

In The Matter Of:

Pledger v.

Janssen

(Jury Trial-Verdict)

XXI

February 24, 2015

John J. Kurz, RMR-CRR, Official Court Reporter

City of Philadelphia

First Judicial District Of Pennsylvania

100 South Broad Street, 2nd Floor

Philadelphia, PA 19110

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Also Present:

Marianne Mari, Tipstaff

Benita Pledger

- I N D E X -

WITNESSES	VD	DR	CR	RD	RC
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(None were called at this time.)

E X H I B I T S

NO.		PAGE NO.
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(None were marked at this time.)		--
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(Whereupon the Jury resumed
deliberations at 10:42 a.m.)

- - -

(Jury is in deliberations.)

- - -

(Whereupon the jury took a luncheon
recess from 12 o'clock p.m. to 1
o'clock p.m.)

- - -

(Whereupon the Jury resumed
deliberations at 1:08 p.m.)

- - -

(The following transpired in open
court outside the presence of the jury:)

- - -

(Time noted: 2:18 p.m.)

- - -

(Mr. Gomez, Ms. Loerch, Mrs. Pledger
present; Ms. Sullivan, Mr. Murphy, Ms. Brown,
and Ms. Graff were also present.)

THE COURT: All right. Everybody
please be seated.

All right. Good afternoon,
everybody.

MR. MURPHY: Good afternoon.

1 MR. GOMEZ: Good afternoon.

2 THE COURT: Good afternoon.

3 My understanding is the jury has a
4 verdict in this case. So we're going to just
5 take the verdict; and for any motions, if
6 there are any motions, we'll handle the
7 motions.

8 COURT CRIER: Shall I get the jury,
9 Your Honor?

10 THE COURT: Yes.

11 (Pause.)

12 COURT CRIER: All rise as the jury
13 enters.

14 - - -

15 (Whereupon the jury entered the
16 courtroom at 2:20 p.m.)

17 - - -

18 (The following transpired in open
19 court in the presence of the jury:)

20 - - -

21 THE COURT: All right. Good
22 afternoon, everybody.

23 JURY PANEL: Good afternoon.

24 THE COURT: Good afternoon.

25 You may be seated, everybody.

1 COURT CRIER: Your Honor, the jury
2 and all parties are present. May I take the
3 verdict?

4 THE COURT: Yes, please.

5 COURT CRIER: Will the foreperson
6 please rise and state your name for the
7 record.

8 JURY FOREPERSON: Ellen M. Wing.

9 COURT CRIER: Madam Foreperson, has
10 the jury reached a verdict?

11 JURY FOREPERSON: We have.

12 (Handing verdict sheet to the Court.)

13 THE COURT: Okay.

14 COURT CRIER: Have at least 10 out of
15 12 jurors agreed on a verdict?

16 JURY FOREPERSON: Yes.

17 COURT CRIER: In the matter of
18 Phillip Pledger by Benita Pledger as Guardian
19 of his Person and Conservator over his Estate
20 versus Janssen Pharmaceuticals and Johnson &
21 Johnson, Term and Number 1204-01997, was
22 Janssen negligent by failing to provide an
23 adequate warning to Dr. Mathisen about the
24 risk of gynecomastia to Austin Pledger while
25 taking Risperdal?

1 JURY FOREPERSON: Yes.

2 COURT CRIER: Question 2, do you find
3 that Janssen's negligent failure to provide
4 an adequate warning was a cause of Austin
5 Pledger's gynecomastia?

6 JURY FOREPERSON: Yes.

7 COURT CRIER: State the amount of
8 monetary damages you award to Austin Pledger.

9 JURY FOREPERSON: 2.5 million.

10 THE COURT: Are there any motions?

11 MS. SULLIVAN: Can you poll the
12 jurors, Your Honor?

13 THE COURT: Yes.

14 Thank you very much. You can have a
15 seat.

16 COURT CRIER: Have a seat.

17 THE COURT: Ladies and gentlemen,
18 we're going to -- at the request of defense,
19 we're going to have a polling of the jury.
20 And the question simply is individually
21 whether or not you agree with the verdict,
22 okay? Whether or not you agree with the
23 verdict.

24 COURT CRIER: Juror No. 1, please
25 rise.

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(Juror complied.)
Do you agree or disagree with the
verdict?
JUROR NO. 1: I agree.
COURT CRIER: Thank you.
Juror No. 2, please rise.
(Juror complied.)
Do you agree or disagree with the
verdict?
JUROR NO. 2: Yes.
COURT CRIER: Thank you.
Juror No. 3, please rise.
(Juror complied.)
Do you agree or disagree with the
verdict?
JUROR NO. 3: I disagree.
COURT CRIER: Thank you.
Juror No. 4, please rise.
(Juror complied.)
Do you agree or disagree with the
verdict?
JUROR NO. 4: I agree.
COURT CRIER: Thank you.
Juror No. 5, please rise.
(Juror complied.)

1 Do you agree or disagree with the
2 verdict?
3 JUROR NO. 5: I agree.
4 COURT CRIER: Thank you.
5 Juror No. 6, do you agree or disagree
6 with the verdict?
7 (Juror rose.)
8 JUROR NO. 6: I agree.
9 COURT CRIER: Thank you.
10 Juror No. 7, do you agree or disagree
11 with the verdict?
12 (Juror rose.)
13 JUROR NO. 7: I agree.
14 COURT CRIER: Thank you.
15 Juror No. 8, do you agree or disagree
16 with the verdict?
17 (Juror rose.)
18 JURY FOREPERSON: I agree.
19 COURT CRIER: Thank you.
20 Juror No. 9, do you agree or disagree
21 with the verdict?
22 (Juror rose.)
23 JUROR NO. 9: I agree.
24 COURT CRIER: Thank you.
25 Juror No. 10, do you agree or

1 disagree with the verdict?
2 (Juror rose.)
3 JUROR NO. 10: I agree.
4 COURT CRIER: Thank you.
5 Juror No. 11, do you agree --
6 (Juror rose.)
7 JUROR NO. 11: I agree.
8 COURT CRIER: Thank you.
9 And Juror No. 12?
10 (Juror rose.)
11 JUROR NO. 12: I agree.
12 COURT CRIER: Thank you.
13 Your Honor, the jury has been polled.
14 11 out of 12 agree. May the verdict be
15 recorded?
16 THE COURT: Yes, please.
17 COURT CRIER: Harken unto the verdict
18 as the Court has recorded it, so say 11 out
19 of 12 of you.
20 (Jurors nodding.)
21 THE COURT: Yes. Therefore, the
22 verdict is recorded in this matter April Term
23 2012, 01997. Question No. 1, yes. Question
24 No. 2, yes. And the amount of monetary
25 damages is \$2.5 million, and therefore, this

1 case is concluded.

2 Members of the jury, you are
3 discharged. I will speak to you very
4 shortly. And all I can say to you publicly,
5 as you already know, is how deeply, deeply
6 grateful the courts are, our fellow citizens
7 for your service. It's been a long haul,
8 through thick and thin, and you did it, and I
9 am deeply, deeply proud of you.

10 So we'll see you very shortly and say
11 hello and good-bye.

12 COURT CRIER: All rise as the jury
13 exits.

14 - - -

15 (Whereupon the jury exited the
16 courtroom at 2:25 p.m.)

17 - - -

18 THE COURT: All right. And this
19 concludes the proceedings here in this court
20 of this trial.

21 I am grateful that we have
22 successfully concluded this case. And all
23 the appropriate motions must be filed on
24 time. And I look forward to them, all right?

25 MR. MURPHY: Thank you, Your Honor.

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MS. SULLIVAN: Thank you, Your Honor.

MR. GOMEZ: Thank you, Your Honor.

MS. SIPALA: Thank you, Your Honor.

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(Court adjourned at 2:29 p.m.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the trial of the above cause, and that this copy is a correct transcript of the same.

I further certify that I am not a relative or employee of any attorney or counsel employed in this case.

John J. Kurz, RMR, CRR
Registered Merit Reporter
Certified Realtime Reporter
Official Court Reporter

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