

In the Superior Court of the State of Arizona
in and for the County of MARICOPA

Case Number CV2020-094272

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney J. STANLEY MARTINEAU

Attorney Bar Number 004755

Is Interpreter Needed? Yes No
If yes, what language:

CLERK OF THE SUPERIOR COURT
FILED
JUL 24 2020 1:56 PM
S. LaSpata, Deputy

Plaintiff's Name(s): (List all) Mario Villegas Plaintiff's Address: 8638 Springfield Road Phone #: _____ Email Address: _____

(List additional Plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All) Jackrabbit Family Medicine d/b/a Camelback Family Planning; Gabrielle Goodrick; John Doe Goodrick; Kristin J. Livingston, John Doe Livingston; DANCO Corporation; Pfizer, Inc.; G.D. Searle, LLC; and Novel Laboratories, Inc..

(List additional Defendants on page two and/or attach a separate sheet)

NATURE OF ACTION

(Place an "X" next to the one case category that most accurately describes your primary case.)

100 TORT MOTOR VEHICLE:

- 101 Non-Death/Personal Injury
- 102 Property Damage
- 103 Wrongful Death

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence
- 112 Product Liability – Asbestos
- 112 Product Liability – Tobacco
- 112 Product Liability – Toxic/Other
- 113 Intentional Tort

- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice – Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify) _____

120 MEDICAL MALPRACTICE:

- 121 Physician M.D. 123 Hospital
- 122 Physician D.O. 124 Other

130 CONTRACTS:

- 131 Account (Open or Stated)
- 132 Promissory Note
- 133 Foreclosure
- 138 Buyer-Plaintiff
- 139 Fraud
- 134 Other Contract (i.e. Breach of Contract)
- 135 Excess Proceeds-Sale
- Construction Defects (Residential/Commercial)
 - 136 Six to Nineteen Structures
 - 137 Twenty or More Structures

150-199 OTHER CIVIL CASE TYPES:

- 156 Eminent Domain/Condemnation
- 151 Eviction Actions (Forcible and Special Detainers)
- 152 Change of Name
- 153 Transcript of Judgment
- 154 Foreign Judgment
- 158 Quiet Title
- 160 Forfeiture
- 175 Election Challenge
- 179 NCC-Employer Sanction Action (A.R.S. §23-212)

- 180 Injunction against Workplace Harassment
- 181 Injunction against Harassment
- 182 Civil Penalty
- 186 Water Rights (Not General Stream Adjudication)
- 187 Real Property
- Special Action against Lower Courts
(See Lower Court Appeal cover sheet in Maricopa)
- 194 Immigration Enforcement Challenge
(A.R.S. §§1-501, 1-502, 11-1051)

- 191 Declaration of Factual Improper Party Status
- 193 Vulnerable Adult (A.R.S. §46-451)
- 165 Tribal Judgment
- 167 Structured Settlement (A.R.S. §12-2901)
- 169 Attorney Conservatorships (State Bar)
- 170 Unauthorized Practice of Law (State Bar)
- 171 Out-of-State Deposition for Foreign Jurisdiction
- 172 Secure Attendance of Prisoner
- 173 Assurance of Discontinuance
- 174 In-State Deposition for Foreign Jurisdiction
- 176 Eminent Domain- Light Rail Only
- 177 Interpleader- Automobile Only
- 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- 183 Employment Dispute- Discrimination
- 185 Employment Dispute-Other
- 196 Verified Rule 45.2 Petition
- 195(a) Amendment of Marriage License
- 195(b) Amendment of Birth Certificate
- 163 Other _____

150-199 UNCLASSIFIED CIVIL:

- Administrative Review
(See Lower Court Appeal cover sheet in Maricopa)
- 150 Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)
- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute- Other
- 190 Declaration of Factual Innocence
(A.R.S. §12-771)

(Specify)

RULE 26.2 DISCOVERY TIER or AMOUNT PLEADED:

(State the amount in controversy pleaded or place an "X" next to the discovery tier to which the pleadings allege the case would belong under Rule 26.2.)

- Amount Pledged \$ _____ Tier 1 Tier 2 Tier 3

EMERGENCY ORDER SOUGHT

- Temporary Restraining Order Provisional Remedy OSC Election Challenge
 Employer Sanction Other (Specify) _____

COMMERCIAL COURT (Maricopa County Only)

This case is eligible for the Commercial Court under Rule 8.1, and Plaintiff requests assignment of this case to the commercial Court. More information on the commercial Court, including the most recent forms, are available on the Court's website at <https://www.superiorcourt.maricopa.gov/commercial-court/>.

Additional Plaintiff(s):

Additional Defendant(s):

JEFF FINE
 Clerk of the Superior Court
 By Shannon LaSpaluto, Deputy
 Date 07/24/2020 Time 14:08:25

Description	Amount
CASE# CV2020-094272	
CIVIL NEW COMPLAINT	333.00
TOTAL AMOUNT	333.00

Receipt# 27876726

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stan@martineau.law

Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

MARJO VILLEGAS, a single man,
 Plaintiff,

Case No.: CV2020-094272

v.

COMPLAINT
(Wrongful Death)

JACKRABBIT FAMILY MEDICINE, INC., an Arizona corporation, d/b/a CAMELBACK FAMILY PLANNING; GABRIELLE J. GOODRICK, M.D. and JOHN DOE GOODRICK, a married couple; KRISTIN J. LIVINGSTON, M.D. and JOHN DOE LIVINGSTON, a married couple; DANCO CORPORATION, a Delaware corporation; PFIZER, INC., an Arizona corporation; G. D. SEARLE, LLC, a Delaware Corporation; NOVEL LABORATORIES, INC., a New Jersey corporation; JOHN DOES I-X; JANE DOES I-X; ABC PARTNERSHIPS I-X; and XYZ CORPORATIONS I-X;

Defendants.

Plaintiff, for his complaint against Defendants, alleges as follows:

1. Venue and jurisdiction are proper in Maricopa County, Arizona.
2. Plaintiff is a resident of Iowa at present, and was a resident of Gila

County, Arizona at the time of the events alleged herein.

1 3. Plaintiff is the surviving father of the decedent BABY VILLEGAS and
2 brings this wrongful death claim on behalf of all statutory beneficiaries.

3 4. Meagan Villegas is the surviving mother of the decedent BABY
4 VILLEGAS.

5 5. Defendant JACKRABBIT FAMILY MEDICINE, (“Jackrabbit”), D/B/A
6 CAMELBACK FAMILY PLANNING, (“CAMELBACK”), is an Arizona corporation
7 that provides abortion facilities, care, and services to the public within Maricopa
8 County Arizona.

9 6. Defendant GABRIELLE J. GOODRICK, M.D. (“GOODRICK”) is a
10 resident of Maricopa County, Arizona and is a physician duly licensed to practice
11 medicine in the State of Arizona. At all times material hereto, Defendant GOODRICK
12 was a treating physician of Meagan Villegas and decedent BABY VILLEGAS. At all
13 relevant times, Defendant GOODRICK was acting within the course and scope of her
14 employment or agency as an employee, servant, and/or agent of Defendant
15 CAMELBACK.

16 7. Defendant KRISTIN J. LIVINGSTON, M.D. (“LIVINGSTON”) is a
17 resident of Maricopa County, Arizona and is a physician duly licensed to practice
18 medicine in the State of Arizona. At all times material hereto, Defendant
19 LIVINGSTON was a treating physician of Meagan Villegas and decedent BABY
20 VILLEGAS. At all relevant times, Defendant LIVINGSTON was acting within the
21 course and scope of her employment or agency as an employee, servant, and/or agent of
22 Defendant CAMELBACK.

23 8. Defendant DANCO CORPORATION (“DANCO”), is a Delaware
24 corporation that manufactures and/or distributes abortion pills for prescription by health
25 care providers to the public within Maricopa County Arizona.

1 9. Defendant PFIZER INC. ("PFIZER") is an Arizona corporation that
2 manufactures and/or distributes abortion pills for prescription by health care providers
3 to the public within Maricopa County Arizona.

4 10. Defendant G. D. SEARLE, LLC. ("SEARLE") is a Delaware corporation
5 that manufactures and/or distributes abortion pills for prescription by health care
6 providers to the public within Maricopa County Arizona.

7 11. Defendant NOVEL LABORATORIES, INC. ("NOVEL") is a New
8 Jersey Corporation that manufactures and/or distributes abortion pills for prescription
9 by health care providers to the public within Maricopa County Arizona.

10 12. Defendants John Does I-V, Jane Does I-V, ABC Partnerships I-V, and
11 Black and White Corporations I-X are individuals or entities whose identities are not
12 presently known and who are liable to Plaintiff for the acts and omissions complained
13 of in this complaint. Plaintiffs will move to amend the Complaint when their identities
14 are known.

15 **FACTUAL BACKGROUND**

16 13. Plaintiff alleges upon information and belief, that on July 25, 2018,
17 Meagan Villegas was seen in consultation at the offices of Defendants CAMELBACK,
18 GOODRICK and LIVINGSTON, and thereafter took Mifeprex™ and Misoprostol,
19 which abortion pills caused the chemical abortion of BABY VILLEGAS.

20 14. Alleging upon information and belief, the aforementioned abortion pills
21 were manufactured and/or distributed by Defendants DANCO, PFIZER, SEARLE
22 and/or NOVEL, and were prescribed and furnished to Meagan Villegas for the express
23 purpose of causing a chemical abortion of BABY VILLEGAS by Defendants
24 CAMELBACK, GOODRICK and/or LIVINSTON, either directly or through their
25 employees and agents.

15 15. As a direct result of the above alleged wrongful actions and conduct of
16 Defendants, BABY VILLEGAS died.

1 16. As a direct and proximate result of Defendants' wrongful actions and
2 conduct, Plaintiff has been deprived of the love, affection, comfort, and
3 companionship of his child, BABY VILLEGAS, and has experienced, and will
4 continue to experience, pain, grief, sorrow, anguish, stress, and mental suffering as a
5 result of her death.

6 17. As a further direct and proximate result of Defendants' wrongful actions
7 and conduct, Plaintiff has been deprived of his constitutionally protected right to
8 parent BABY VILLEGAS.


9 18. Pursuant to Rule 26.2(c)(3)(A), Arizona Rules of Civil Procedure, this
10 case is properly assigned to Tier 3.

11 **WHEREFORE**, Plaintiff prays for judgment against Defendants, and each of
12 them, as follows:

- 13 A. For such general damages as may be proven at trial, and which
14 would be fair to compensate each statutory beneficiary for his or her loss;
- 15 B. For all costs incurred herein; and,
- 16 C. For such other and further relief as the Court deems just.

17 DATED this 24 day of July 2020.

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19 MARTINEAU LAW, PLLC

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21 _____
22 J. Stanley Martineau
23 Attorneys for Plaintiff
24
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CLERK OF THE SUPERIOR COURT

FILED

JUL 24 2020

1 58 PM

S. LaSpada, Deputy

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Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

MARIO VILLEGAS, a single man,
Plaintiff,

v.

JACKRABBIT FAMILY MEDICINE, INC., an Arizona corporation, d/b/a CAMELBACK FAMILY PLANNING; GABRIELLE J. GOODRICK, M.D. and JOHN DOE GOODRICK, a married couple; KRISTIN J. LIVINGSTON, M.D. and JOHN DOE LIVINGSTON, a married couple; DANCO CORPORATION, a Delaware corporation; PFIZER, INC., an Arizona corporation; G. D. SEARLE, LLC, a Delaware Corporation; NOVEL LABORATORIES, INC., a New Jersey corporation; JOHN DOES I-X; JANE DOES I-X; ABC PARTNERSHIPS I-X; and XYZ CORPORATIONS I-X;

Defendants.

Case No.: CV2020-094272

STATEMENT OF EXPERT

TESTIMONY

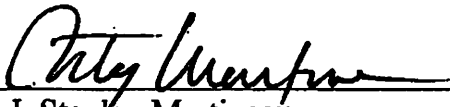
(Wrongful Death)

Plaintiffs, by and through undersigned counsel, pursuant to A.R.S. §12-2603(A), state that expert testimony is necessary to prove the health care professional's standard of care and liability for this claim.

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DATED this 24 day of July 2020.

MARTINEAU LAW, PLLC



J. Stanley Martineau
Attorneys for Plaintiff

CLERK OF THE SUPERIOR COURT

FILED

JUL 24 2020

157PM

S. LaSpada, Deputy

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8 Attorneys for Plaintiff

9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

10 **IN AND FOR THE COUNTY OF MARICOPA**

11 **MARIO VILLEGAS, a single man,**

12 **Plaintiff,**

13 **v.**

14 **JACKRABBIT FAMILY MEDICINE,**
15 **INC., an Arizona corporation, d/b/a**
16 **CAMELBACK FAMILY PLANNING;**
17 **GABRIELLE J. GOODRICK, M.D. and**
18 **JOHN DOE GOODRICK, a married couple;**
19 **KRISTIN J. LIVINGSTON, M.D. and**
20 **JOHN DOE LIVINGSTON, a married**
21 **couple; DANCO CORPORATION, a**
22 **Delaware corporation; PFIZER, INC., an**
23 **Arizona corporation; G. D. SEARLE, LLC,**
24 **a Delaware Corporation; NOVEL**
25 **LABORATORIES, INC., a New Jersey**
corporation; JOHN DOES I-X; JANE DOES
I-X; ABC PARTNERSHIPS I-X; and XYZ
CORPORATIONS I-X;

26 **Defendants.**

Case No.: **CV2020-094272**

CERTIFICATE OF ARBITRATION

(Wrongful Death)

CERTIFICATE OF COMPULSORY ARBITRATION

The undersigned certifies that he knows the dollar limits and any other limitations set forth by the local rules of practice for the applicable superior court, and

1 further certifies that this action is **not** subject to compulsory arbitration, as provided by
2 Rules 72 through 77 of the Arizona Rules of Civil Procedure.

3 DATED this 24 day of July 2020.

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5 MARTINEAU LAW, PLLC

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8 J. Stanley Martineau
9 *Attorneys for Plaintiff*
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