

# THE DAILY NONPAREIL

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## Claimant will seek 'millions'

An attorney for a rural Council Bluffs woman said Monday she would seek a multi-million-dollar judgment from the maker of a diet drug her client blames for serious and permanent injuries.

Zoe Littlepage of Littlepage & Associates in Houston made that statement while questioning prospective jurors for trial of the lawsuit filed by Dorothy Rollins and her husband, Eugene.

They are seeking damages from Wyeth-Ayerst Laboratories Division of American Home Products Corp. in the suit filed Pottawattamie County District Court.

"I'm promising you, as I stand here right now, that I'm going to ask you to award millions and millions and millions of dollars," Littlepage said.

She asked whether any of the prospective jury panelists would have trouble awarding that much money, regardless of what she proved in court.

Rollins took the drugs from June 25, 1996, until April 1997, she said. In April 1997, she began experiencing severe chest pain and shortness of breath.

After medical examinations and tests, she was told she had two malfunctioning heart valves. She then had open-heart surgery and had the valves replaced with artificial valves.

During surgery, she received blood carrying Cruetzfeld-Jakob disease, a rare form of dementia, she claimed. In December 1997, the artificial valves released a blood clot into her bloodstream, causing a stroke.

Rollins experienced a loss of function on her right side, has to use a cane to get around and suffers memory loss from Cruetzfeld-Jakob disease, she said.

Littlepage asked prospective jurors whether they could hold the company responsible for complications that arose from an operation made necessary by its product. Rollins needed the heart surgery in order to survive, and the stroke she suffered after receiving the artificial valves was not unforeseeable, she said.

David Tank of Davis & Brown law firm of Des Moines, an attorney for American Home Products, noted that the defense always goes last.

"Is everybody willing to listen until they hear from us?" he asked.

He asked if panelists believed the federal Food and Drug Administration was too fast or too slow in removing drugs from the market when there were questions about their safety.

He asked whether a product should be withdrawn if there was one case in which it seemed to cause harm.

Tank also asked if the fact that Pondimin was removed from the market would lead prospective jurors to conclude that it had caused injury in this particular case.

Tank asked if potential jurors would automatically side with an individual rather than a corporation and whether they could set aside their sympathy for someone with health problems long enough to consider all the evidence.

After questioning of individuals, a jury of seven women and five men was selected from a roomful of candidates by late afternoon.

Dorothy and Eugene Rollins observed all of the day's proceedings.

Opening statements in the trial were to be presented this morning.