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16 CAREY BEHILL

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **COUNTY OF ALAMEDA**

19 DEPO-PROVERA CASES

20 THIS DOCUMENT RELATES TO:
21 CAREY BEHILL,

22 Plaintiff,

23 vs.

24 PFIZER INC.; PHARMACIA & UPJOHN CO.
25 LLC; PHARMACIA LLC; PLANNED
26 PARENTHOOD MAR MONTE, INC.,

27 Defendants.
28

ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

06/10/2026 at 02:11:01 PM

By: Andrel Gospel,
Deputy Clerk

Case No.: 26CV193149

**SHORT FORM COMPLAINT FOR
DAMAGES AND DEMAND FOR JURY
TRIAL**

Hon: Patrick McKinney

Date:
Time:
Dept: 18

Complaint Filed:
Trial Date: None Set

1 The Plaintiff named below files this Short Form Complaint and Demand for Jury Trial against
2 the Defendant(s) selected in Paragraph 4. Plaintiff incorporates by reference the allegations and the
3 relief sought in Plaintiffs' Master Complaint and Demand for Jury Trial ("Master Complaint"), filed
4 in Depo-Provera Cases, JCCP No. 5375. Plaintiff files this Short Form Complaint as required by the
5 Court. As necessary, Plaintiff may include (a) additional Counts and supporting allegations against
6 Defendants, as set forth in Paragraphs 9 and 10 below and/or (b) additional claims and allegations
7 against Other Defendants not listed in the Master Complaint as set forth in Paragraph 4.c below. If
8 necessary, Plaintiff has attached additional pages to this Short Form Complaint.

9 **PARTIES, JURISDICTION, AND VENUE**

10 **PLAINTIFF**

- 11 1. Plaintiff, Carey Behill ("Plaintiff"), is a resident and citizen of Bakersfield, California.
12 2. Plaintiff alleges that venue lies in Santa Clara County pursuant to § 395(a) of the
13 California Code of Civil Procedure because (*check all that apply*):

14 ☐ The injuries alleged herein occurred in this county.

15 ☒ At the commencement of the action, a Defendant resided in this county.

- 16 3. Plaintiff brings this action (*check all that apply*):

17 ☒ On behalf of herself;

18 ☐ In representative capacity of the individual that sustained personal
19 injuries and damages, [INJURED PARTY FIRST NAME] [INJURED
20 PARTY LAST NAME], who is/was a citizen and resident of [CITY,
STATE];

21 ☐ For loss of society or consortium and their relationship to the following
22 individual of which Plaintiff's claims are derivative: [INJURED
23 PARTY FIRST NAME] [INJURED PARTY LAST NAME], who
24 sustained personal injuries and damages as a result of her use of
Defendants' products.

25 If any box is checked other than the first box, all references to Plaintiff in Paragraphs
26 4 through 8 of this Short Form Complaint refer to the primary injured party.

27 **DEFENDANT(S)**

- 28 4. Plaintiff names the following Defendants in this action (*check all that apply*):

a. Manufacturing Defendants

☒ PFIZER INC.

☒ PHARMACIA LLC

☒ PHARMACIA & UPJOHN COMPANY LLC

b. Healthcare Defendants

☐ THE PERMANENTE MEDICAL GROUP, INC.

☐ SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP

c. Other Defendants. For each "Other Defendant," Plaintiff contends these additional parties are liable or responsible for Plaintiff's damages. Plaintiff may attach additional pages to this Short Form Complaint, if necessary.

☒ PLANNED PARENTHOOD MAR MONTE, INC., Citizenship: CALIFORNIA

☐ Click or tap here to enter text., Citizenship: Click or tap here to enter text.

☐ Click or tap here to enter text., Citizenship: Click or tap here to enter text.

☐ Click or tap here to enter text., Citizenship: Click or tap here to enter text.

PRODUCT USE

5. Plaintiff used Depo-Provera from approximately 2005 to 2009.

INJURIES

6. As a result of using Depo-Provera, Plaintiff was diagnosed with a meningioma in approximately 2024.

7. As a result of using Depo-Provera, Plaintiff suffered and/or continues to suffer from the following additional injuries.

☐ Dizziness

☐ Vertigo

☐ Double vision

☒ Headaches

☐ Imbalance

☐ Weakness in limbs

☐ Depression

☐ Other:

- MRI monitoring; ringing in ears

- Loss/blurred vision; numbness

- Loss of mobility/balance; pain
- Memory/focus loss; fatigue

8. Defendants proximately caused Plaintiff's injuries.

CAUSES OF ACTION ASSERTED

9. The following claims and allegations are asserted by Plaintiff in the Master Complaint and are herein adopted by reference.

- ☒ Count I – Strict Products Liability – Failure to Warn
- ☒ Count II – Strict Products Liability – Design Defect
- ☒ Count III – General Negligence
- ☒ Count IV – Negligent Failure to Warn
- ☒ Count V – Negligent Design
- ☒ Count VI – Negligent Misrepresentation
- ☒ Count VII – Fraud - Intentional Misrepresentation
- ☒ Count VIII – Violation of Consumer Protection Laws
- ☐ Count IX – Other: _____

☐ Against all Defendants.

☐ Against only the following Defendants:

Click or tap here to enter text.

☐ Count X – Other: _____

☐ Against all Defendants.

☐ Against only the following Defendants:

Click or tap here to enter text.

Plaintiff may attach additional pages to this Short Form Complaint, if necessary.

10. If applicable, Plaintiff asserts the following additional factual allegations against Defendants: Plaintiff was prescribed and/or administered Depo Provera at Planned Parenthood Bakersfield Health Center in Bakersfield, California. See additional pages.

JURY DEMAND

11. Plaintiff hereby demands a trial by jury as to all claims in this action.

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19. Defendant Planned Parenthood prescribed and/or administered Depo-Provera to people, including Plaintiff, for years without warning of the increased risk of meningioma.

20. Plaintiff was the end user and purchaser of Depo-Provera. Defendant Planned Parenthood received a direct financial benefit from its actions and from the sale of Depo-Provera to Plaintiff and other consumers.

21. Plaintiff does not assert a claim of “professional negligence” against Defendant Planned Parenthood. Plaintiff’s claims against Defendant Planned Parenthood arise from Planned Parenthood’s acts and/or omissions relating to the prescription and administration of Depo-Provera that constitute misrepresentations that induced Plaintiff to use Depo-Provera. Plaintiff also alleges intentional and fraudulent acts and omissions by Planned Parenthood that are outside the scope of professional negligence.

CAUSES OF ACTION

22. For avoidance of doubt, Count I: Strict Products Liability – Failure to Warn, Count II: Strict Products Liability Design Defect, Count III: General Negligence, Count IV: Negligent Failure to Warn, Count VI: Negligent Misrepresentation, Count VII: Fraud - Intentional Misrepresentation, and Count VIII: Violation of Consumer Protection Laws asserted by Plaintiff in the Master Complaint are herein adopted by reference and asserted against all Defendants, Pfizer Inc., Pharmacia & Upjohn Co. LLC, Pharmacia LLC, and Planned Parenthood.

23. Count V: Negligent Design asserted by Plaintiff in the Master Complaint is herein adopted by reference and asserted against Manufacturing Defendants, Pfizer Inc., Pharmacia & Upjohn Co. LLC, and Pharmacia LLC.

A. Additional Facts Supporting Count IV: Negligent Failure to Warn

24. Defendant Planned Parenthood acted negligently, and breached its duties to Plaintiff, through acts and omissions including the following:

25. Failing to undertake to provide adequate warnings, instructions, guidelines, and safety precautions to those persons Planned Parenthood could reasonably foresee would use Depo-Provera;

- 1 a. Failing to disclose to Plaintiff, users/consumers, Plaintiff's prescribing
2 healthcare provider, and the general public that use of Depo-Provera presented
3 a risk of meningioma;
- 4 b. Failing to warn Plaintiff, consumers, and the general public that Depo-
5 Provera's risk of harm was unreasonable and that there were safer and effective
6 alternative contraceptives available to Plaintiff and other consumers;
- 7 c. Recommending the use of Depo-Provera, while concealing and failing to
8 disclose or warn of the dangers known or knowable to be associated with or
9 caused by the use of Depo-Provera.

10 **B. Additional Facts Supporting Count VI: Negligent Misrepresentation and Count VII:**

11 **Fraud - Intentional Misrepresentation**

12 26. Defendants negligently and/or intentionally fraudulently misrepresented the safety
13 risks of Depo-Provera to Plaintiff, her Depo-Provera prescribing and administering healthcare
14 providers, and the general public during the years that Plaintiff used Depo-Provera.

15 27. Defendants knew, or had reason to know, that Depo-Provera posed a risk of
16 meningioma.

17 28. Defendants falsely represented that Depo-Provera had been adequately tested and was
18 safe and effective, while intentionally concealing material information regarding its true risk profile,
19 including concealing the risk of meningioma. Defendants fraudulently concealed and intentionally or
20 recklessly omitted that Depo-Provera was less safe and less effective than other similar products on
21 the market at the time, and that testing and surveillance of Depo-Provera showed a higher risk of
22 adverse effects compared to alternatives.

23 29. Defendants disseminated these misrepresentations through Depo-Provera labeling
24 materials, advertising campaigns, print campaigns, Pfizer's website, information presented at point
25 of sale and in marketing, information disseminated by company representatives, reports, press
26 releases, television commercials, and print advertisements.

30. Defendants possess full information concerning their false misrepresentations made to Plaintiff, Plaintiff's Depo-Provera prescribing and administering healthcare providers, and the general public during the time period that Plaintiff used Depo-Provera.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff has been damaged as a result of Defendants' actions or inactions and demands judgment against Defendants on each of the above-referenced causes of action, jointly and severally to the full extent available in law or equity, as requested in the Master Complaint for compensatory and punitive damages.

Dated: June 10, 2026

Respectfully submitted,

By: /s/ Steve Lopez

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