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MORRIS COUNTY
CIVIL DIVISION

LAW OFFICES ROSEMARIE ARNOLD

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Plaintiffs,
ALEXANDRE SELMANI, and his wife,
MARIE ZANCHELLI,

vs.

Defendants,
GLAXO SMITH KLINE, its agents, servants,
and/or employees, MITCHELL KOTLER,
ANDREW WITTY, LIAM KENNEDY, EMMA
WALMSLY and/or "ABC CORP. 1-10"
"JOHN DOE 1-10", "JANE DOE 1-10", (the
last three being fictitious designations).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY

DOCKET NO.: *MRS L-2995-15*

CIVIL ACTION

**COMPLAINT, JURY DEMAND and
DESIGNATION OF TRIAL COUNSEL**

Plaintiffs, Alexander Selmani, and his wife, Marie Zanchelli, by way of Complaint against the Defendants, says:

PARTIES

1. Plaintiff Alexandre Selmani (hereinafter "Selmani") is a resident of the State of New York with an address of 16 East 98th Street, New York, NY 10029 and was, at all relevant times herein, an employee of Defendant Glaxo Smith Kline ("GSK") as defined in N.J.S.A. 34:19-2(b).
2. Plaintiff Marie Zanchelli (hereinafter "Zanchelli") is a resident of the State of New York with an address of 16 East 98th Street, New York, NY 10029 as was, at all relevant times herein the wife of Selmani.
3. Defendant GSK is a British multinational pharmaceutical company headquartered in Brentford, London and organized under the laws of the State of New Jersey with a principal place of business at 1500 Littleton Road, Parsippany, NJ 07054, and was, at all relevant times herein, Selmani's employer.
4. At all times relevant hereto Defendant Mitchell Kotler (hereinafter "Kotler") was

employed by GSK as the Director of Biostatistics, was Selmani's direct manager and was acting within the course and scope of his employment as defined in N.J.S.A. 34:19-29(a).

5. At all times relevant hereto Defendant Andrew Witty (hereinafter "Witty") was employed by GSK as the Chief Operating Officer and was acting within the course and scope of his employment as defined in N.J.S.A. 34:19-29(a).
6. At all times relevant hereto Defendant Liam Kennedy (hereinafter "Kennedy") was employed by GSK as the Director and Head of Biostatistics and was acting within the course and scope of his employment and was acting within the course and scope of his employment as defined in N.J.S.A. 34:19-29(a).
7. At all times relevant hereto Defendant Emma Walmsly (hereinafter "Walmsly") was employed by GSK as CEO GSK CH (London, UK) and was acting within the course and scope of her employment as defined in N.J.S.A. 34:19-2(a).
8. At all times relevant hereto, Defendants "ABC Corp. 1-10" and/or "John Doe 1-10" and/or "Jane Doe 1-10" are fictitious names for yet undiscovered parties pleaded to represent persons and/or entities whose identities are presently unknown who may be discovered to be potentially liable to the Plaintiff by reason of their acts or omissions and/or complicity with any and all of the Defendants named herein and/or by reason of any doctrine in law or in equity that may apply.
9. At all times relevant hereto, Defendant(s) "John Doe 1-10" and/or "Jane Doe 1-10" was/were an agent(s), servant(s) and/or employee(s) of Defendants GSK, and/or "ABC Corp. 1-10" and an employment relationship did exist between them whereby Defendant(s) "John Doe 1-10" and/or "Jane Doe 1-10" was/were paid a monetary salary by Defendants GSK and/or "ABC Corp. 1-10".

VENUE

10. Venue is properly laid in this action pursuant to R. 4:3-2(a) of the New Jersey Court Rules as at least one party to the action resided and/or had a principal place of business in Morris County at the time of its commencement.

NATURE OF THE CASE

11. At the time of the incident complained of Selmani served as one of Defendant GSK's Managers of Biostatistics of the smoking reduction and cessation sub-category. He was hired by Defendant GSK on or about October 16, 2006 at a salary of \$110,000.00.
12. Selmani was well qualified for his position. His educational background includes a PhD from Kansas State University received in 1990.
13. Selmani's job duties as a Manager of Biostatistics required him to handle bio statistical activities of clinical studies (study design, sample size calculation, protocol writing, randomization, medical data review, statistical analysis plans, interpretation of results, manuscripts for publication, etc.); prepare for submissions to FDA and CHMP/EMEA; manage/interact with CROs regarding outsourced studies; develop/define the steps of the unpublished statistical method "Dose Scale" based on bootstrapping and used simulations to calculate the sample size.
14. At all times during his employment, Selmani performed his job in a manner which met his employer's legitimate expectations. Defendant GSK gave Selmani yearly raises and year-end bonuses which averaged approximately \$24,000.00 annually up until December of 2012, after he whistle-blew as set forth below.
15. Selmani consistently received stellar reviews, compliments and/or rewards from his supervisors for his exemplary work until his first whistle blowing activity in December of 2012.
16. At the time of Selmani's termination his salary was \$134,606.00.
17. Immediately after his first whistle blowing activity and for the first time since being employed by Defendant GSK, Plaintiff received a "3" rating on his 2013 yearly performance review. As a result of Selmani's valid complaints to Human Resources about his year end performance score (which directly affected his bonus) his rating was increased from a 3 to a 2, which he had consistently held for 7 years.

Year	Performance score	Bonus	Salary Increase	Comments
2006	100%	\$16,250.00		
2007	100%	\$20,486.00	3.46%	
2008	100%	\$18,730.00	3.01%	
2009	2	\$26,822.00	2.51%	
2010	2	\$29,397.00	1.00%	
2011	2	\$21,844.00	1.00%	
		4,369.00		
2012	2	\$28,333.00	2.00%	colleagues got about 4.0%
2013	B* changed to 2	\$19,565.00	1.00%	colleagues got 7.0%
2014	2	\$27.00	1.00%	colleagues got 2.0%
2015	2	5	0.00%	colleagues got 1.0%

* 100% is successful
 2 is successful, 3 is partial, 4 is failed
 5 is successful, 4 is partial, 3 is failed

THE WHISTLEBLOWING ACTIVITY

18. In 2012, Selmani discovered that there were numerous mistakes made in the "Smokers Health Project" being conducted by Defendant Kotler, Selmani's direct supervisor and a Director of Biostatistics, at Defendant GSK, specifically the mistakes involved with the Phantom Patch study S3820642 and the Nicotine Film study RH01589, which affected the projects quality.
19. As early as the spring of 2012 Selmani brought the mistakes to the attention of Defendant Kotler and demonstrated to Defendant Kotler that his mistakes rendered the results of the project to be unreliable.
20. In mid-December of 2012, having had no success with Defendant Kotler, Selmani advised the company's then vice president, Howard Marsh (hereinafter "Marsh") via e-mail, that mistakes were being made in the "Smokers Health Project", specifically Selmani showed Marsh that the study on the Phantom Patch S3820642 had

numerous mistakes in the statistical methodology which affected the quality of the results. These studies had been conducted by Defendant Kotler.

21. Within fifteen minutes of Selmani sending the e-mail to Marsh, Marsh responded to Selmani via e-mail which stated: "Whilst it is important to create a culture of technical debate and challenge, it is vital that we do this in a professional manner. I appreciate that sometimes on email the tone of your intent may be misconstrued". Still nothing was done to correct the mistakes.
22. On February 18, 2013, Selmani again brought the mistakes in the studies S3820642 and RH01589, to the attention of Defendant Witty, the COO of the company, specifically, by sending an email advising him of the mistakes in some of the CH clinical studies which had the capacity to cause negative consequences and potential health and safety issues for the general public. In the e-mail, Selmani reported that his current manager, Defendant Kotler, refused to make corrections to the errors in the clinical studies as set forth supra. The errors related to the studies were outlined in the e-mail. They were ignored and the studies were made public on April 8, 2014 in the Journal of Psychopharmacology.
23. In July of 2013, Selmani sent an e-mail to James Ford (hereinafter "Ford"), VP - Counsel as well as Kenneth James (hereinafter "James"), Head of Research and Development, advising that the report of the study on Flonase RH01619, (of which Kotler had managed and reviewed the clinical study report), was deficient in illustrating the issues with the study, namely that no results or conclusions should have been drawn regarding the secondary efficacy variables because the statistical methodology was deficient. After GSK confirmed the issues with the study, they categorized this study as a "supplementary study". If this compromised the safety of any patients this could have ethical and criminal ramifications.
24. On June 2, 2014, Selmani sent an e-mail to Defendant Walmsley the company's CEO GSK CH (London, UK) which set forth the numerous issues with studies that had been made public and had the potential to mislead the public readers regarding the Phantom Patch S3820642 and the Nicotine Film study RH01589 discussed supra, as well as S2111378 and S21110436 studies which compare smoker's health products.

25. Specifically, in his e-mail Selmani outlined the mistakes made by Defendant Kotler when performing the bioequivalence in study RH01589 using the 2.5mg nicotine film and the 2mg nicotine lozenge which mistakes rendered the results of the study inaccurate. More particularly, Selmani rightfully pointed out to Defendant Walmsley that the film and lozenge could not be considered bioequivalent because they didn't have the same dose. As further explained by Selmani, only products with the same doses can be considered bioequivalent. Furthermore, the study was deficient due to the fact Defendant Kotler used a significance level of 0.05 on each side, however all regulatory agencies require at least, a one-sided (or two-sided) 0.025 significance level. Therefore, as outlined by Selmani the conclusions of Defendant Kotler were flawed.
26. Following the above stated e-mail dated June 2, 2014 regarding the deceptive practices of Selmani's manager Defendant Kotler, Selmani was told by Human Resources that he should no longer report to Defendant Kotler however, he was not given another manager to report to.
27. Unfortunately after 9 months of reporting to no one, Selmani was required to report back to Defendant Kotler who was authorized to conduct his performance review.
28. In February of 2015, Selmani received an e-mail from Defendant Kotler advising him that Kotler had been cleared to do Selmani's performance review (held over from 2014 year-end). In his review, Defendant Kotler gave Selmani a "5" for an alleged failure to meet objectives, such as delayed completion of documents due to excessive arguments and review (because Selmani refused to participate in the perpetration of fraud on the general public); failure to work well with programmers as well as inappropriate communications to management and his team. In the company, "5" is the lowest possible score and equated to a failed performance. Thus, Selmani's salary increase that year was 0% and his bonus was extremely low.
29. Shortly thereafter and after many months of retaliation at the hand of Defendant Kotler, Selmani was ultimately terminated from his employment with GSK on October 17, 2015, which constituted "retaliatory action" by the Defendant's as that term is defined in N.J.S.A. 34:19-2(e).

30. This case arises from the punishment of Selmani for the whistleblowing activity regarding Defendant GSK's unfair and deceptive acts and practices and unfair methods of competition in wrongfully and illegally marketing, promoting and selling the nicotine oral soluble film, under the trade name NiQuintin Oral Strips® (hereinafter "NiQuintin") which were all done under false pretenses based on unreliable results of Defendant Kotler's studies.
31. GSK has engaged in an illegal, deceptive marketing program worldwide to promote the use of NiQuintin, asserting without justification, that NiQuintin was a "significant advance" in nicotine treatment and that NiQuintin was superior to existing nicotine treatment as it is the first and only licensed nicotine oral strip that starts to relieve your urge to smoke in 50 seconds.
32. At all times material hereto, Defendant GSK was engaged in the business of designing, developing, manufacturing, testing, packaging, promoting, marketing, distributing, labeling and/or selling NiQuintin.
33. Upon information and belief, in committing the acts alleged herein, each and every managing agent, agent, representative and/or employee of the Defendant was working within the course and scope of said agency, representation and/or employment and said acts were authorized, ordered, done and/or ratified by GSK's directors, officers, agents, employees or representatives while engaged in the management, direction, control or transaction of Defendant's business affairs.
34. This is an action brought by Selmani, a former employee of GSK, to recover damages and other relief from the Pharmaceutical Company for its retaliation against him for engaging in whistle-blowing activity, in violation of the New Jersey Conscientious Employee Protection Act, N.J.S.A. 36:19-1, et seq. ("CEPA") and for refusing to participate in illegal activity.
35. At all times relevant hereto, it was Defendant GSK's internal policy and standard operating procedure that all regulatory requirements be met and that regulatory requirements were based on the fundamentals of science and Statistics.
36. At all times relevant hereto, Defendant GSK, by and through its agents, servants, and/or employees, including but not limited to Defendants Kotler, Witty, Kennedy,

and Walmsley, were engaged in an improper and/or fraudulent scheme of approving statistical methodology out-of-compliance with U.S. FDA or the European Medicines Agency as well as with its own legal guidelines and in violation of its internal policies.

37. The Defendant's termination of Selmani's employment on October 17, 2015 was inter alia; a violation of N.J.S.A. 34:19-1 et seq. commonly known as the Conscientious Employee Protection Act ("CEPA").
38. Selmani's objections to and refusal to ratify the studies based on the statistical analysis and the publication of same that was incorrect (which he reasonably believed was in violation of GSK policies and a perpetration of fraud on the public) was the motivating factor for GSK's retaliatory action against Selmani.
39. Selmani seeks compensatory and punitive damages, attorneys' fees, costs, and such other relief as the Court deems equitable and just.
40. At all times relevant hereto, Defendants Kotler, Witty, Kennedy, and Walmsly were deliberate co-conspirators of the aforesaid fraudulent and/or illegal activity.
41. At all times relevant hereto, Defendants Kotler, Witty, Kennedy, and Walmsly knew or should have reasonably known of the aforesaid fraudulent and/or illegal activity.
42. At all times relevant hereto, Defendants Kotler, Witty, Kennedy, and Walmsly had a duty to properly investigate and/or address the aforesaid fraudulent and/or illegal activity.
43. At all times relevant hereto, Defendants Kotler, Witty, Kennedy, and Walmsly failed to properly investigate and/or address and/or report the aforesaid fraudulent and/or illegal activity.
44. At all times relevant hereto, Defendants Kotler, Witty, Kennedy, and Walmsly, by and through their knowledge of and/or complicity with the aforesaid fraudulent and/or illegal activity, aided and/or abetted the same.
45. At all times relevant hereto, Plaintiff objected and/or refused to participate in and or threatened to further report to authorities the aforesaid illegal and/or fraudulent activity. Specifically, Defendant Kotler would at times make Selmani perform un-

necessary changes of the wording in studies and write incorrect ideas just to retaliate and harass him.

46. At all times relevant hereto, Plaintiff reported the aforesaid illegal and/or fraudulent activity to his supervisors at Defendant GSK, including but not limited to Defendants Kotler, Witty, Kennedy, and Walmsly.
47. As a result of Plaintiff engaging in the protected activity set forth, Plaintiff was subjected to a severe and pervasive pattern of workplace retaliation, adverse employment actions, and/or harassment by Defendant GSK, by and through the individual Defendants, in violation of CEPA, N.J.S.A. 34:34:19-3, et seq. This improper and intentional behavior constituted illegal retaliation under CEPA and created an openly hostile work environment for Plaintiff.
48. The Defendants' retaliatory conduct, adverse employment actions, and harassment against Plaintiff were continuous and systematic and occurred from approximately December 2012, up until the termination of his employment with Defendant GSK on or about October 17, 2015.
49. Examples of the adverse employment actions and/or retaliatory conduct suffered by Selmani, at the hands of Defendants, as a result of Plaintiff engaging in the aforesaid protected CEPA activity are:
- a. Defendant Kotler attempted to provoke fights with Selmani by telling him that his future was not at GSK and that he should leave, that he would never be happy unless his salary was more than Obama and that he didn't follow GSK policy. Kotler further told Selmani that he should not take the time to write and report about the mistakes because he will never succeed in convincing management to fix it;
 - b. Defendant Kotler threatened Selmani with regard to his "whistle-blowing" activity by hostilely stating to him **"your future is not with GSK"**;
 - c. Defendant Kotler gave Selmani lower performance ratings, lower salary increases and smaller bonuses in the three years from the "whistle-blowing" activity until his unlawful termination on October 17, 2015;

- d. Defendant Kotler attempted to sabotage Selmani's work, specifically study RH02395 which was an evaluation of texture and freshness of a new nicotine gum and whether it would have been purchased by the consumer, by changing the statistical analysis plan so the results that were attempted to be attained did not come into being (favorability of 80% vs. 70%) and he didn't allow another analysis required in Europe, so when the results were presented to the team no one wanted to write the study report and ultimately embarrass Selmani;
- e. Defendant Kotler threatened Selmani with regard to this "whistle-blowing" activity by hostilely stating **"I am the manager. I am free to decide, say or write whatever I want. I'm not going to listen to you."**;
- f. From December 2012 – October 2015, Defendant GSK, by and through its agents, servants, and employees, including but not limited to all of the individual Defendants, conspired to and did in fact instruct Defendant Kotler to "set Selmani up to fail" so as to create a pre-textual and false basis upon which to subject Selmani to retaliatory adverse employment actions;
- g. Despite Selmani having consistently received positive performance reviews in the years prior to his reporting of Defendants' illegal and/or fraudulent activity, at the 2012 year-end Performance Review Selmani was given a 3 which equated to a "partially successful performance" for the year and a lower bonus;
- h. In January of 2013 when Selmani appealed his pre-textual performance review to Defendant GSK's Human Resource Department, after a thorough investigation they were unable to determine that any policy had been violated by Plaintiff and that his performance in 2012 did not warrant a "3" and therefore they had no choice but to change his performance rating for 2012 to a "2" – Successful Performance;

- i. Furthermore, on or about January 9, 2014, Defendant GSK via Defendant Kotler gave Selmani a pretextual "Performance Counseling Memo", which falsely accused Selmani of failing to meet values and behaviors such as:

A pattern of behavior involving inappropriate verbal and written communication to management and to colleagues. This has included writing emails that accuse people of having ill intentions towards you and improper motives in their scientific judgment. At times it can be received as you being hostile when you accuse people of wasting time.

There is a need for you to improve your method of expressing a difference of opinion, both to team members and to management.

This "Performance Counseling Memo" was authored in order to create a pre-textual basis upon which to reprimand Selmani and/or subject him to adverse employment actions. Defendant Kotler hostilely confronted him with completely fabricated and pre-textual accusations regarding Selmani's personality;

- j. Selmani never acknowledged the content of this pre-textual "Performance Counseling Memo".
- k. Thereafter, on or about April 24, 2015, Defendant GSK via Defendant Kotler gave Selmani a "First Warning" under the Performance Management Policy which again falsely accused Selmani of failing to meet values and behaviors and cooperation in order to create a pre-textual basis upon which to reprimand Selmani and/or subject him to

adverse employment actions including but not limited to his eventual termination; and

- I. The "First Warning" was given to Selmani in response to Defendant GSK receiving correspondence from Selmani's counsel regarding the "whistle-blowing" activity.

49. The allegations set forth above are not intended to be an exhaustive list of all of the allegations against Defendants, but merely a representative sample.

COUNT ONE

(Violation of the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19:1, et seq.)

50. Selmani repeats and realleges each and every allegation set forth above as if recounted at length herein.
51. GSK terminated Selmani's employment because he objected to, disclosed and/or refused to participate in conduct which he reasonably believed was in violation of a rule or regulation promulgated pursuant to law, was unethical or, was incompatible with a clear mandate of public policy concerning the public health, safety and/or welfare.
52. GSK's actions constitute a violation(s) of the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1, et seq.
53. At all times relevant hereto, Plaintiff performed a "whistle-blowing" activity described in N.J.S.A. 34:19-1, et seq. in that he objected to and/or refused to participate in the aforesaid illegal and/or fraudulent activity.
54. At all times relevant hereto, Plaintiff was subjected to unlawful retaliation and/or, *inter alia*, the aforesaid retaliatory and/or adverse employment actions, harassment and hostile work environment by the Defendants outlined at length in the preceding paragraphs.

55. At all times relevant hereto, a causal connection existed between Plaintiff's "whistle-blowing" activity under N.J.S.A. 34:19-1, et seq. and the aforesaid retaliatory and/or adverse employment actions to which Plaintiff was unfairly and wrongfully subjected.
56. At all times relevant hereto, Defendant GSK's upper management, including but not limited to the individual Defendants, actually participated in and/or were willfully indifferent to the aforesaid retaliatory and/or adverse employment actions.
57. As a proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain severe pain, suffering and permanent injuries including, but not limited to, physical health issues, severe emotional distress, alarm, humiliation, psychological harm, embarrassment and anxiety and, Plaintiff was further caused to expend and will continue to expend great sums of money for professional care and/or treatment for her injuries.
58. As a further proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain loss of wages and benefits for both himself and his wife and has and will be prevented from attending his usual occupation, duties, activities, and business.

WHEREFORE, Plaintiff, Alexandre Selmani, demands judgment against the Defendants, GlaxoSmithKlein, its agents, servants and/or employees, Mitchell Kotler, Andrew Witty, Liam Kennedy, Emma Walmsly, "ABC CORP. 1-10", "JOHN DOE 1-10", and/or "JANE DOE 1-10" (the last three being fictitious designations), jointly and severally, for compensatory and punitive damages, emotional distress damages, attorneys' fees, interest, cost of suit and, any and all other relief that the Court may deem just and proper.

COUNT TWO
(RESPONDEAT SUPERIOR LIABILITY)

59. Plaintiff repeats all of foregoing allegations and/or paragraphs as if set forth herein at length.
60. A master-servant relationship existed between Defendant GSK, and the individual Defendants, all of whom served in supervisory roles over Plaintiff.
61. Accordingly, Defendant GSK is vicariously liable to Plaintiff under CEPA for the aforesaid fraudulent and/or retaliatory actions committed by the individual Defendants within the course and scope of their employment.
62. As a proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain severe pain, suffering and permanent injuries including but not limited to, physical health issues, severe emotional distress, alarm, humiliation, psychological harm, embarrassment and anxiety and, Plaintiff was further caused to expend and will continue to expend great sums of money for professional care and/or treatment for his injuries.
63. As a further proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain loss of wages and benefits for himself and his family and, has and will be prevented from attending his usual occupation, duties, activities and business.
64. Plaintiff repeats all of foregoing allegations and/or paragraphs as if set forth at length.
65. A master-servant relationship existed between Defendant GSK and the individual Defendants, all of whom served in supervisory roles over Plaintiff.
66. Accordingly, Defendants GSK were vicariously liable to Plaintiff under CEPA for the aforesaid fraudulent and/or retaliatory actions committed by the individual Defendants within the course and scope of their employment.
67. As a proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain severe pain, suffering and permanent injuries including, but not limited to, physical health issues, severe emotional distress, alarm, humiliation, psychological harm,

embarrassment and anxiety and, Plaintiff was further caused to expend and will continue to expend great sums of money for professional care and/or treatment for his injuries.

68. As a further proximate cause and reasonably foreseeable result of the foregoing, Plaintiff was caused to sustain and will continue to sustain loss of wages and benefits for himself and his family and has and will be prevented from attending his usual occupation, duties, activities and business.

WHEREFORE, Plaintiff Alexandre Selmani, demands judgment against the Defendants GLAXO SMITH KLINE, its agents, servants and/or employees, MITCHELL KOTLER, ANDREW WITTY, LIAM KENNEDY, EMMA WALMSLY and/or "JOHN DOE 1-10", "BOB BOE 1-10", "JANE DOE 1-10", "MARY MOE 1-10" (the last five being fictitious designations), jointly and severally, for compensatory and punitive damages, including front and back pay and benefits, emotional distress damages, attorneys' fees, interest, cost of suit and any and all other relief that the Court may deem just and proper.

COUNT THREE

69. Plaintiff repeats all of foregoing allegations and/or paragraphs as if set forth herein at length.
70. Plaintiff, MARIE ZANCHELLI is the lawful wife of Plaintiff ALEXANDER SELMANI.
71. As a result of the negligence of the Defendants aforesaid, the Plaintiff, MARIE ZANCHELLI, has been and will be deprived of the services, society and consortium of her husband, Plaintiff ALEXANDER SELMANI, for a long period of time.

WHEREFORE, Plaintiff, MARIE ZANCHELLI demands judgment against the Defendants, GLAXO SMITH KLINE, its agents, servants, and/or employees, MITCHELL KOTLER, ANDREW WITTY, LIAM KENNEDY, EMMA WALMSLY and/or "JOHN DOE 1-10", "BOB BOE 1-10", "JANE DOE 1-10", "MARY MOE 1-10" (the last

five being fictitious designations), for damages jointly, severally, or in the alternative, together with interests and costs of suit.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all causes so triable.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Natalie A. Zammitti Shaw, Esq. as trial counsel.

CERTIFICATION PURSUANT TO R. 4:5-1

The undersigned attorney for Plaintiff hereby certifies that the matter in controversy is not the subject of any other action or arbitration proceeding pending or contemplated, nor are there any other parties known to Plaintiff who should be joined in this proceeding.

LAW OFFICES ROSEMARIE ARNOLD

Attorneys for Plaintiff

By: 
Natalie A. Zammitti Shaw

Dated: December 18, 2015