paragraph, except that BI admits only that this Paragraph purports to refer to FDA actions, which speak for themselves, but denies any attempt by Plaintiffs to paraphrase or characterize them.

6. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

7. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

8. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

9. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

10. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

11. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

12. BI denies the allegations in this Paragraph as to itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

13. The allegations in this Paragraph are not directed at BI and therefore no response is required. To the extent a response may be required, BI admits only that this Paragraph purports to refer to sales figures, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them. As to the remaining allegations in this paragraph, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

14. BI respectfully refers the Court to Plaintiffs' Complaint but denies that its conduct caused or contributed to Plaintiffs' alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**RESPONSE TO SECTION TITLED "PARTIES"**

**PLAINTIFFS**

15. BI respectfully refers the Court to Plaintiffs' Complaint but denies that its conduct caused or contributed to Plaintiffs' alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

16. BI denies the allegations in this Paragraph as to itself. To the extent the allegations of this Paragraph are directed to other Defendants or Plaintiffs, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

17. BI lacks knowledge or information sufficient to form a belief as to the allegations in this Paragraph and therefore denies the same.

**DEFENDANTS**

18. BI denies every allegation in this Paragraph, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same. As to footnote 2 immediately following this Paragraph, BI denies the allegations in footnote 2 except that BI only admits that it owned ANDAs 074662 and 074764 at certain times.

**Boehringer Ingelheim (BI)**

19. BI admits the allegations in this Paragraph.

20. BI admits the allegations in this Paragraph.

21. BI admits the allegations in this Paragraph.

22. BI admits that Boehringer Ingelheim International GmbH is a German corporation with its principal place of business located at Binger Strasse 173, 55216 Ingelheim AM Rhein, Rheinland-Phalz, Germany. BI further admits that Boehringer Ingelheim International GmbH is a citizen of Germany. BI denies the remaining allegations in this Paragraph.

23. BI admits the allegations in this Paragraph.

24. BI admits that Boehringer Ingelheim Pharmaceuticals, Inc. is a subsidiary of Defendants Boehringer Ingelheim Corporation and Boehringer Ingelheim USA Corporation, which are themselves wholly owned, directly or indirectly, by Defendant Boehringer Ingelheim International GmbH. BI denies the remaining allegations in this Paragraph.

#### **GlaxoSmithKline (GSK)**

25. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

26. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

27. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

28. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

### **Pfizer**

29. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

### **Sanofi**

30. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

31. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

32. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

33. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

34. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

35. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

36. BI admits that, at certain times, Boehringer Ingelheim Promeco, S.A. de C.V. packaged and manufactured the finished Zantac product for Sanofi. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

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37. BI denies the allegations in this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States.

**RESPONSE TO SECTION TITLED “JURISDICTION & VENUE”**

38. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 28 U.S.C. § 1332(a), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

39. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

40. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 28 U.S.C. § 1391(a), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

41. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 28 U.S.C. § 1407, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.



42. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

43. BI denies every allegation in this Paragraph, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

44. BI denies every allegation in this Paragraph, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

45. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

46. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to this Court's PTO No. 11 Setting Forth Procedures for Direct Filed Personal Injury Cases, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

## **RESPONSE TO SECTION TITLED “FACTUAL ALLEGATIONS”**

### **I. RESPONSE TO SECTION TITLED “THE CREATION OF RANITIDINE-CONTAINING PRODUCTS AND THEIR INTRODUCTION TO THE MARKET”**

47. BI denies every allegation in this Paragraph, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

#### **A. Response to Section Titled “GSK Develops Zantac Through a Flurry of Aggressive Marketing Maneuvers”**

48. BI admits only that ranitidine belongs to a class of medications called histamine H2-receptor antagonists. Responding further, BI states that facts relating to the characteristics, benefits and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

49. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that Tagamet belongs to a class of medications called histamine H2-receptor antagonists. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

50. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

51. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

52. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a Patent awarded by the U.S. Patent and Trademark Office, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

53. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a New Drug Application approval awarded by the FDA and sales figures, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

54. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

55. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required and this Paragraph purports to refer to FDA approval, which speaks for itself, BI denies any attempt by Plaintiff to paraphrase or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

56. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required and this Paragraph purports to refer to FDA approval, which speaks for itself, BI denies any attempt by Plaintiff to paraphrase or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

57. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

58. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

59. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

60. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

61. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

62. Answering the allegations of this Paragraph, BI states that in 2006 Boehringer Ingelheim Pharmaceuticals, Inc. acquired the rights to NDAs 21698, 20745, and 20520 for brand name OTC Zantac. BI lacks knowledge or information sufficient to form a belief as to the remaining allegations in this Paragraph and therefore denies the same.

63. Answering the allegations this Paragraph, BI states that in 2006 Boehringer Ingelheim Pharmaceuticals, Inc. acquired the rights to NDAs 21698, 20745, and 20520 for brand name OTC Zantac. BI lacks knowledge or information sufficient to form a belief as to the remaining allegations in this Paragraph and therefore denies the same.

64. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

65. Answering this Paragraph, BI states that in 2006 Boehringer Ingelheim Pharmaceuticals, Inc. acquired the rights to NDAs 21698, 20745, and 20520 for brand name OTC Zantac, and owned ANDA 074662. BI further states that Boehringer Ingelheim Pharmaceuticals, Inc. transferred ownership of NDAs 21698, 20745, and 20520 for brand name OTC Zantac in the United States to Sanofi-Aventis U.S. LLC effective January 2017. BI denies the remaining allegations in this Paragraph.

66. Answering this Paragraph, BI states that Boehringer Ingelheim Pharmaceuticals, Inc. transferred ownership of NDAs 21698, 20745, and 20520 for brand name OTC Zantac in the United States to Sanofi-Aventis U.S. LLC effective January 2017. BI lacks knowledge or

information sufficient to form a belief as to the remaining allegations in this Paragraph and therefore denies the same.

67. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

68. BI admits that, at certain times, Boehringer Ingelheim Promeco, S.A. de C.V. packaged and manufactured the finished Zantac product for Sanofi. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same. BI otherwise denies the remaining allegations in this Paragraph.

69. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

70. BI admits that it sought indemnification against J&J for claims related to OTC Zantac products per the Stock and Asset Purchase Agreement. To the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

71. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a 2016 Asset Purchase Agreement, which speaks for itself, but denies any attempt by

Plaintiffs to interpret or characterize it. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

72. BI denies every allegation in this Paragraph and chart as to itself except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph and chart are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

## **II. RESPONSE TO SECTION TITLED “NDMA IS A CARCINOGEN WHOSE DANGEROUS PROPERTIES ARE WELL ESTABLISHED”**

73. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency and information published by Jane Brody, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

74. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency and the International Agency for Research on Cancer, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

75. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the International Agency for Research on Cancer, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

76. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

77. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the Department of Health and Human Services, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

78. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.



79. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the World Health Organization and International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

80. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase a regulation promulgated by the state of California, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

81. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the European Medicines Agency, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

82. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the Agency for Toxic Substances and Disease Registry, which speaks for itself. Responding further, BI states that facts relating to the risk factors

and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

83. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the International Register of Potentially Toxic Chemicals, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

84. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the Occupational Safety and Health Administration and 29 CFR § 1910.1003, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

85. BI denies every allegation in this Paragraph as to itself. BI admits only that this Paragraph purports to refer to alleged unidentified internal documents, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

86. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in any Hazard Assessment Report relating to NDMA, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

87. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in GSK's purported internal risk assessments or guidance, which speak for themselves. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

88. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in GSK's purported internal communications, which speak for themselves. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

89. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to

characterize or paraphrase information disseminated in Sanofi's purported Recall Standby Statement and Health Hazard Evaluation, which speak for themselves. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

90. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Dr. Reddy's purported internal protocols and Summary of Actions, which speak for themselves. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

91. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Dr. Reddy's purported Health Hazard Assessment, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

92. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to

characterize or paraphrase information disseminated in Apotex's purported internal health hazard assessment, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

93. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Glenmark's purported recall notification letter, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

94. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Lannett's purported press release, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

95. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Wockhardt's purported FDA response, which speaks for itself. BI lacks knowledge or information sufficient to form a belief as to the truth

of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

96. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated in Aurobindo's purported recall notice and root cause analysis, which speak for themselves. BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

97. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

98. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

99. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

100. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

101. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

102. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified animal studies, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

103. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified animal studies, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

104. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified animal studies, which speak for

themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

105. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

106. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

107. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified *in vitro* studies, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

108. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified animal studies/data, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.



109. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

110. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the U.S. Environmental Protection Agency, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of cancer will be addressed through appropriate scientific, medical, or expert testimony.

111. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified animal and human studies/data, which speak for themselves. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

112. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological case-control study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and

complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

113. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological case-control study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

114. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological case-control study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

115. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological cohort study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

116. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological cohort study, which

speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

117. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological cohort study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

118. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from a purported epidemiological case-control study, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

119. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the World Health Organization, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

120. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information from unidentified studies, which speak for themselves.

Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

### **III. RESPONSE TO SECTION TITLED “NDMA IS DISCOVERED IN RANITIDINE-CONTAINING PRODUCTS, LEADING TO MARKET WITHDRAWAL”**

121. BI denies every allegation in this Paragraph as to itself. Responding further, BI denies any attempt by Plaintiffs to characterize or paraphrase a publication by ValisureRX LLC and FDA and EMA statements, which speak for themselves. BI further denies Plaintiffs’ attempts to characterize the actions of FDA and/or European authorities, which speak for themselves. BI further denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

122. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated from the FDA, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

123. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to

characterize or paraphrase information disseminated from the FDA, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

124. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated from the FDA and published by Apotex, which speaks for itself. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

125. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

126. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information disseminated from the FDA, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

127. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the UK Government and in Reuters, which speaks for themselves. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

128. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the UK Government and in Reuters, which speak for themselves. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

129. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an FDA announcement, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

130. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an FDA announcement, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

131. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an FDA announcement, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

132. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

133. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

134. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase an FDA announcement, which speaks for itself. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

135. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Emery Pharma, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

136. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Emery Pharma, which speaks for itself.

Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

137. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

138. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Emery Pharma and the FDA, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

139. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Newkirk and Berfield, which speaks for itself.

140. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the European Medicines Agency, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

141. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to



characterize or paraphrase information published by the European Medicines Agency, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

#### **IV. RESPONSE TO SECTION TITLED “HOW RANITIDINE TRANSFORMS INTO NDMA”**

142. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. Responding further, BI denies Plaintiffs’ characterization and depiction of the ranitidine molecule.

143. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

144. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Ogawa and Mitch, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

145. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

**A. Response to Section Titled “Formation of NDMA in the Environment of the Human Stomach”**

146. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

147. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by de Flora and FDA approval of Zantac and the Zantac NDA, which speak for themselves. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

148. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by Brittain, which speaks for itself. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

149. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a publication by Edwards, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

150. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a publication by the Senate Committee on Finance, a publication by the U.S. Department of Justice, and a Sanofi webpage, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them. Responding further, BI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of this Paragraph and therefore denies the same.

151. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

152. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

153. BI admits only that this Paragraph purports to refer to a submission to the FDA, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase it. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

154. BI admits only that this Paragraph purports to refer to a submission to the FDA, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase it. The remaining allegations in this Paragraph are not directed at BI and therefore require no response

from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

155. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

156. BI admits only that this Paragraph purports to refer to a clinical study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase it. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

157. BI admits only that this Paragraph purports to refer to a clinical study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase it. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies the same.

158. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by the University of Genoa, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize the study.

159. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports

to refer to a 1983 publication by de Flora, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize the publication.

160. BI denies every allegation in this Paragraph as to itself. BI further denies any attempt by Plaintiffs to characterize or paraphrase documents produced in this litigation or submitted to any regulatory authority, which speak for themselves. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

161. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to studies conducted by GSK and submissions to the FDA, which speak for themselves, but denies any attempt by Plaintiffs to paraphrase or characterize them.

162. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to studies conducted by GSK and submissions to the FDA, which speak for themselves, but denies any attempt by Plaintiffs to paraphrase or characterize them.

163. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a publication by Le Roux, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize the publication.

164. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports

to refer to a publication by Krawczynski, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize the publication.

165. BI denies every allegation in this Paragraph as to itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

166. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be drawn from the 2016 “Stanford study” because the study authors retracted the study and admitted their testing method was flawed and “that their NDMA measurements are not reliable.” *See* Teng Zeng & William A. Mitch, Retraction, Carcinogenesis (May 4, 2021). BI otherwise denies the remaining allegations in this Paragraph.

167. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

168. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph and Table 1 purport to refer to Valisure Citizen’s Petition to the FDA and information published by the FDA, which speaks for themselves, but denies any attempt by Plaintiffs to paraphrase or characterize them. Responding further, BI states that facts relating to the chemistry, benefits, and

potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

169. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

170. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

171. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize it. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

172. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase marketing materials cited by Plaintiffs in the footnote accompanying this Paragraph, which speak for themselves.

173. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph and Table 2 purport to refer to information published by Valisure, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize it. BI further denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

174. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the remaining allegations in this Paragraph and therefore denies the same. BI further denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

175. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by the FDA, which speaks for itself.

176. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to



characterize or paraphrase scientific data and literature, which speaks for itself. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

**B. Response to Section Titled “Formation of NDMA in Other Organs of the Human Body”**

177. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to unspecified scientific literature, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such literature. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

178. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure and information published by Ogawa cited in the accompanying footnote, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

179. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure including Figure 2, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine.

Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

180. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

181. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by the National Center for Biotechnology Information including Figure 3, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony

182. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding

further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

183. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be drawn from the 2016 “Stanford study” because the study authors retracted the study and admitted their testing method was flawed and “that their NDMA measurements are not reliable.” *See* Teng Zeng & William A. Mitch, Retraction, Carcinogenesis (May 4, 2021). BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

**C. Response to Section Titled “Formation of NDMA by Exposure to Heat, Moisture, and/or Time”**

184. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a GSK study and a publication by Valisure, which speaks for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such information. BI further denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

185. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by the FDA, which speaks for itself, but denies any attempt by

Plaintiff to paraphrase or characterize such information. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

186. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Emery Pharma and cited in Figure 4, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

187. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Emery Pharma and cited in the accompanying footnote, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

188. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to FDA actions, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such actions. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

189. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports

to refer to an FDA publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such actions. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

190. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure, unspecified regulatory actions around the world, and FDA actions, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such materials. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

191. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure or disseminated by the FDA, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such information. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

192. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to GSK and therefore denies those allegations. Responding further, BI admits only that this Paragraph purports to refer to documents produced by GSK, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them.

193. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Sanofi and therefore denies those allegations. Responding further, BI admits only that this Paragraph purports to refer to documents produced by GSK, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them.

194. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Sanofi and therefore denies those allegations. Responding further, BI admits only that this Paragraph purports to refer to documents produced by GSK, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them.

195. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

196. BI denies every allegation in this Paragraph as to itself. Responding further, BI admits only that this Paragraph purports to refer to BOE\_ZAN\_MDL\_0000203482, GSKZAN0000178835, DRLMDL0000087754, and DRLMDL0000077957, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as

to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**V. RESPONSE TO SECTION TITLED “EVIDENCE DIRECTLY LINKS  
RANITIDINE EXPOSURE TO CANCER”**

197. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to uncited epidemiology studies, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

198. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a 2004 publication by Michaud, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase such publication. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

199. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a publication by Mathes, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase such publication. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

200. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports

to refer to a publication by Habel, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase such publication. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

201. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a 2018 publication by Tran, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase such publication. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

202. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a 2018 publication by Shao, which speaks for itself, but denies any attempt by Plaintiffs to characterize or paraphrase such publication. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

203. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer a number of publications cited in footnotes 131 and 132, which speaks for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase such publications. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.



**VI. RESPONSE TO SECTION TITLED “DEFENDANTS KNEW OR SHOULD HAVE KNOWN OF THE NDMA RISK”**

204. BI denies every allegation in this Paragraph as to itself. Responding further, BI denies any attempt by Plaintiffs to characterize or paraphrase information published by de Flora, which speaks for itself. Facts relating to the benefits and potential risks of Zantac will be addressed through appropriate scientific, medical, or expert testimony.

205. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1981 Carey publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

206. BI denies every allegation in this Paragraph as to itself, except that BI admits Plaintiffs refer to information published by de Flora and information disseminated by GSK, which speak for themselves, but denies any attempt by Plaintiffs to characterize or paraphrase them. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

207. BI denies every allegation in this Paragraph as to itself, except that BI admits Plaintiffs refer to information published in numerous uncited studies and by Thomas, and information disseminated by GSK, which speak for themselves, but denies any attempt by

Plaintiffs to characterize or paraphrase them. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

**RESPONSE TO SECTION TITLED “THE FEDERAL REGULATORY LANDSCAPE”**

208. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI denies every allegation in this Paragraph.

**I. RESPONSE TO SECTION TITLED “DEFENDANTS MADE FALSE STATEMENTS IN THE LABELING OF RANITIDINE-CONTAINING PRODUCTS”**

209. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 201.5 and § 201.15, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them.

210. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 65 Fed. Reg. 14286, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

211. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to *United States v. Research Labs.*, 126 F.2d 42, 45 (9th Cir. 1942), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

212. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.166(a), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

213. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. §§ 211.137(a)-(b) and 211.166(a), which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize such regulations.

214. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to requirements under the Code of Federal Regulation, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize such requirements.

215. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 43 Fed. Reg. 45059 (Sept. 29, 1978), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

216. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.166(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

217. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to to

21 C.F.R. §§ 314.97(a), 314.70, and 314.71, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize such regulations.

218. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

219. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70(c)(3) and (c)(6), which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize it.

220. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70(c)(6)(i) and 65 Fed. Reg. 83042 (Dec. 29, 2000), which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them.

221. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.137(a), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

222. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70(c)(6)(iii)(A), (C), and (D), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

223. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70 (d)(2)(ix), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

224. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.70 (d)(2)(vi), (d)(2)(vii), and (d)(2)(x), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

225. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

226. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

227. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

228. BI denies every allegation in this Paragraph as to itself. To the extent this Paragraph alleges what actions FDA would or would not have taken and to the extent the allegations of this

Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

229. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**II. RESPONSE TO SECTION TITLED “FEDERAL LAW REQUIRED THE DEFENDANTS TO NOTIFY THE FDA ABOUT THE PRESENCE OF NDMA IN RANITIDINE-CONTAINING PRODUCTS”**

230. BI denies every allegation in this Paragraph as to itself except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

231. BI denies every allegation in this Paragraph as to itself except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

232. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.81(b)(2), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

233. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 314.81(b)(2)(v), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

234. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

235. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

236. To the extent this Paragraph alleges what actions FDA would or would not have taken and to the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same. BI otherwise denies the allegations in this Paragraph as to itself.

237. To the extent this Paragraph alleges what actions FDA would or would not have taken and to the extent the allegations of this Paragraph are directed to other Defendants, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same. BI otherwise denies the allegations in this Paragraph as to itself.

### **III. RESPONSE TO SECTION TITLED “GOOD MANUFACTURING PRACTICES”**

238. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to

21 U.S.C. § 351(a)(2)(B), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

239. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 210.1(a), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

240. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Responding further, BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.142(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

241. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information disseminated by the FDA or included in Emery's Citizen Petition, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize such information. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

242. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**RESPONSE TO SECTION TITLED “PLAINTIFFS’ USE OF RANITIDINE-  
CONTAINING PRODUCTS”**

243. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.



244. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

245. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

246. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

247. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

248. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through

appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

249. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

250. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs, Plaintiffs' prescribing physicians, and other Defendants and therefore denies those allegations.

251. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

252. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. BI further states that facts

relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

253. BI denies every allegation in this Paragraph as to itself, including any allegation that it is liable to Plaintiffs for damages or any other relief sought in the Complaint. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations.

254. BI denies every allegation in this Paragraph as to itself, including any allegation that it is liable to Plaintiffs for damages or any other relief sought in the Complaint. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**RESPONSE TO SECTION TITLED “TOLLING / FRAUDULENT CONCEALMENT”**

255. BI respectfully refers the Court to Plaintiffs’ Complaint but denies that its conduct caused or contributed to Plaintiffs’ alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

256. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a further response is required, BI denies the allegations of this Paragraph.

257. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a further response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

258. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a further response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

259. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a further response is required, BI denies the allegations of this Paragraph as to itself and lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and Plaintiffs' physicians and therefore denies those allegations.

260. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a further response is required, BI denies the allegations of this Paragraph as to itself and lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**RESPONSE TO SECTION TITLED “EXEMPLARY / PUNITIVE DAMAGES  
ALLEGATIONS”**

261. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

262. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

263. BI respectfully refers the Court to Plaintiffs' Complaint but denies that its conduct caused or contributed to Plaintiffs' alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **RESPONSE TO SECTION TITLED "CAUSES OF ACTION"**

#### **COUNT I: STRICT PRODUCTS LIABILITY—FAILURE TO WARN THROUGH WARNINGS AND PRECAUTIONS**

264. BI incorporates by reference all of its responses to Paragraphs 18-37, 121-141, 146-183, 184-196, 204-207, and 243-254 of this Answer as though fully contained here.

265. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

266. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

267. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

268. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

269. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

270. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

271. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

272. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1981 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

273. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the November 1981 GSK publication in The Lancet, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the response. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

274. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer statements by GSK to the FDA, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such statements. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

275. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk

factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

276. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. BI also lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

277. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

278. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by the University of Genoa, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.



279. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1983 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

280. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an uncited 2002 study, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

281. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an uncited 2012 study, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

282. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be drawn from the 2016 “Stanford study” because the study authors retracted the study and admitted their testing method was flawed and “that their NDMA measurements are not reliable.” *See* Teng Zeng & William A. Mitch, Retraction, Carcinogenesis (May 4, 2021). Responding further, BI

states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

283. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure and the FDA, which speaks for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such materials. BI further denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

284. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize such testing or its results. BI denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

285. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published

by Valisure, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the testing or its results. BI denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. BI also lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

286. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

287. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

288. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

289. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

290. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

291. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

292. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

293. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

294. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

295. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

296. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

297. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

298. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

299. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

300. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

301. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph

are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

302. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

303. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

304. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.



305. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT 1-1 ALABAMA: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

306. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

307. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

308. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

309. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT 1-2 ALASKA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

310. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

311. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

312. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

313. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-3 ARIZONA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

314. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

315. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

316. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

317. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-4 ARKANSAS: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

318. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

319. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

320. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

321. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-5 CALIFORNIA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

322. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

323. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

324. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

325. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-6 COLORADO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

326. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

327. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

328. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

329. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-7 CONNECTICUT: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

330. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

331. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

332. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

333. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-8 DISTRICT OF COLUMBIA: STRICT PRODUCTS  
LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND  
PRECAUTIONS**

334. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

335. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

336. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

337. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-9 FLORIDA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

338. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

339. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

340. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

341. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-10 GEORGIA: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

342. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

343. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

344. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

345. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-11 HAWAII: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

346. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

347. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

348. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

349. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-12 IDAHO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

350. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

351. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



352. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

353. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT 1-13 ILLINOIS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

354. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

355. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

356. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

357. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-14 INDIANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

358. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

359. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

360. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

361. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-15 KANSAS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

362. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

363. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

364. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

365. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-16 KENTUCKY: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

366. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

367. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

368. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

369. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-17 LOUISIANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

370. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

371. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to La. Rev. Stat. § 9:2800.53(9), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

372. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

373. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-18 MAINE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

374. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

375. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

376. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

377. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-19 MARYLAND: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

378. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

379. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

380. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

381. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-20 MICHIGAN: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

382. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

383. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

384. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

385. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-21 MINNESOTA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

386. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

387. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

388. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

389. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-22 MISSISSIPPI: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

390. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

391. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

392. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

393. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-23 MISSOURI: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

394. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

395. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

396. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

397. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-24 MONTANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

398. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.



399. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

400. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

401. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-25 NEBRASKA: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

402. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

403. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

404. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

405. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-26 NEVADA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

406. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

407. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

408. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

409. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-27 NEW HAMPSHIRE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

410. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

411. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

412. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

413. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-28 NEW JERSEY: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

414. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

415. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

416. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

417. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-29 NEW MEXICO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

418. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

419. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs., Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

420. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

421. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-30 NEW YORK: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

422. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

423. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

424. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

425. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-31 NORTH DAKOTA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

426. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

427. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

428. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

429. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-32 OHIO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

430. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

431. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

432. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

433. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-33 OKLAHOMA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

434. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

435. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

436. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

437. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-34 OREGON: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

438. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

439. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

440. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

441. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-35 PUERTO RICO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

442. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

443. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

444. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

445. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT I-36 RHODE ISLAND: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

446. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

447. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

448. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

449. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-37 SOUTH CAROLINA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

450. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

451. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

452. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

453. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-38 SOUTH DAKOTA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

454. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

455. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

456. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

457. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-39 TENNESSEE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

458. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

459. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

460. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

461. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-40 TEXAS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

462. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

463. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

464. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

465. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-41 UTAH: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

466. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

467. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

468. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

469. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-42 VERMONT: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

470. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

471. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

472. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

473. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-43 WASHINGTON: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

474. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

475. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to RCW 7.72.030(1)(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

476. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

477. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-44 WEST VIRGINIA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

478. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

479. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

480. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

481. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-45 WISCONSIN: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

482. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

483. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. § 895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

484. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

485. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT I-46 WYOMING: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

486. BI incorporates by reference all of its responses to Paragraphs 264-305 of this Answer as though fully contained here.

487. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

488. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

489. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT II: NEGLIGENCE—FAILURE TO WARN THROUGH WARNINGS  
AND PRECAUTIONS**

490. BI incorporates by reference all of its responses to Paragraphs 18-37, 121-141, 146-183, 184-196, 204-207, and 243-254 of this Answer as though fully contained here. BI further incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

491. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert



testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

492. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

493. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

494. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

495. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

496. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate

scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

497. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1981 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

498. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the November 1981 GSK publication in *The Lancet*, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the response. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

499. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to statements by GSK to the FDA, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such statements. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

500. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

501. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. BI also lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

502. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

503. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by the University of Genoa, which speaks for itself, but denies any

attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

504. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1983 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

505. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an uncited 2002 study, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

506. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an uncited 2012 study, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

507. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be

drawn from the 2016 “Stanford study” because the study authors retracted the study and admitted their testing method was flawed and “that their NDMA measurements are not reliable.” *See* Teng Zeng & William A. Mitch, Retraction, Carcinogenesis (May 4, 2021). Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

508. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure and FDA recommendations, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such materials. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

509. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

510. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through

appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

511. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

512. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

513. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

514. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

515. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

516. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

517. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

518. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

519. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

520. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.



521. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

522. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

523. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

524. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

525. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

526. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

527. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT II-1 ALABAMA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

528. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

529. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

530. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

531. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-2 ALASKA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

532. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

533. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

534. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

535. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-3 ARIZONA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

536. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

537. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

538. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

539. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-4 ARKANSAS: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

540. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

541. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

542. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

543. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-5 CALIFORNIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

544. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

545. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

546. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

547. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-6 COLORADO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

548. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

549. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

550. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

551. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-7 CONNECTICUT: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

552. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

553. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

554. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

555. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-8 DELAWARE: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

556. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

557. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

558. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

559. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-9 DISTRICT OF COLUMBIA: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

560. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

561. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

562. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

563. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT II-10 FLORIDA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

564. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

565. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

566. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

567. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-11 GEORGIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

568. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

569. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

570. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

571. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-12 HAWAII: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

572. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

573. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

574. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

575. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-13 IDAHO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

576. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

577. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

578. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

579. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-14 ILLINOIS: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

580. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

581. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

582. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

583. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-15 INDIANA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

584. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

585. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

586. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

587. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-16 IOWA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

588. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

589. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

590. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

591. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-17 KANSAS: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

592. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

593. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

594. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

595. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-18 KENTUCKY: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

596. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

597. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

598. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

599. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-19 MAINE: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

600. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

601. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

602. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

603. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-20 MARYLAND: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

604. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

605. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

606. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

607. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-21 MASSACHUSETTS: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

608. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

609. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

610. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

611. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT II-22 MICHIGAN: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

612. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

613. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

614. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

615. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-23 MINNESOTA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

616. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

617. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

618. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

619. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-24 MISSISSIPPI: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

620. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

621. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

622. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

623. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT 11-25 MISSOURI: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

624. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

625. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

626. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

627. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-26 MONTANA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

628. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

629. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

630. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

631. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-27 NEBRASKA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

632. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

633. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

634. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

635. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-28 NEVADA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

636. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

637. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

638. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

639. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-29 NEW HAMPSHIRE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

640. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

641. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

642. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

643. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-30 NEW MEXICO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

644. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

645. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs., Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

646. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

647. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-31 NEW YORK: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

648. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

649. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

650. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

651. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-32 NORTH CAROLINA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

652. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

653. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

654. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

655. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-33 NORTH DAKOTA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

656. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

657. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

658. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

659. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered



allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-34 OKLAHOMA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

660. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

661. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

662. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

663. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-35 OREGON: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

664. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

665. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

666. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

667. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-36 PENNSYLVANIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

668. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

669. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

670. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

671. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-37 PUERTO RICO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

672. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

673. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

674. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

675. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-38 RHODE ISLAND: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

676. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

677. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

678. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

679. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-39 SOUTH CAROLINA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

680. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

681. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

682. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

683. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-40 SOUTH DAKOTA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

684. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

685. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

686. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

687. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-41 TENNESSEE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

688. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

689. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

690. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

691. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-42 TEXAS: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

692. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

693. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

694. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

695. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered

allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-43 UTAH: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

696. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

697. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

698. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

699. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-44 VERMONT: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

700. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

701. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

702. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

703. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-45 VIRGINIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

704. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

705. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

706. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

707. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered



allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-46 WEST VIRGINIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

708. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

709. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

710. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

711. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-47 WISCONSIN: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH WARNINGS AND PRECAUTIONS**

712. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

713. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. §

895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

714. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

715. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT II-48 WYOMING: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH WARNINGS AND PRECAUTIONS**

716. BI incorporates by reference all of its responses to Paragraphs 490-527 of this Answer as though fully contained here.

717. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

718. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

719. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information

sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and their doctors and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT III: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
THROUGH PROPER EXPIRATION DATES**

720. BI incorporates by reference all of its responses to Paragraphs 18-37.

721. BI further incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

722. BI incorporates by reference all of its responses to Paragraphs 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

723. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

724. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

725. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

726. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI admits only that this Paragraph purports to refer to product expiration dates, which speak for themselves, but denies any attempt by Plaintiffs to characterize them.

727. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

728. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.137, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

729. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.166, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

730. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits that storage conditions must account for certain conditions but denies any attempt by plaintiffs to interpret or characterize them.

731. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

732. BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing OTC Zantac in the United States. BI denies all other allegations of this Paragraph as conclusions of law to which no response is required.

733. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

734. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

735. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

736. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

737. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

738. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

739. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

740. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

741. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

742. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

743. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

744. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

745. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is



required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

746. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT III-1 ALABAMA: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

747. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

748. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

749. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

750. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-2 ALASKA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

751. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

752. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

753. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

754. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-3 ARIZONA: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

755. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

756. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

757. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

758. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-4 ARKANSAS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

759. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

760. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

761. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

762. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-5 CALIFORNIA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

763. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

764. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

765. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

766. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-6 COLORADO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

767. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

768. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

769. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

770. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-7 CONNECTICUT: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

771. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

772. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

773. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

774. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-8 DISTRICT OF COLUMBIA: STRICT PRODUCTS  
LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER  
EXPIRATION DATES**

775. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

776. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

777. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

778. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-9 FLORIDA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

779. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

780. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

781. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

782. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-10 GEORGIA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

783. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

784. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

785. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

786. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-11 HAWAII: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

787. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

788. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

789. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

790. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-12 IDAHO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

791. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

792. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

793. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

794. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-13 ILLINOIS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

795. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

796. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

797. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



798. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-14 INDIANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

799. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

800. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

801. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

802. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-15 KANSAS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

803. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

804. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

805. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

806. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-16 KENTUCKY: STRICT PRODUCTS LIABILITY— FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

807. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

808. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

809. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

810. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-17 LOUISIANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

811. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

812. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to La. Rev. Stat. § 9:2800.53(9), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

813. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

814. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-18 MAINE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

815. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

816. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

817. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

818. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-19 MARYLAND: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

819. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

820. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

821. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

822. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-20 MICHIGAN: STRICT PRODUCTS LIABILITY— FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

823. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

824. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

825. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

826. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-21 MINNESOTA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

827. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

828. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

829. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

830. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-22 MISSISSIPPI: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

831. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

832. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

833. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

834. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-23 MISSOURI: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

835. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

836. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

837. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

838. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-24 MONTANA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

839. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

840. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

841. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

842. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-25 NEBRASKA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

843. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

844. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

845. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

846. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-26 NEVADA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

847. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

848. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

849. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

850. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT III-27 NEW HAMPSHIRE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

851. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

852. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

853. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

854. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-28 NEW JERSEY: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

855. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

856. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

857. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

858. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-29 NEW MEXICO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

859. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

860. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs., Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

861. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

862. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-30 NEW YORK: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

863. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

864. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

865. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

866. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-31 NORTH DAKOTA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

867. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

868. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

869. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

870. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-32 OHIO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

871. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

872. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

873. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

874. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-33 OKLAHOMA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

875. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

876. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

877. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

878. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-34 OREGON: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

879. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

880. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

881. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

882. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-35 PUERTO RICO: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

883. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

884. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

885. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

886. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-36 RHODE ISLAND: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

887. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

888. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

889. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

890. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-37 SOUTH CAROLINA: STRICT PRODUCTS LIABILITY—  
FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

891. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

892. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

893. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

894. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-38 SOUTH DAKOTA: STRICT PRODUCTS LIABILITY—FAILURE  
TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

895. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

896. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

897. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

898. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-39 TENNESSEE: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

899. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

900. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

901. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

902. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-40 TEXAS: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

903. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

904. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



905. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

906. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-41 UTAH: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

907. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

908. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

909. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

910. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-42 VERMONT: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

911. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

912. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

913. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

914. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-43 WASHINGTON: STRICT PRODUCTS LIABILITY—FAILURE TO  
WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

915. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

916. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to RCW 7.72.030(1)(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

917. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

918. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-44 WEST VIRGINIA: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

919. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

920. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

921. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

922. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-45 WISCONSIN: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

923. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

924. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. §

895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

925. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

926. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT III-46 WYOMING: STRICT PRODUCTS LIABILITY—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

927. BI incorporates by reference all of its responses to Paragraphs 720-746 of this Answer as though fully contained here.

928. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

929. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

930. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT IV: NEGLIGENCE—FAILURE TO WARN THROUGH PROPER  
EXPIRATION DATES**

931. BI incorporates by reference all of its responses to Paragraphs 18-37 of this Answer as though fully contained here.

932. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

933. BI incorporates by reference all of its responses to Paragraphs 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

934. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

935. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

936. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and

the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

937. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI admits only that this Paragraph purports to refer to product expiration dates, which speak for themselves, but denies any attempt by Plaintiffs to characterize them.

938. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

939. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.137, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

940. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.166, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

941. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits that storage conditions must account for certain conditions but denies any attempt by plaintiffs to interpret or characterize them.

942. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

943. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

944. BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing OTC Zantac in the United States. BI denies all other allegations of this Paragraph as conclusions of law to which no response is required.

945. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

946. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

947. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

948. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

949. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

950. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through



appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

951. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

952. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

953. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

954. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

955. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

956. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

957. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through

appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

958. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT IV-1 ALABAMA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

959. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

960. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

961. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

962. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs'

unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-2 ALASKA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

963. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

964. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

965. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

966. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-3 ARIZONA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

967. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

968. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

969. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

970. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-4 ARKANSAS: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

971. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

972. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

973. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

974. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-5 CALIFORNIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

975. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

976. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

977. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

978. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-6 COLORADO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

979. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

980. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

981. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

982. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-7 CONNECTICUT: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

983. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

984. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

985. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

986. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-8 DELAWARE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

987. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

988. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

989. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

990. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-9 DISTRICT OF COLUMBIA: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

991. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

992. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

993. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

994. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-10 FLORIDA: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

995. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.



996. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

997. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

998. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-11 GEORGIA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

999. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1000. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1001. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1002. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-12 HAWAII: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1003. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1004. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1005. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1006. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-13 IDAHO: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1007. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1008. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1009. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1010. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-14 ILLINOIS: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1011. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1012. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1013. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1014. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-15 INDIANA: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1015. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1016. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1017. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1018. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-16 IOWA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1019. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1020. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1021. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1022. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-17 KANSAS: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1023. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1024. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1025. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1026. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-18 KENTUCKY: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1027. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1028. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1029. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1030. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-19 MAINE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1031. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1032. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1033. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1034. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-20 MARYLAND: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1035. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1036. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1037. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1038. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-21 MASSACHUSETTS: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1039. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1040. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1041. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1042. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-22 MICHIGAN: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1043. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1044. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1045. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1046. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-23 MINNESOTA: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1047. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1048. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1049. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



1050. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-24 MISSISSIPPI: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1051. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1052. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1053. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1054. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-25 MISSOURI: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1055. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1056. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1057. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1058. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-26 MONTANA: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1059. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1060. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1061. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1062. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-27 NEBRASKA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1063. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1064. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1065. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1066. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-28 NEVADA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1067. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1068. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1069. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1070. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-29 NEW HAMPSHIRE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1071. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1072. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1073. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1074. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-30 NEW MEXICO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1075. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1076. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs.*,

*Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1077. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1078. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-31 NEW YORK: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1079. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1080. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1081. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1082. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-32 NORTH CAROLINA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1083. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1084. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1085. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1086. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-33 NORTH DAKOTA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1087. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1088. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1089. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1090. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-34 OKLAHOMA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1091. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1092. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1093. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1094. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-35 OREGON: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1095. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1096. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1097. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1098. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-36 PENNSYLVANIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1099. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1100. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1101. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1102. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT IV-37 PUERTO RICO: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1103. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1104. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1105. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1106. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-38 RHODE ISLAND: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1107. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1108. BI denies the allegations of this Paragraph as conclusions of law to which no response is required

1109. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1110. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-39 SOUTH CAROLINA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1111. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1112. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1113. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1114. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-40 SOUTH DAKOTA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1115. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1116. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1117. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1118. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-41 TENNESSEE: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1119. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1120. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1121. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1122. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-42 TEXAS: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1123. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1124. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1125. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1126. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-43 UTAH: NEGLIGENCE—FAILURE TO WARN CONSUMERS  
THROUGH PROPER EXPIRATION DATES**

1127. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1128. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1129. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1130. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-44 VERMONT: NEGLIGENCE—FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1131. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1132. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1133. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1134. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-45 VIRGINIA: NEGLIGENCE— FAILURE TO WARN CONSUMERS THROUGH PROPER EXPIRATION DATES**

1135. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1136. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1137. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1138. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-46 WEST VIRGINIA: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1139. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1140. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1141. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1142. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-47 WISCONSIN: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1143. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1144. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. § 895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1145. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1146. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IV-48 WYOMING: NEGLIGENCE—FAILURE TO WARN  
CONSUMERS THROUGH PROPER EXPIRATION DATES**

1147. BI incorporates by reference all of its responses to Paragraphs 931-958 of this Answer as though fully contained here.

1148. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1149. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1150. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT V: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO  
WARNINGS AND PRECAUTIONS**

1151. BI incorporates by reference all of its responses to Paragraphs 18-37, 121-141, 146-183, 184-196, 204-207, and 243-254 of this Answer as though fully contained here.

1152. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1153. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

1154. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert



testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

1155. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1156. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1157. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1158. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1159. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports

to refer to the 1981 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1160. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the November 1981 GSK publication in The Lancet, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the response. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1161. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer statements by GSK to the FDA, which speaks for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such statements. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1162. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1163. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. BI also lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1164. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by GSK, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1165. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to a study conducted by the University of Genoa, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1166. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to the 1983 de Flora publication, which speaks for itself, but denies any attempt by Plaintiff

to paraphrase or characterize the publication. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1167. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to an uncited 2012 study, which speaks for itself, but denies any attempt by Plaintiff to paraphrase or characterize the study. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1168. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies that any conclusions can be drawn from the 2016 “Stanford study” because the study authors retracted the study and admitted their testing method was flawed and “that their NDMA measurements are not reliable.” *See* Teng Zeng & William A. Mitch, Retraction, Carcinogenesis (May 4, 2021). Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1169. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits only that this Paragraph purports to refer to information published by Valisure and FDA recommendations, which speak for themselves, but denies any attempt by Plaintiff to paraphrase or characterize such materials. Responding further, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1170. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1171. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1172. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1173. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1174. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1175. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1176. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph

are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1177. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1178. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1179. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1180. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through

appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

1181. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1182. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1183. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is



required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

1184. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1185. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1186. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1187. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1188. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1189. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT V-I ALABAMA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1190. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1191. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1192. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1193. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-2 ALASKA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1194. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1195. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1196. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1197. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-3 ARIZONA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1198. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1199. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1200. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1201. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-4 ARKANSAS: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1202. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1203. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1204. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1205. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-5 CALIFORNIA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1206. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1207. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1208. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1209. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-6 COLORADO: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1210. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1211. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1212. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1213. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-7 CONNECTICUT: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1214. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1215. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1216. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1217. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-8 DISTRICT OF COLUMBIA: STRICT PRODUCTS LIABILITY—  
DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1218. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1219. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1220. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1221. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-9 FLORIDA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1222. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1223. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1224. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1225. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-10 GEORGIA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1226. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1227. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1228. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1229. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-11 HAWAII: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1230. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1231. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



1232. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1233. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-12 IDAHO: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1234. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1235. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1236. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1237. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-13 ILLINOIS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1238. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1239. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1240. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1241. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-14 INDIANA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1242. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1243. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1244. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1245. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs'

unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-15 KANSAS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1246. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1247. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1248. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1249. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-16 KENTUCKY: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1250. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1251. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1252. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1253. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-17 LOUISIANA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1254. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1255. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to La. Rev. Stat. § 9:2800.53(9), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1256. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1257. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-18 MAINE: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1258. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1259. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1260. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1261. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-19 MARYLAND: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1262. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1263. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1264. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1265. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-20 MICHIGAN: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1266. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1267. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1268. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1269. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-21 MINNESOTA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1270. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1271. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1272. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1273. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-22 MISSISSIPPI: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1274. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1275. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1276. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1277. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-23 MISSOURI: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1278. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1279. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1280. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1281. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-24 MONTANA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1282. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1283. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1284. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1285. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs'



unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-25 NEBRASKA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1286. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1287. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1288. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1289. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-26 NEVADA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1290. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1291. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1292. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1293. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-27 NEW HAMPSHIRE: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1294. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1295. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1296. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1297. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-28 NEW JERSEY: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1298. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1299. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1300. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1301. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-29 NEW MEXICO: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1302. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1303. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs., Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1304. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1305. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs'

unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-30 NEW YORK: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1306. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1307. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1308. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1309. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-31 NORTH DAKOTA: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1310. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1311. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1312. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1313. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-32 OHIO: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1314. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1315. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1316. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1317. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-33 OKLAHOMA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1318. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1319. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1320. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1321. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-34 OREGON: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1322. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1323. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1324. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1325. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-35 PUERTO RICO: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1326. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1327. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1328. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1329. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-36 RHODE ISLAND: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1330. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1331. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1332. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1333. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-37 SOUTH CAROLINA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1334. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1335. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1336. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1337. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-38 SOUTH DAKOTA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1338. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1339. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



1340. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1341. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-39 TENNESSEE: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1342. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1343. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1344. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1345. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-40 TEXAS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1346. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1347. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1348. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1349. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-41 UTAH: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE  
TO WARNINGS AND PRECAUTIONS**

1350. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1351. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1352. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1353. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-42 VERMONT: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1354. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1355. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1356. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1357. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-43 WASHINGTON: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1358. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1359. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to RCW 7.72.030(1)(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1360. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1361. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-44 WEST VIRGINIA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1362. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1363. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1364. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1365. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-45 WISCONSIN: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO WARNINGS AND PRECAUTIONS**

1366. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1367. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. § 895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1368. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1369. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT V-46 WYOMING: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO WARNINGS AND PRECAUTIONS**

1370. BI incorporates by reference all of its responses to Paragraphs 1151-1189 of this Answer as though fully contained here.

1371. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1372. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1373. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT VI: STRICT PRODUCTS LIABILITY – DESIGN DEFECT DUE TO  
IMPROPER EXPIRATION DATES**

1374. BI incorporates by reference all of its responses to Paragraphs 18-37 of this Answer as though fully contained here.

1375. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1376. BI incorporates by reference all of its responses to Paragraphs 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

1377. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

1378. Responding to this Paragraph, BI states that facts relating to the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI denies the allegations in this Paragraph.

1379. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph as to itself. BI further states that facts relating to the benefits and potential risks of ranitidine and the risk factors and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony.

1380. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. To the extent any further response is required, BI admits only that this Paragraph purports to refer to product expiration dates, which speak for themselves, but denies any attempt by Plaintiffs to characterize them.

1381. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1382. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.137, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1383. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and BI admits only that this Paragraph purports to refer to 21 C.F.R. § 211.166, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1384. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI admits that storage conditions must account for certain conditions but denies any attempt by plaintiffs to interpret or characterize them.

1385. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1386. BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing OTC Zantac in the United States. BI denies all other allegations of this Paragraph as conclusions of law to which no response is required.

1387. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



1388. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1389. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1390. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1391. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1392. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

1393. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1394. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1395. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants, Plaintiffs, and their doctors and therefore denies those allegations.

1396. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1397. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1398. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is

required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1399. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1400. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1401. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

**SUB-COUNT VI-1 ALABAMA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1402. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1403. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1404. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1405. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-2 ALASKA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1406. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1407. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1408. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1409. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-3 ARIZONA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1410. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1411. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1412. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1413. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-4 ARKANSAS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1414. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1415. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1416. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1417. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-5 CALIFORNIA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1418. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1419. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1420. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1421. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-6 COLORADO: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1422. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1423. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1424. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1425. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-7 CONNECTICUT: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1426. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1427. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Conn. Gen. Stat. § 52-572q, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1428. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



1429. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-8 DISTRICT OF COLUMBIA: STRICT PRODUCTS LIABILITY—  
DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1430. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1431. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1432. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1433. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-9 FLORIDA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1434. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1435. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1436. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1437. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-10 GEORGIA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1438. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1439. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1440. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1441. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-11 HAWAII: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1442. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1443. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1444. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1445. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-12 IDAHO: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1446. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1447. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1448. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1449. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-13 ILLINOIS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1450. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1451. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1452. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1453. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-14 INDIANA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1454. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1455. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1456. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1457. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-15 KANSAS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1458. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1459. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1460. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1461. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-16 KENTUCKY: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1462. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1463. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1464. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1465. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-17 LOUISIANA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1466. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1467. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to La. Rev. Stat. § 9:2800.53(9), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1468. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1469. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-18 MAINE: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1470. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1471. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1472. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1473. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-19 MARYLAND: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1474. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1475. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1476. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1477. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-20 MICHIGAN: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1478. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1479. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1480. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1481. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT VI-21 MINNESOTA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1482. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1483. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1484. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1485. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-22 MISSISSIPPI: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1486. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1487. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1488. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1489. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-23 MISSOURI: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1490. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1491. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1492. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1493. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-24 MONTANA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1494. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1495. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1496. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1497. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-25 NEBRASKA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1498. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1499. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1500. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1501. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-26 NEVADA: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1502. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1503. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1504. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1505. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-27 NEW HAMPSHIRE: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1506. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1507. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1508. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1509. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-28 NEW JERSEY: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1510. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1511. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1512. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1513. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-29 NEW MEXICO: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1514. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1515. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to *Serna v. Roche Labs.*,

*Div. of Hoffman-LaRoche, Inc.*, 101 N.M. 522, 524 (N.M. Ct. App. 1984), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1516. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1517. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-30 NEW YORK: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1518. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1519. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1520. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1521. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-31 NORTH DAKOTA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1522. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1523. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1524. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1525. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-32 OHIO: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1526. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1527. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1528. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1529. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-33 OKLAHOMA: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1530. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1531. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1532. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1533. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-34 OREGON: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1534. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1535. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



1536. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1537. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-35 PUERTO RICO: STRICT PRODUCTS LIABILITY— DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1538. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1539. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1540. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1541. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-36 RHODE ISLAND: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1542. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1543. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1544. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1545. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-37 SOUTH CAROLINA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1546. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1547. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1548. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1549. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-38 SOUTH DAKOTA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1550. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1551. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1552. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1553. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-39 TENNESSEE: STRICT PRODUCTS LIABILITY—DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1554. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1555. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1556. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1557. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-40 TEXAS: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1558. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1559. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1560. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1561. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-41 UTAH: STRICT PRODUCTS LIABILITY—DESIGN DEFECT  
DUE TO IMPROPER EXPIRATION DATES**

1562. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1563. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1564. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1565. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-42 VERMONT: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1566. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1567. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1568. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1569. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-43 WASHINGTON: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1570. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1571. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to RCW 7.72.030(1)(b), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1572. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1573. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-44 WEST VIRGINIA: STRICT PRODUCTS LIABILITY— DESIGN DEFECT DUE TO IMPROPER EXPIRATION DATES**

1574. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1575. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1576. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1577. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-45 WISCONSIN: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1578. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1579. BI denies the allegations of this Paragraph as conclusions of law to which no response is required and admits only that this Paragraph purports to refer to Wis. Stat. § 895.047(a)(1), which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1580. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1581. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VI-46 WYOMING: STRICT PRODUCTS LIABILITY—DESIGN  
DEFECT DUE TO IMPROPER EXPIRATION DATES**

1582. BI incorporates by reference all of its responses to Paragraphs 1374-1401 of this Answer as though fully contained here.

1583. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1584. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1585. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**COUNT VII: NEGLIGENT FAILURE TO TEST**

1586. BI incorporates by reference all of its responses to Paragraphs 18-37 and 146-183 of this Answer as though fully contained here.

1587. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



1588. BI incorporates by reference all of its responses to 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

1589. BI denies every allegation in this Paragraph as to itself, except that BI admits only that this Paragraph purports to refer to Valisure's published testing methods, which speak for themselves, but denies any attempt by Plaintiffs to interpret or characterize them. BI denies that any conclusions can be drawn from the Valisure Citizen Petition based on gas chromatography testing because it is not an appropriate method for testing NDMA in ranitidine. BI denies any attempt by Plaintiffs to characterize the facts relating to chemistry, benefits, and potential risks of ranitidine. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1590. BI denies the allegations in this paragraph as to itself. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. BI

further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1591. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph.

1592. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies the allegations in this Paragraph.

1593. BI denies every allegation in this Paragraph as to itself, except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1594. BI denies the allegations in this paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1595. BI denies the allegations in this paragraph as to itself, except that BI admits only that this Paragraph purports to refer to research conducted by Drs. de Flora and Tanner, which speaks for itself, but denies any attempt by Plaintiffs to paraphrase or characterize such research. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1596. BI denies the allegations in this paragraph as to itself. Facts relating to the potential risks and complications of NDMA will be addressed through appropriate scientific, medical, or expert testimony. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1597. BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form

a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1598. BI denies the allegations in this paragraph as to itself. Facts relating to the benefits and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1599. BI denies the allegations in this paragraph as to itself. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1600. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response

from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1601. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. To the extent this Paragraph alleges what actions FDA, other manufacturers and laboratories, and/or the medical community would or would not have taken and to the extent the allegations of this Paragraph are directed to other Defendants or Plaintiffs, BI lacks knowledge or information sufficient to form a belief as to the allegations and therefore denies the same.

1602. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1603. BI denies the allegations of this Paragraph as conclusions of law to which no response is required, except BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or

information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1604. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1605. BI denies the allegations of this Paragraph as conclusions of law to which no response is required, except BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1606. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

1607. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Facts relating to the benefits and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1608. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. Facts relating to the benefits and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. BI further states that its design, manufacturing, inspecting, testing, and labeling for OTC Zantac were in conformity with the product specifications and approved NDA, as well as established state and federal statutes/government standards for OTC Zantac at that time. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**SUB-COUNT VII-1 KANSAS: NEGLIGENT FAILURE TO TEST**

1609. BI incorporates by reference all of its responses to Paragraphs 1586-1608 of this Answer as though fully contained here.

1610. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1611. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1612. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1613. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1614. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VII-2 TEXAS: NEGLIGENT FAILURE TO TEST**

1615. BI incorporates by reference all of its responses to Paragraphs 1586-1608 of this Answer as though fully contained here.

1616. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1617. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1618. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1619. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1620. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **COUNT VIII: NEGLIGENT PRODUCT CONTAINERS**

1621. BI incorporates by reference all of its responses to Paragraphs 18-37 of this Answer as though fully contained here.

1622. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1623. BI incorporates by reference all of its responses to Paragraphs 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

1624. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1625. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1626. BI denies the allegations in this paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph

are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

1627. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

1628. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1629. The allegations in this Paragraph and all its subparts are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1630. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI admits only that this Paragraph purports to refer to an FDA publication, which speaks for itself, but denies any attempt by Plaintiffs to interpret or characterize it.

1631. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1632. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1633. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1634. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

#### **SUB-COUNT VIII-1 ALABAMA: NEGLIGENT PRODUCT CONTAINERS**

1635. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1636. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1637. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1638. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-2 ALASKA: NEGLIGENT PRODUCT CONTAINERS**

1639. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1640. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1641. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1642. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-3 ARIZONA: NEGLIGENT PRODUCT CONTAINERS**

1643. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1644. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1645. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1646. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-4 ARKANSAS: NEGLIGENT PRODUCT CONTAINERS**

1647. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1648. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1649. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1650. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-5 CALIFORNIA: NEGLIGENT PRODUCT CONTAINERS**

1651. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1652. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1653. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1654. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-6 COLORADO: NEGLIGENT PRODUCT CONTAINERS**

1655. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1656. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1657. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1658. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-7 CONNECTICUT: NEGLIGENT PRODUCT CONTAINERS**

1659. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1660. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1661. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1662. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-8 DELAWARE: NEGLIGENT PRODUCT CONTAINERS**

1663. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1664. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1665. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1666. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-9 DISTRICT OF COLUMBIA: NEGLIGENT PRODUCT CONTAINERS**



1667. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1668. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1669. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1670. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-10 FLORIDA: NEGLIGENT PRODUCT CONTAINERS**

1671. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1672. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1673. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1674. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-11 GEORGIA: NEGLIGENT PRODUCT CONTAINERS**

1675. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1676. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1677. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1678. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-12 HAWAII: NEGLIGENT PRODUCT CONTAINERS**

1679. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1680. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1681. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1682. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-13 IDAHO: NEGLIGENT PRODUCT CONTAINERS**

1683. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1684. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1685. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1686. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-14 ILLINOIS: NEGLIGENT PRODUCT CONTAINERS**

1687. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1688. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1689. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1690. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-15 INDIANA: NEGLIGENT PRODUCT CONTAINERS**

1691. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1692. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1693. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1694. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-16 IOWA: NEGLIGENT PRODUCT CONTAINERS**

1695. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1696. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1697. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1698. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-17 KANSAS: NEGLIGENT PRODUCT CONTAINERS**

1699. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1700. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1701. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1702. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-18 KENTUCKY: NEGLIGENT PRODUCT CONTAINERS**

1703. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1704. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1705. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1706. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-19 LOUISIANA: NEGLIGENT PRODUCT CONTAINERS**

1707. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1708. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1709. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1710. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-20 MAINE: NEGLIGENT PRODUCT CONTAINERS**

1711. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1712. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1713. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1714. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-21 MARYLAND: NEGLIGENT PRODUCT CONTAINERS**

1715. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1716. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1717. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



1718. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-22 MASSACHUSETTS: NEGLIGENT PRODUCT CONTAINERS**

1719. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1720. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1721. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1722. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-23 MICHIGAN: NEGLIGENT PRODUCT CONTAINERS**

1723. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1724. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1725. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1726. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-24 MINNESOTA: NEGLIGENT PRODUCT CONTAINERS**

1727. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1728. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1729. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1730. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-25 MISSISSIPPI: NEGLIGENT PRODUCT CONTAINERS**

1731. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1732. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1733. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1734. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-26 MISSOURI: NEGLIGENT PRODUCT CONTAINERS**

1735. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1736. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1737. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1738. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-27 MONTANA: NEGLIGENT PRODUCT CONTAINERS**

1739. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1740. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1741. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1742. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-28 NEBRASKA: NEGLIGENT PRODUCT CONTAINERS**

1743. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1744. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1745. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1746. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-29 NEVADA: NEGLIGENT PRODUCT CONTAINERS**

1747. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1748. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1749. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1750. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-30 NEW HAMPSHIRE: NEGLIGENT PRODUCT CONTAINERS**

1751. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1752. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1753. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1754. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-31 NEW JERSEY: NEGLIGENT PRODUCT CONTAINERS**

1755. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1756. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1757. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1758. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-32 NEW MEXICO: NEGLIGENT PRODUCT CONTAINERS**

1759. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1760. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1761. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1762. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-33 NEW YORK: NEGLIGENT PRODUCT CONTAINERS**

1763. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1764. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1765. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1766. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-34 NORTH CAROLINA: NEGLIGENT PRODUCT CONTAINERS**

1767. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.



1768. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1769. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1770. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-35 NORTH DAKOTA: NEGLIGENT PRODUCT CONTAINERS**

1771. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1772. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1773. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1774. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-36 OHIO: NEGLIGENT PRODUCT CONTAINERS**

1775. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1776. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1777. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1778. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-37 OKLAHOMA: NEGLIGENT PRODUCT CONTAINERS**

1779. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1780. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1781. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1782. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-38 OREGON: NEGLIGENT PRODUCT CONTAINERS**

1783. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1784. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1785. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1786. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-39 PENNSYLVANIA: NEGLIGENT PRODUCT CONTAINERS**

1787. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1788. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1789. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1790. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-40 PUERTO RICO: NEGLIGENT PRODUCT CONTAINERS**

1791. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1792. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1793. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1794. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-41 RHODE ISLAND: NEGLIGENT PRODUCT CONTAINERS**

1795. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1796. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1797. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1798. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-42 SOUTH CAROLINA: NEGLIGENT PRODUCT CONTAINERS**

1799. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1800. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1801. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1802. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-43 SOUTH DAKOTA: NEGLIGENT PRODUCT CONTAINERS**

1803. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1804. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1805. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1806. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-44 TENNESSEE: NEGLIGENT PRODUCT CONTAINERS**

1807. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1808. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1809. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1810. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-45 TEXAS: NEGLIGENT PRODUCT CONTAINERS**

1811. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1812. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1813. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1814. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-46 UTAH: NEGLIGENT PRODUCT CONTAINERS**

1815. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1816. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1817. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1818. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-47 VERMONT: NEGLIGENT PRODUCT CONTAINERS**

1819. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1820. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1821. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1822. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-48 VIRGINIA: NEGLIGENT PRODUCT CONTAINERS**

1823. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1824. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1825. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1826. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-49 WASHINGTON: NEGLIGENT PRODUCT CONTAINERS**

1827. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1828. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1829. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1830. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-50 WEST VIRGINIA: NEGLIGENT PRODUCT CONTAINERS**

1831. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1832. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1833. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1834. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT VIII-51 WISCONSIN: NEGLIGENT PRODUCT CONTAINERS**

1835. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1836. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1837. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1838. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT VIII-52 WYOMING: NEGLIGENT PRODUCT CONTAINERS**

1839. BI incorporates by reference all of its responses to Paragraphs 1621-1634 of this Answer as though fully contained here.

1840. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1841. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1842. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to Plaintiffs and other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **COUNT IX: NEGLIGENT STORAGE AND TRANSPORTATION**

1843. BI incorporates by reference all of its responses to Paragraphs 18-37 of this Answer as though fully contained here.

1844. BI incorporates by reference its response to Paragraph 72 of this Answer as though fully contained here and admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1845. BI incorporates by reference all of its responses to Paragraphs 121-141, 184-196, 204-207, 208-229, and 243-254 of this Answer as though fully contained here.

1846. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1847. Responding to this Paragraph, BI denies every allegation in this Paragraph as to itself and states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1848. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1849. Responding to this Paragraph, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1850. BI denies every allegation in this Paragraph as to itself except that BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States.

1851. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1852. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1853. The allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI denies any attempt by Plaintiffs to characterize or generalize the language of any label for any given formulation at any given point in time: BI states that such labels speak for themselves. states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony

1854. BI denies every allegation in this Paragraph as to itself, except that BI admits only that Boehringer Ingelheim Promeco, S.A. de C.V. transported finished drug product to the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no

response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1855. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1856. BI denies every allegation in this Paragraph as to itself except BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1857. BI denies every allegation in this Paragraph as to itself except BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1858. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1859. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1860. BI denies every allegation in this Paragraph as to itself except that BI admits only that finished product was shipped through mail providers or freight forwarders. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1861. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1862. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to itself and therefore denies those allegations. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1863. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1864. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1865. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

Responding further, BI states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony.

1866. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1867. BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph and therefore denies those allegations.

1868. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1869. BI denies every allegation in this Paragraph as to itself. BI further states that facts relating to the chemistry, benefits, and potential risks of ranitidine will be addressed through appropriate scientific, medical, or expert testimony. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

#### **SUB-COUNT IX-1 ALABAMA: NEGLIGENT STORAGE AND TRANSPORTATION**

1870. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1871. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1872. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1873. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-2 ALASKA: NEGLIGENT STORAGE AND TRANSPORTATION**

1874. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1875. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1876. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1877. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-3 ARIZONA: NEGLIGENT STORAGE AND TRANSPORTATION**

1878. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1879. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1880. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1881. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-4 ARKANSAS: NEGLIGENT STORAGE AND TRANSPORTATION**

1882. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1883. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1884. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1885. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-5 CALIFORNIA: NEGLIGENT STORAGE AND TRANSPORTATION**

1886. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1887. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1888. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1889. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-6 COLORADO: NEGLIGENT STORAGE AND TRANSPORTATION**

1890. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1891. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1892. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1893. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-7 CONNECTICUT: NEGLIGENT STORAGE AND  
TRANSPORTATION**

**(Against All Defendants)**

1894. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1895. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1896. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1897. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-8 DELAWARE: NEGLIGENT STORAGE AND TRANSPORTATION**

1898. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1899. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1900. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1901. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-9 DISTRICT OF COLUMBIA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

1902. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1903. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1904. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1905. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-10 FLORIDA: NEGLIGENT STORAGE AND TRANSPORTATION**

1906. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1907. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1908. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a



response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1909. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-11 GEORGIA: NEGLIGENT STORAGE AND TRANSPORTATION**

1910. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1911. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1912. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1913. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-12 HAWAII: NEGLIGENT STORAGE AND TRANSPORTATION**

1914. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1915. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1916. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1917. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-13 IDAHO: NEGLIGENT STORAGE AND TRANSPORTATION**

1918. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1919. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1920. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1921. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-14 ILLINOIS: NEGLIGENT STORAGE AND TRANSPORTATION**

1922. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1923. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1924. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1925. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-15 INDIANA: NEGLIGENT STORAGE AND TRANSPORTATION**

1926. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1927. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1928. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1929. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-16 IOWA: NEGLIGENT STORAGE AND TRANSPORTATION**

1930. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1931. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1932. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

1933. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-17 KANSAS: NEGLIGENT STORAGE AND TRANSPORTATION**

1934. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1935. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1936. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1937. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-18 KENTUCKY: NEGLIGENT STORAGE AND TRANSPORTATION**

1938. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1939. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1940. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1941. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-19 LOUISIANA: NEGLIGENT STORAGE AND TRANSPORTATION**

1942. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1943. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1944. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1945. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-20 MAINE: NEGLIGENT STORAGE AND TRANSPORTATION**

1946. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1947. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1948. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1949. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-21 MARYLAND: NEGLIGENT STORAGE AND TRANSPORTATION**

1950. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1951. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1952. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1953. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-22 MASSACHUSETTS: NEGLIGENT STORAGE AND  
TRANSPORTATION**

1954. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1955. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1956. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1957. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those



allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-23 MICHIGAN: NEGLIGENT STORAGE AND TRANSPORTATION**

1958. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1959. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1960. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1961. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-24 MINNESOTA: NEGLIGENT STORAGE AND TRANSPORTATION**

1962. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1963. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1964. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1965. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-25 MISSISSIPPI: NEGLIGENT STORAGE AND TRANSPORTATION**

1966. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1967. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1968. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1969. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-26 MISSOURI: NEGLIGENT STORAGE AND TRANSPORTATION**

1970. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1971. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1972. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1973. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-27 MONTANA: NEGLIGENT STORAGE AND TRANSPORTATION**

1974. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1975. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1976. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1977. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-28 NEBRASKA: NEGLIGENT STORAGE AND TRANSPORTATION**

1978. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1979. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1980. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1981. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-29 NEVADA: NEGLIGENT STORAGE AND TRANSPORTATION**

1982. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1983. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1984. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1985. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-30 NEW HAMPSHIRE: NEGLIGENT STORAGE AND  
TRANSPORTATION**

1986. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1987. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1988. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1989. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-31 NEW JERSEY: NEGLIGENT STORAGE AND  
TRANSPORTATION**

1990. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1991. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1992. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1993. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-32 NEW MEXICO: NEGLIGENT STORAGE AND  
TRANSPORTATION**

1994. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1995. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

1996. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

1997. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-33 NEW YORK: NEGLIGENT STORAGE AND TRANSPORTATION**

1998. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

1999. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2000. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2001. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-34 NORTH CAROLINA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2002. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2003. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2004. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2005. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-35 NORTH DAKOTA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2006. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2007. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



2008. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations

2009. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-36 OHIO: NEGLIGENT STORAGE AND TRANSPORTATION**

2010. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2011. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2012. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2013. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those

allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-37 OKLAHOMA: NEGLIGENT STORAGE AND TRANSPORTATION**

2014. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2015. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2016. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2017. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-38 OREGON: NEGLIGENT STORAGE AND TRANSPORTATION**

2018. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2019. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2020. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2021. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-39 PENNSYLVANIA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2022. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2023. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2024. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2025. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-40 PUERTO RICO: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2026. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2027. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2028. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2029. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-41 RHODE ISLAND: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2030. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2031. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2032. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2033. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-42 SOUTH CAROLINA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2034. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2035. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2036. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2037. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-43 SOUTH DAKOTA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2038. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2039. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2040. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2041. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-44 TENNESSEE: NEGLIGENT STORAGE AND TRANSPORTATION**

2042. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2043. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2044. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2045. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-45 TEXAS: NEGLIGENT STORAGE AND TRANSPORTATION**

2046. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2047. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2048. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2049. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-46 UTAH: NEGLIGENT STORAGE AND TRANSPORTATION**

2050. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2051. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2052. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2053. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-47 VERMONT: NEGLIGENT STORAGE AND TRANSPORTATION**

2054. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2055. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2056. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.



2057. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-48 VIRGINIA: NEGLIGENT STORAGE AND TRANSPORTATION**

2058. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2059. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2060. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2061. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-49 WASHINGTON: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2062. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2063. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2064. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2065. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT IX-50 WEST VIRGINIA: NEGLIGENT STORAGE AND  
TRANSPORTATION**

2066. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2067. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2068. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a

response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2069. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT IX-51 WISCONSIN: NEGLIGENT STORAGE AND TRANSPORTATION**

2070. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2071. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2072. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2073. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

## **SUB-COUNT IX-52 WYOMING: NEGLIGENT STORAGE AND TRANSPORTATION**

2074. BI incorporates by reference all of its responses to Paragraphs 1843-1869 of this Answer as though fully contained here.

2075. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2076. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2077. BI denies every allegation in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

## **COUNT X: UNJUST ENRICHMENT**

2078. BI incorporates by reference all of its responses to Paragraphs 1-263 of this Answer as though fully contained here.

2079. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required,

BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2080. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2081. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2082. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2083. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2084. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2085. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2086. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. To the extent a response is required, BI admits only that certain of the BI

Defendants at relevant times were engaged in the business of manufacturing, marketing, selling, or distributing OTC Zantac in the United States. Responding further, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

**SUB-COUNT X-1 ALABAMA: UNJUST ENRICHMENT**

2087. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2088. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2089. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2090. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-2 ALASKA: UNJUST ENRICHMENT**

2091. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2092. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2093. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2094. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-3 ARIZONA: UNJUST ENRICHMENT**

2095. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2096. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2097. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2098. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-4 ARKANSAS: UNJUST ENRICHMENT**

2099. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2100. BI denies the allegations of this Paragraph as conclusions of law to which no response is required

2101. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2102. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-5 CALIFORNIA: UNJUST ENRICHMENT**

2103. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2104. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2105. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2106. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-6 COLORADO: UNJUST ENRICHMENT**

2107. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2108. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2109. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2110. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-7 CONNECTICUT: UNJUST ENRICHMENT**

2111. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2112. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2113. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2114. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-8 DELAWARE: UNJUST ENRICHMENT**

2115. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2116. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2117. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2118. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-9 DISTRICT OF COLUMBIA: UNJUST ENRICHMENT**

2119. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2120. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2121. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2122. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-10 FLORIDA: UNJUST ENRICHMENT**

2123. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2124. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2125. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2126. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-11 GEORGIA: UNJUST ENRICHMENT**

2127. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2128. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2129. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2130. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-12 HAWAII: UNJUST ENRICHMENT**

2131. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2132. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2133. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2134. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-13 IDAHO: UNJUST ENRICHMENT**

2135. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2136. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2137. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2138. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-14 ILLINOIS: UNJUST ENRICHMENT**

2139. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2140. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2141. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2142. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-15 INDIANA: UNJUST ENRICHMENT**

2143. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2144. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2145. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2146. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-16 IOWA: UNJUST ENRICHMENT**

2147. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2148. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2149. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2150. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-17 KANSAS: UNJUST ENRICHMENT**

2151. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2152. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2153. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2154. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-18 KENTUCKY: UNJUST ENRICHMENT**

2155. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2156. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2157. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2158. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-19 LOUISIANA: UNJUST ENRICHMENT**

2159. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2160. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2161. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2162. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-20 MAINE: UNJUST ENRICHMENT**

2163. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2164. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2165. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2166. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-21 MARYLAND: UNJUST ENRICHMENT**

2167. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2168. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2169. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2170. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-22 MASSACHUSETTS: UNJUST ENRICHMENT**

2171. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2172. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2173. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2174. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-23 MICHIGAN: UNJUST ENRICHMENT**

2175. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2176. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2177. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2178. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT X-24 MINNESOTA: UNJUST ENRICHMENT**

2179. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2180. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2181. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2182. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-25 MISSISSIPPI: UNJUST ENRICHMENT**

2183. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2184. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2185. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2186. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-26 MISSOURI: UNJUST ENRICHMENT**

2187. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2188. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2189. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2190. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-27 MONTANA: UNJUST ENRICHMENT**

2191. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2192. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2193. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth



of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2194. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-28 NEBRASKA: UNJUST ENRICHMENT**

2195. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2196. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2197. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2198. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-29 NEVADA: UNJUST ENRICHMENT**

2199. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2200. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2201. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2202. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-30 NEW HAMPSHIRE: UNJUST ENRICHMENT**

2203. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2204. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2205. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2206. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-31 NEW JERSEY: UNJUST ENRICHMENT**

2207. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2208. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2209. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2210. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-32 NEW MEXICO: UNJUST ENRICHMENT**

2211. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2212. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2213. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2214. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-33 NEW YORK: UNJUST ENRICHMENT**

2215. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2216. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2217. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2218. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-34 NORTH CAROLINA: UNJUST ENRICHMENT**

2219. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2220. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2221. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2222. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-35 NORTH DAKOTA: UNJUST ENRICHMENT**

2223. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2224. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2225. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2226. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-36 OHIO: UNJUST ENRICHMENT**

2227. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2228. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2229. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2230. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-37 OKLAHOMA: UNJUST ENRICHMENT**

2231. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2232. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2233. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2234. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-38 OREGON: UNJUST ENRICHMENT**

2235. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2236. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2237. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2238. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-39 PENNSYLVANIA: UNJUST ENRICHMENT**

2239. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2240. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



2241. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2242. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-40 PUERTO RICO: UNJUST ENRICHMENT**

2243. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2244. BI denies the allegations of this Paragraph as conclusions of law to which no response is required

2245. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2246. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-41 RHODE ISLAND: UNJUST ENRICHMENT**

2247. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2248. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2249. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2250. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-42 SOUTH CAROLINA: UNJUST ENRICHMENT**

2251. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2252. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2253. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2254. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-43 SOUTH DAKOTA: UNJUST ENRICHMENT**

2255. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2256. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2257. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2258. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-44 TENNESSEE: UNJUST ENRICHMENT**

2259. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2260. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2261. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2262. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-45 TEXAS: UNJUST ENRICHMENT**

2263. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2264. BI denies the allegations of this Paragraph as conclusions of law to which no response is required

2265. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2266. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-46 UTAH: UNJUST ENRICHMENT**

2267. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2268. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2269. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2270. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-47 VERMONT: UNJUST ENRICHMENT**

2271. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2272. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2273. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2274. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-48 VIRGINIA: UNJUST ENRICHMENT**

2275. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2276. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2277. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2278. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-49 WASHINGTON: UNJUST ENRICHMENT**

2279. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2280. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2281. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2282. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-50 WEST VIRGINIA: UNJUST ENRICHMENT**

2283. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2284. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2285. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

2286. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT X-51 WISCONSIN: UNJUST ENRICHMENT**

2287. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2288. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.



2289. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2290. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT X-52 WYOMING: UNJUST ENRICHMENT**

2291. BI incorporates by reference all of its responses to Paragraphs 2078-2086 of this Answer as though fully contained here.

2292. BI denies the allegations of this Paragraph as conclusions of law to which no response is required.

2293. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2294. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth

of the allegations of this Paragraph as to other Defendants and therefore denies those allegations. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **COUNT XI: LOSS OF CONSORTIUM**

2295. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs' spouses and/or family members and therefore denies those allegations.

2296. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs' spouses and/or family members and therefore denies those allegations.

2297. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs' spouses and therefore denies those allegations.

2298. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs' spouses and/or family members and therefore denies those allegations.

2299. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs' spouses and/or family members and therefore denies those allegations.

2300. BI denies the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs therefore denies those allegations.

#### **SUB-COUNT XI-1 ALABAMA: LOSS OF CONSORTIUM**

2301. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2302. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-2 ALASKA: LOSS OF CONSORTIUM**

2303. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2304. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XI-3 ARIZONA: LOSS OF CONSORTIUM**

2305. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2306. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XI-4 ARKANSAS: LOSS OF CONSORTIUM**

2307. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2308. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XI-5 CALIFORNIA: LOSS OF CONSORTIUM**

2309. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2310. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XI-6 COLORADO: LOSS OF CONSORTIUM**

2311. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2312. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-7 CONNECTICUT: LOSS OF CONSORTIUM**

2313. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2314. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-8 DELAWARE: LOSS OF CONSORTIUM**

2315. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2316. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-9 DISTRICT OF COLUMBIA: LOSS OF CONSORTIUM**

2317. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2318. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-10 FLORIDA: LOSS OF CONSORTIUM**

2319. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2320. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-11 GEORGIA: LOSS OF CONSORTIUM**

2321. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2322. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-12 HAWAII: LOSS OF CONSORTIUM**

2323. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2324. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-13 IDAHO: LOSS OF CONSORTIUM**

2325. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2326. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-14 ILLINOIS: LOSS OF CONSORTIUM**

2327. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2328. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-15 INDIANA: LOSS OF CONSORTIUM**

2329. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2330. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-16 IOWA: LOSS OF CONSORTIUM**

2331. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2332. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-17 KANSAS: LOSS OF CONSORTIUM**

2333. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2334. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-18 KENTUCKY: LOSS OF CONSORTIUM**

2335. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2336. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-19 LOUISIANA: LOSS OF CONSORTIUM**

2337. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2338. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-20 MAINE: LOSS OF CONSORTIUM**

2339. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2340. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-21 MARYLAND: LOSS OF CONSORTIUM**

2341. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2342. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-22 MASSACHUSETTS: LOSS OF CONSORTIUM**

2343. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2344. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



**SUB-COUNT XI-23 MICHIGAN: LOSS OF CONSORTIUM**

2345. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2346. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-24 MINNESOTA: LOSS OF CONSORTIUM**

2347. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2348. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-25 MISSISSIPPI: LOSS OF CONSORTIUM**

2349. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2350. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-26 MISSOURI: LOSS OF CONSORTIUM**

2351. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2352. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-27 MONTANA: LOSS OF CONSORTIUM**

2353. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2354. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-28 NEBRASKA: LOSS OF CONSORTIUM**

2355. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2356. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-29 NEVADA: LOSS OF CONSORTIUM**

2357. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2358. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-30 NEW HAMPSHIRE: LOSS OF CONSORTIUM**

2359. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2360. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-31 NEW JERSEY: LOSS OF CONSORTIUM**

2361. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2362. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-32 NEW MEXICO: LOSS OF CONSORTIUM**

2363. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2364. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-33 NEW YORK: LOSS OF CONSORTIUM**

2365. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2366. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-34 NORTH CAROLINA: LOSS OF CONSORTIUM**

2367. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2368. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-35 NORTH DAKOTA: LOSS OF CONSORTIUM**

2369. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2370. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-36 OHIO: LOSS OF CONSORTIUM**

2371. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2372. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-37 OKLAHOMA: LOSS OF CONSORTIUM**

2373. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2374. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-38 OREGON: LOSS OF CONSORTIUM**

2375. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2376. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-39 PENNSYLVANIA: LOSS OF CONSORTIUM**

2377. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2378. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-40 PUERTO RICO: LOSS OF CONSORTIUM**

2379. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2380. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-41 RHODE ISLAND: LOSS OF CONSORTIUM**

2381. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2382. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-42 SOUTH CAROLINA: LOSS OF CONSORTIUM**

2383. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2384. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-43 SOUTH DAKOTA: LOSS OF CONSORTIUM**

2385. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2386. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-44 TENNESSEE: LOSS OF CONSORTIUM**

2387. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2388. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-45 TEXAS: LOSS OF CONSORTIUM**

2389. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2390. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-46 UTAH: LOSS OF CONSORTIUM**

2391. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2392. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-47 VERMONT: LOSS OF CONSORTIUM**

2393. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2394. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-48 VIRGINIA: LOSS OF CONSORTIUM**

2395. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2396. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-49 WASHINGTON: LOSS OF CONSORTIUM**

2397. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2398. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XI-50 WEST VIRGINIA: LOSS OF CONSORTIUM**

2399. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2400. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-51 WISCONSIN: LOSS OF CONSORTIUM**

2401. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2402. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XI-52 WYOMING: LOSS OF CONSORTIUM**

2403. BI incorporates by reference all of its responses to Paragraphs 2295-2300 of this Answer as though fully contained here.

2404. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **COUNT XII: SURVIVAL ACTIONS**

2405. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2406. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.



2407. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2408. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2409. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2410. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2411. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form

a belief as to the truth of the allegations of this Paragraph as to other Defendants and therefore denies those allegations.

#### **SUB-COUNT XII-1 ALABAMA: SURVIVAL ACTION**

2412. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2413. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XII-2 ALASKA: SURVIVAL ACTIONS**

2414. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2415. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XII-3 ARIZONA: SURVIVAL ACTIONS**

2416. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2417. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XII-4 ARKANSAS: SURVIVAL ACTIONS**

2418. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2419. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-5 CALIFORNIA: SURVIVAL ACTIONS**

2420. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2421. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-6 COLORADO: SURVIVAL ACTIONS**

2422. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2423. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-7 CONNECTICUT: SURVIVAL ACTIONS**

2424. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2425. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-8 DELAWARE: SURVIVAL ACTIONS**

2426. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2427. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-9 DISTRICT OF COLUMBIA: SURVIVAL ACTIONS**

2428. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2429. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-10 FLORIDA: SURVIVAL ACTIONS**

2430. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2431. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-11 GEORGIA: SURVIVAL ACTIONS**

2432. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2433. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-12 HAWAII: SURVIVAL ACTIONS**

2434. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2435. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-13 IDAHO: SURVIVAL ACTIONS**

2436. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2437. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-14 ILLINOIS: SURVIVAL ACTIONS**

2438. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2439. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-15 INDIANA: SURVIVAL ACTIONS**

2440. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2441. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-16 IOWA: SURVIVAL ACTIONS**

2442. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2443. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-17 KANSAS: SURVIVAL ACTIONS**

2444. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2445. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-18 KENTUCKY: SURVIVAL ACTIONS**

2446. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2447. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-19 LOUISIANA: SURVIVAL ACTIONS**

2448. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2449. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-20 MAINE: SURVIVAL ACTIONS**

2450. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2451. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-21 MARYLAND: SURVIVAL ACTIONS**

2452. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2453. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-22 MASSACHUSETTS: SURVIVAL ACTIONS**

2454. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2455. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-23 MICHIGAN: SURVIVAL ACTIONS**

2456. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2457. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-24 MINNESOTA: SURVIVAL ACTIONS**

2458. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2459. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-25 MISSISSIPPI: SURVIVAL ACTIONS**

2460. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2461. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-26 MISSOURI: SURVIVAL ACTIONS**

2462. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2463. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-27 MONTANA: SURVIVAL ACTIONS**

2464. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2465. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-28 NEBRASKA: SURVIVAL ACTIONS**

2466. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.



2467. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-29 NEVADA: SURVIVAL ACTIONS**

2468. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2469. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-30 NEW HAMPSHIRE: SURVIVAL ACTIONS**

2470. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2471. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-31 NEW JERSEY: SURVIVAL ACTIONS**

2472. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2473. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-32 NEW MEXICO: SURVIVAL ACTIONS**

2474. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2475. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-33 NEW YORK: SURVIVAL ACTIONS**

2476. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2477. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-34 NORTH CAROLINA: SURVIVAL ACTIONS**

2478. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2479. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-35 NORTH DAKOTA: SURVIVAL ACTIONS**

2480. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2481. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-36 OHIO: SURVIVAL ACTIONS**

2482. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2483. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-37 OKLAHOMA: SURVIVAL ACTIONS**

2484. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2485. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-38 OREGON: SURVIVAL ACTIONS**

2486. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2487. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-39 PENNSYLVANIA: SURVIVAL ACTIONS**

2488. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2489. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-40 PUERTO RICO: SURVIVAL ACTIONS**

2490. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2491. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-41 RHODE ISLAND: SURVIVAL ACTIONS**

2492. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2493. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-42 SOUTH CAROLINA: SURVIVAL ACTIONS**

2494. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2495. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-43 SOUTH DAKOTA: SURVIVAL ACTIONS**

2496. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2497. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-44 TENNESSEE: SURVIVAL ACTIONS**

2498. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2499. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-45 TEXAS: SURVIVAL ACTIONS**

2500. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2501. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-46 UTAH: SURVIVAL ACTIONS**

2502. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2503. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-47 VERMONT: SURVIVAL ACTIONS**

2504. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2505. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-48 VIRGINIA: SURVIVAL ACTIONS**

2506. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2507. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-49 WASHINGTON: SURVIVAL ACTIONS**

2508. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2509. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-50 WEST VIRGINIA: SURVIVAL ACTIONS**

2510. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2511. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-51 WISCONSIN: SURVIVAL ACTIONS**

2512. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2513. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XII-52 WYOMING: SURVIVAL ACTIONS**

2514. BI incorporates by reference all of its responses to Paragraphs 2405-2411 of this Answer as though fully contained here.

2515. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **COUNT XIII: WRONGFUL DEATH**

2516. BI admits that Plaintiffs Decedents' spouses, beneficiaries, and/or lawful representatives of Decedents' Estates have brought this claim but denies BI's conduct caused or contributed to Plaintiffs' alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

2517. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Decedents and therefore denies those allegations.

2518. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

2519. BI denies the allegations the allegations in this Paragraph as to itself. The remaining allegations in this Paragraph are not directed at BI and therefore require no response from BI. To the extent a response is required, BI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph as to other Defendants and Plaintiffs and therefore denies those allegations.

### **SUB-COUNT XIII-1 ALABAMA: WRONGFUL DEATH**

2520. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2521. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-2 ALASKA: WRONGFUL DEATH**

2522. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2523. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-3 ARIZONA: WRONGFUL DEATH**

2524. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2525. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-4 ARKANSAS: WRONGFUL DEATH**

2526. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2527. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



#### **SUB-COUNT XIII-5 CALIFORNIA: WRONGFUL DEATH**

2528. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2529. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-6 COLORADO: WRONGFUL DEATH**

2530. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2531. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-7 CONNECTICUT: WRONGFUL DEATH**

2532. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2533. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-8 DELAWARE: WRONGFUL DEATH**

2534. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2535. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-9 DISTRICT OF COLUMBIA: WRONGFUL DEATH**

2536. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2537. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-10 FLORIDA: WRONGFUL DEATH**

2538. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2539. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-11 GEORGIA: WRONGFUL DEATH**

2540. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2541. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-12 HAWAII: WRONGFUL DEATH**

2542. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2543. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-13 IDAHO: WRONGFUL DEATH**

2544. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2545. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-14 ILLINOIS: WRONGFUL DEATH**

2546. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2547. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-15 INDIANA: WRONGFUL DEATH**

2548. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2549. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-16 IOWA: WRONGFUL DEATH**

2550. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2551. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-17 KANSAS: WRONGFUL DEATH**

2552. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2553. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-18 KENTUCKY: WRONGFUL DEATH**

2554. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2555. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-19 LOUISIANA: WRONGFUL DEATH**

2556. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2557. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-20 MAINE: WRONGFUL DEATH**

2558. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2559. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-21 MARYLAND: WRONGFUL DEATH**

2560. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2561. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-22 MASSACHUSETTS: WRONGFUL DEATH**

2562. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2563. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-23 MICHIGAN: WRONGFUL DEATH**

2564. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2565. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-24 MINNESOTA: WRONGFUL DEATH**

2566. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2567. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-25 MISSISSIPPI: WRONGFUL DEATH**

2568. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2569. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-26 MISSOURI: WRONGFUL DEATH**

2570. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2571. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-27 MONTANA: WRONGFUL DEATH**

2572. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2573. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

#### **SUB-COUNT XIII-28 NEBRASKA: WRONGFUL DEATH**

2574. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2575. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-29 NEVADA: WRONGFUL DEATH**

2576. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2577. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-30 NEW HAMPSHIRE: WRONGFUL DEATH**

2578. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2579. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-31 NEW JERSEY: WRONGFUL DEATH**

2580. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2581. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-32 NEW MEXICO: WRONGFUL DEATH**

2582. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2583. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-33 NEW YORK: WRONGFUL DEATH**

2584. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2585. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-34 NORTH CAROLINA: WRONGFUL DEATH**

2586. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2587. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-35 NORTH DAKOTA: WRONGFUL DEATH**

2588. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2589. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-36 OHIO: WRONGFUL DEATH**

2590. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2591. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.



### **SUB-COUNT XIII-37 OKLAHOMA: WRONGFUL DEATH**

2592. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2593. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-38 OREGON: WRONGFUL DEATH**

2594. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2595. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-39 PENNSYLVANIA: WRONGFUL DEATH**

2596. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2597. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **SUB-COUNT XIII-40 PUERTO RICO: WRONGFUL DEATH**

2598. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2599. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-41 RHODE ISLAND: WRONGFUL DEATH**

2600. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2601. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-42 SOUTH CAROLINA: WRONGFUL DEATH**

2602. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2603. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-43 SOUTH DAKOTA: WRONGFUL DEATH**

2604. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2605. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-44 TENNESSEE: WRONGFUL DEATH**

2606. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2607. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-45 TEXAS: WRONGFUL DEATH**

2608. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2609. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-46 UTAH: WRONGFUL DEATH**

2610. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2611. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-47 VERMONT: WRONGFUL DEATH**

2612. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2613. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-48 VIRGINIA: WRONGFUL DEATH**

2614. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2615. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-49 WASHINGTON: WRONGFUL DEATH**

2616. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2617. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-50 WEST VIRGINIA: WRONGFUL DEATH**

2618. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2619. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-51 WISCONSIN: WRONGFUL DEATH**

2620. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2621. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

**SUB-COUNT XIII-52 WYOMING: WRONGFUL DEATH**

2622. BI incorporates by reference all of its responses to Paragraphs 2516-2519 of this Answer as though fully contained here.

2623. BI denies the allegations of this Paragraph as conclusions of law to which no response is required. In response to Plaintiffs' unnumbered allegations following this Paragraph, BI denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

## **RESPONSE TO JURY TRIAL DEMAND**

2624. BI respectfully refers the Court to Plaintiffs' Complaint but denies that its conduct caused or contributed to Plaintiffs' alleged injuries and denies that it is liable to Plaintiffs for damages or any other relief sought in the Complaint.

### **AFFIRMATIVE DEFENSES**

#### **FIRST AFFIRMATIVE DEFENSE**

Plaintiffs' Complaint, in whole or in part, fails to state a claim or cause of action upon which relief can be granted.

#### **SECOND AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred because Plaintiffs cannot proffer any scientifically reliable evidence that the product at issue was defective or unreasonably dangerous.

#### **THIRD AFFIRMATIVE DEFENSE**

Without admitting that the product at issue was manufactured and/or sold by BI, to the extent BI had any duty with respect to the sale and/or manufacture of the product, such duty was fully discharged by the giving of adequate instructions and warnings concerning its use.

#### **FOURTH AFFIRMATIVE DEFENSE**

Plaintiffs' alleged injuries and/or medical expense resulted from pre-existing or unrelated medical, psychiatric, genetic, or environmental conditions, diseases, or illnesses.

#### **FIFTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the doctrine of federal preemption.

#### **SIXTH AFFIRMATIVE DEFENSE**

If Plaintiffs suffered injuries and damages by reason of operation of nature or idiosyncratic and/or allergic reaction to the product, used either alone or in combination with any drug, BI is not liable.

#### **SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred or reduced under the principles of assumption of the risk and/or informed consent.

#### **EIGHTH AFFIRMATIVE DEFENSE**

Plaintiffs' recovery, if any, from BI should be reduced, offset, or barred by the contributory or comparative negligence, fault, responsibility, or causation attributable to Plaintiffs or some third party other than BI.

#### **NINTH AFFIRMATIVE DEFENSE**

Plaintiffs' injuries and damages, if any, were caused in whole or in part by an alteration, change, unintended use, or misuse of the product at issue.

#### **TENTH AFFIRMATIVE DEFENSE**

Plaintiffs' alleged injuries were caused or contributed to be caused by the intervening acts, superseding negligence, and/or subsequent conduct or fault on the part of a person or entity over whom BI neither had control nor right of control and, therefore, Plaintiffs' claims are barred and/or BI is entitled to an apportionment of damages accordingly.

#### **ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' alleged damages were not proximately caused by any act or omission of BI and/or were caused or proximately caused by some person or third party other than BI for whom BI is not legally responsible.

#### **TWELFTH AFFIRMATIVE DEFENSE**

One or more of the claims set forth in Plaintiffs' Complaint are barred in whole or in part by the applicable statutes of limitation and/or statutes of repose.

#### **THIRTEENTH AFFIRMATIVE DEFENSE**

BI specifically pleads collateral estoppel, res judicata, waiver, laches, and failure to mitigate or minimize damages, if any.

#### **FOURTEENTH AFFIRMATIVE DEFENSE**

Any acts performed by BI in the design, manufacture, and marketing of the product at issue were in conformity with the “state of the art” existing at the time of such design, manufacture, and marketing, and public policy should hold that liability not be imposed on BI for untold risks not known at the time of design, manufacture, and marketing of the product at issue.

#### **FIFTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ claims are subject to the limitations set forth in the Restatement (Second) of Torts, section 402A, comment k, and/or the Restatement (Third) of Torts.

#### **SIXTEENTH AFFIRMATIVE DEFENSE**

BI had no duty to warn of the possible dangers of using the product at issue, the existence of which are denied, that were not known at the time of manufacture or sale of the product.

#### **SEVENTEENTH AFFIRMATIVE DEFENSE**

All of BI’s activities and conduct conformed to all state and federal statutes, regulations, and industry standards based upon the state of knowledge existing at the relevant time.

#### **EIGHTEENTH AFFIRMATIVE DEFENSE**

The methods, standards, and techniques utilized by BI in designing, formulating, manufacturing, and/or marketing the product at issue and in issuing warnings and instructions with respect to its use were proper and in conformity with the generally recognized, reasonably available, and reliable state of knowledge in the field at the time the product was manufactured.

#### **NINETEENTH AFFIRMATIVE DEFENSE**

The injuries and/or damages claimed by Plaintiffs were the result of unavoidable circumstances that BI could not have prevented.

#### **TWENTIETH AFFIRMATIVE DEFENSE**

The injuries and/or damages claimed by Plaintiffs were the result of a pre-existing condition unrelated to any conduct of, or products placed in the stream of commerce by, BI.

#### **TWENTY-FIRST AFFIRMATIVE DEFENSE**

The conduct of BI in all activities with respect to the product at issue has been and is under the supervision of FDA. Accordingly, this action is barred by the doctrine of primary jurisdiction.

#### **TWENTY-SECOND AFFIRMATIVE DEFENSE**

The alleged negligent or culpable conduct of BI, none being admitted, was so insubstantial as to be insufficient to be a proximate or substantial contributing cause of Plaintiffs' alleged injuries.

#### **TWENTY-THIRD AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred in whole or in part by the sophisticated user defense.

#### **TWENTY-FOURTH AFFIRMATIVE DEFENSE**

The injuries and/or damages claimed by Plaintiffs can be attributed to several causes and, accordingly, should be apportioned among the various causes according to the respective contribution of each such cause to the harm sustained.

#### **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred because the use of the product at issue was generally recognized as safe and effective pursuant to conditions established by FDA and applicable regulations, including packaging and labeling regulations.

#### **TWENTY-SIXTH AFFIRMATIVE DEFENSE**

The public interest, benefit, and availability of the product at issue outweigh the risks, if any, resulting from such activities, which were unavoidable given the state of knowledge at the time those activities were undertaken.

#### **TWENTY-SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred in whole or in part by the principles of the learned intermediary and/or experienced user doctrine.



#### **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

Any verdict or judgment rendered against BI must be reduced by those amounts that have or will, with reasonable certainty, replace or indemnify Plaintiffs, in whole or in part, for any past or future claimed economic loss, from any collateral source such as insurance, Social Security, worker's compensation, or employee benefit programs.

#### **TWENTY-NINTH AFFIRMATIVE DEFENSE**

No act or omission of BI was malicious, willful, wanton, reckless, grossly negligent, or intentional, and therefore any award of punitive damages is barred.

#### **THIRTIETH AFFIRMATIVE DEFENSE**

At the time the product left BI's control, there was not a practical and technically feasible alternative design that would have prevented the harm without substantially impairing the reasonably anticipated or intended function of the product.

#### **THIRTY-FIRST AFFIRMATIVE DEFENSE**

BI is not liable for any harm caused because the product at issue contained an adequate warning as evidenced by its approval by FDA under the Federal Food, Drug, and Cosmetic Act.

#### **THIRTY-SECOND AFFIRMATIVE DEFENSE**

Punitive damages are not available to Plaintiffs because the drug at issue was subject to premarket approval or licensure by FDA under the Federal Food, Drug, and Cosmetic Act and was approved or licensed.

#### **THIRTY-THIRD AFFIRMATIVE DEFENSE**

BI relies upon all defenses contained in any applicable state statute or law.

#### **THIRTY-FOURTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because there was no deceptive act or practice.

#### **THIRTY-FIFTH AFFIRMATIVE DEFENSE**

None of BI's acts, conduct, omissions, or statements alleged in the Complaint was likely to mislead.

#### **THIRTY-SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because Plaintiffs and/or their prescribing physicians knew, at all times, the characteristics, uses, benefits, standard, and quality of the product at issue and therefore could not have justifiably relied on the alleged misrepresentations or omissions in the Complaint.

#### **THIRTY-SEVENTH AFFIRMATIVE DEFENSE**

The representations and advertising regarding the product at issue are not unlawful because they are not, and were not, in violation of any law or regulation.

#### **THIRTY-EIGHTH AFFIRMATIVE DEFENSE**

The representations and advertising regarding the product at issue are not fraudulent. No representation or advertisement contains any false or misleading statement or promises intended to deceive the public. As such, the representations and advertising are not, and were not, fraudulent.

#### **THIRTY-NINTH AFFIRMATIVE DEFENSE**

Plaintiffs are not entitled to relief under the statutes and legal theories invoked in their Complaint because Plaintiffs lack standing.

#### **FORTIETH AFFIRMATIVE DEFENSE**

BI has fully performed any and all contractual, statutory, and other duties, and Plaintiffs are therefore estopped from asserting any cause of action against BI.

#### **FORTY-FIRST AFFIRMATIVE DEFENSE**

Any award to Plaintiffs in this action would constitute unjust enrichment.

#### **FORTY-SECOND AFFIRMATIVE DEFENSE**

The Complaint and each cause of action therein presented are vague, ambiguous, and uncertain. BI reserves the right to add additional defenses as the factual bases for each of Plaintiffs' claims and allegations become known.

#### **FORTY-THIRD AFFIRMATIVE DEFENSE**

To the extent Plaintiffs purport to seek equitable relief to mandate the specific content of BI's product labels, Plaintiffs' Complaint violates BI's right to freedom of speech under the First Amendment of the United States Constitution and similar provisions in any applicable state constitutions.

#### **FORTY-FOURTH AFFIRMATIVE DEFENSE**

BI is not liable for injuries or damages caused by any product that BI did not sell or distribute pursuant to the NDAs that it held for Zantac.

#### **FORTY-FIFTH AFFIRMATIVE DEFENSE**

BI denies this court has personal jurisdiction over it and hereby alleges lack of personal jurisdiction as a separate affirmative defense.

#### **FORTY-SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims for punitive damages are in violation of BI's rights under the Due Process Clause of the Fifth and Fourteenth Amendments of the United States Constitution and similar provisions in any applicable state constitutions and/or applicable state common law and public policies, and/or applicable statutes and court rules, in the circumstances of the litigation. *See, e.g., State Farm Mut. Auto. Ins. Co. v. Campbell*, 538 U.S. 408 (2003).

#### **FORTY-SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims for punitive damages are in violation of BI's rights under the Excessive Fines Clause of the Eighth Amendment of the United States Constitution; the Double Jeopardy Clause in the Fifth Amendment of the United States Constitution; the Free Speech Clause of the First Amendment of the United States Constitution; the Commerce Clause of Article I, Section 8 of the United States Constitution; the Contracts Clause of Article I, Section 10 of the United States Constitution; similar provisions in any applicable state constitutions and/or applicable state common law and public policies; and/or applicable statutes and court rules, in the circumstances of this litigation.

#### **FORTY-EIGHTH AFFIRMATIVE DEFENSE**

Because of the lack of clear standards, the imposition of punitive damages against BI is unconstitutionally vague and/or overbroad.

#### **FORTY-NINTH AFFIRMATIVE DEFENSE**

The Zantac labeling was not false or misleading in any particular, and the product accordingly was not misbranded.

#### **DEFENSES RESERVED**

BI hereby gives notice that it intends to rely upon any other defense that may become available or appear during the discovery proceedings in the case and hereby reserves the right to amend this Answer to assert any such defense. BI also reserves the right to assert other and related defenses as may become available upon a determination of the law applicable to the action or any part thereof or claim therein.

WHEREFORE, BI prays for judgment as follows:

1. That Plaintiffs take nothing;
2. That the Court enter judgment in favor of BI on each remaining cause of action alleged against it in the Second Amended Master Personal Injury Complaint;
3. That BI be awarded its costs, expenses, and reasonable attorneys' fees; and
4. That the Court grant BI all further legal and equitable relief that it deems just and proper.

#### **JURY TRIAL DEMANDED**

BI hereby demands a trial by jury on all claims triable by jury.

#### **DEMAND FOR BIFURCATED TRIAL**

If Plaintiffs are permitted to proceed to trial upon any claims for punitive or exemplary damages, such claims, if any, must be bifurcated from the remaining issues.

Dated: August 23, 2021

Respectfully submitted,

By: /s/ Andrew T. Bayman

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C.V.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed electronically through the Court's CM/ECF system, which will send notice of filing to all CM/ECF participants.

/s/ Andrew T. Bayman  
Andrew T. Bayman