



**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
OFFICE OF THE CLERK**
MARK O. HATFIELD UNITED STATES COURTHOUSE
1000 SOUTHWEST THIRD AVENUE, ROOM 201
PORTLAND, OR 97204
TEL: 503-326-8100 FAX: 503-326-8441
E-MAIL: pjury@ord.uscourts.gov

MARY L. MORAN
CLERK OF COURT

MELISSA AUBIN
CHIEF DEPUTY CLERK

April 12, 2021

SUBJECT: Instructions for Prospective Jurors

Dear Prospective Juror:

The United States District Court for the District of Oregon hereby summonses you as a potential juror in 19-cv-1701-MO, a civil jury trial beginning May 4, 2021, at the Mark O. Hatfield United States Courthouse in Portland, Oregon. Your name was randomly drawn from among those persons already deemed qualified to serve as a juror in this district.

In order to limit the time and inconvenience to jurors, the Court has drafted a prescreening questionnaire that you must complete prior to in-court jury selection. You may choose to complete the questionnaire online, or you may complete the enclosed copy and return it to the Court by fax or mail.

It is important that you complete the questionnaire from your own personal knowledge. **Do not** do any research on the Internet or speak to anyone else, including family and friends, about the subjects or individuals found in the questionnaire. You will be questioned in court under oath as to whether or not you complied with the instruction not to research or discuss these matters.

Please do all of the following and return the completed forms **before April 23, 2021**:

1. **If you have not already responded to the summons**, go online to ord.uscourts.gov, log in to eJuror through the "Jurors" tab, and answer all of the questions. If you are unable to respond online, you may complete the lower portion of the paper Summons, detach it, and mail it using the enclosed, postage-paid envelope.
2. **Complete the enclosed Juror Oath and Questionnaire**, either online as described in the table below, or by completing the paper copy and returning it in the enclosed, postage-paid envelope. The questionnaire must be returned electronically or postmarked no later than April 23, 2021.

INSTRUCTIONS FOR COMPLETING THE JUROR QUESTIONNAIRE ONLINE	
STEP	ACTION
A	Open your Internet browser.
B	Type the following address in the Internet address bar: www.ord.uscourts.gov/petersonbard <i>Tip: Do not use the search field, you must manually type the address into the address bar.</i>
C	Save the questionnaire to your computer and send it as an attachment to an e-mail to pjury@ord.uscourts.gov .

Once you complete these steps, the Court will review and process your responses and update the reporting instruction line. You may check the reporting line 24 hours a day, seven days a week by calling 503-326-8111 and entering your nine-digit participant number. The recorded message will indicate if you still need to keep checking for status updates, if you have been deferred or excused, or if you are required to appear for in-person jury selection beginning May 4, 2021.

Thank you for your dutiful participation during this process. The Court could not fulfill the Constitution's guarantee of a fair and impartial trial by jury without it. If you have any questions, please call (503) 326-8100.

Sincerely,

Nicole Muñoz

Nicole T. Muñoz
Jury Supervisor

Enclosures: Oath
Supplemental Questionnaire and Exhibits
Business Reply Envelope

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

CASE NO. 3:19-CV-01701-MO

JUROR QUESTIONNAIRE

Full Name: (Please print)

(Last)

(First)

(Middle Initial)

Nine-Digit Participant Number: _____

County of Residence: _____

* * * * *

I hereby state under penalty of perjury that all of the answers given by me in this Juror Questionnaire are true, correct, and complete to the best of my knowledge.

Because I am a potential juror in this case, I agree not to do any research, investigation, or reading, on either the Internet or anywhere else, that may relate to any of the issues or names mentioned in this questionnaire. I also agree not to discuss anything about this case, share any information about this case, or even listen to anyone about this case unless I am expressly instructed or permitted to do so by the Judge.

I understand that if and when I am called to the federal courthouse for jury selection in this case, I will be questioned under oath about my compliance with these instructions.

I also understand that I am expected to advise the Judge right away if I become aware of any violation of any of these instructions, whether deliberate or accidental.

Signed this _____ day of _____, 2021.

Juror Signature
(If submitting electronically type /s/ followed by your name)

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

CASE NO. 3:19-CV-01701-MO

JUROR QUESTIONNAIRE

TO THE PROSPECTIVE JUROR:

Please complete the following questionnaire to assist the Court and the attorneys in selecting a jury in this case. The purpose of these questions is not to ask unnecessarily about personal matters. It is simply to determine whether a prospective juror can decide the case fairly and impartially. The use of this questionnaire will avoid having to ask each prospective juror every one of these questions in open court, thereby shortening the jury selection process.

Only the Court and the attorneys will use the information that you give in response to this questionnaire. Your responses will be kept confidential, and all parties will be under orders to maintain the confidentiality of any information they learn in the course of reviewing this questionnaire.

Please answer each question below as completely and as accurately as you reasonably can. There are no right or wrong answers to the questions asked in this juror questionnaire, provided they are truthful and complete. **PLEASE COMPLETE YOUR ANSWERS IN PEN and print all answers legibly.** If there is not enough space for you to complete an answer, please write the number of the question and the rest of your answer in the blanks provided on the last page. Please *do not* write on the back of any page.

If there is a question that you do not want to answer because of privacy concerns, then write the word “privacy” in the blank by that question. You may need to visit with the judge and the attorneys out of the presence of the other potential jurors concerning that question.

If you simply cannot understand a question, then write “do not understand” in the blank by that question.

You are expected to sign your questionnaire, and your answers will have the effect of a

statement given to the Court under oath. Please make your very best and honest effort to answer the questions this questionnaire. Do not consult with any other person in answering the questions.

After completion of the questions, do not discuss this case with anyone. You are a potential juror, and it is important that you not be influenced by information or opinions received outside of court. Return the completed questionnaire to the Court. Brief but clear answers will allow us to review your background before you report to the courtroom and should help speed the selection process.

The sole purpose of this questionnaire is to aid the Court and the parties in selecting a fair and impartial jury to try this case. Your full cooperation is of vital importance. Thank you for your assistance.

After you have completed and signed the questionnaire, please mail it in the enclosed, postage-paid envelope. **Please mail or submit online your completed questionnaire within five days of receiving it.**

Thank you for your full cooperation.

To complete the questionnaire online:

1. Open your web browser.
2. Go to: www.ord.uscourts.gov/petersonbard
3. Complete the oath and questionnaire.
4. Save the completed oath and questionnaire to your computer.
5. Attach the saved oath and questionnaire to an e-mail and send it to: pjury@ord.uscourts.gov.

You may also submit the questionnaire by:

- faxing it to 503-326-8441, or
- mailing it to the Court in the enclosed, postage-paid envelope.

LENGTH AND SCHEDULE OF TRIAL

The trial is expected to last two weeks and will begin on May 4, 2021. During trial, the jury generally will be in court **Monday through Friday, from 9:00 a.m. to 5:00 p.m.** There will be breaks during the day, including a one-hour lunch break.

IMPORTANT INSTRUCTIONS

Now that you have been identified as a possible juror in this case, it is very important that you preserve your ability to be fair and impartial and to decide this case solely on the evidence you hear at trial. The Court therefore instructs you to follow these directions between now and the time of trial: Do not read any newspaper or magazine articles, listen to any television or radio broadcasts, or view or listen to any other information related in any way to this case. Do not conduct any research or investigation concerning this case such as searching the Internet, reviewing reference materials, or consulting books or articles. Do not communicate with anyone about this case, including friends and family members, coworkers or neighbors, or anyone else. This includes discussing the case in person, in writing, by phone or electronic means, via email, text messaging, or any Internet chat room, blog, website or other feature. If you are exposed to any information about this case or anything to do with it, please turn away immediately.

The law requires these restrictions to ensure that the parties have a fair trial based on the same evidence each party had an opportunity to address. The judge will ask you on May 4, 2021, whether you followed this direction. Please follow it carefully.

QUESTIONNAIRE

(Additional space for lengthy answers is included at the end of this questionnaire.)

1. Full Name: (Please print) _____
2. Service on a jury is one of the most important contributions that citizens can provide to their country and fellow citizens. Inconvenience or ordinary financial issues related to jury service will not be enough to excuse a prospective juror. In addition, federal law forbids any employer from discharging or discriminating against an employee because of jury service. Jury service is essential to the administration of justice and fundamentally mandatory. This trial will last approximately two weeks, from May 4, 2021, to May 17, 2021. Will serving on this jury cause you a particularly extreme hardship?
 YES NO

If yes, please explain in specific detail:

**WHETHER OR NOT YOU ARE CLAIMING HARDSHIP, YOU MUST
COMPLETE THE REST OF THE QUESTIONNAIRE**

3. Do you have any limitations in your ability to read or understand oral or written testimony in English? YES NO

If yes, please explain:

4. Do you, or to your knowledge, does anyone close to you, know any of the potential participants in this trial (See attached Exhibit A)?

If yes, please explain:

5. Has any member of the panel ever been employed or worked at any of the medical or healthcare facilities (See Exhibit B)?

If yes, please explain:

6. What is your current age? _____

7. In what city and county do you currently live? _____

8. Length of time at current address: _____

If you have lived less than five years at your current address, indicate where you lived before that:

9. Your current marital status:

- | | |
|--|---|
| <input type="checkbox"/> Married, _____ years | <input type="checkbox"/> Partnered, _____ years |
| <input type="checkbox"/> Never married | <input type="checkbox"/> Separated, _____ years |
| <input type="checkbox"/> Divorced, _____ years | <input type="checkbox"/> Widowed, _____ years |

10. Your highest level of education completed:

- Less than high school
- High school graduate
- Some college: (Major: _____)
- Technical or vocational school: (Type: _____)
- College graduate: (Major: _____)
- Post graduate degree: (Major: _____)

11. Educational background of your spouse or significant other, including any degrees or certificates earned:

12. Your current employment status (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Employed full-time | <input type="checkbox"/> Employed part-time |
| <input type="checkbox"/> Business owner | <input type="checkbox"/> Homemaker |
| <input type="checkbox"/> Self-employed | <input type="checkbox"/> Unemployed |
| <input type="checkbox"/> Retired in _____(year) | <input type="checkbox"/> Full-time student |
| <input type="checkbox"/> Disabled, do not work | <input type="checkbox"/> Work more than one job |
| <input type="checkbox"/> Laid off | <input type="checkbox"/> Do not work outside the home |

13. Please answer for your current job or, if not currently employed, for your last job:

Employer:

How long:

Position and job duties:

14. Do you currently supervise others at work or have you in prior jobs?

- YES (How many? _____) NO

If yes, please describe:

15. Please list your previous employers and jobs for the past 10 years:

16. Have you ever owned and/or managed your own business? YES NO

If yes, please describe:

17. Spouse or significant other's name, occupation, job title and employer (If he/she is unemployed or retired, please list last job.):

18. List any hobbies and special interests that you have:

19. Do you do any volunteer work (professional, community, social clubs or organizations)?
 YES NO

If yes, please explain:

20. Do you serve in any leadership role at work or in any professional or community groups or organizations? YES NO

If yes, please describe:

21. List the ages of your children or stepchildren:

22. If employed, list your children's or stepchildren's occupations and employers:

23. Prior military service? YES NO

If so, please specify branch and years served:

24. Have you ever served on a jury before? YES NO

How many times? _____

Where did you serve? _____

What types of case(s)? _____

Were you ever the jury foreperson? YES NO

Was your jury service experience: POSITIVE NEGATIVE

25. Have you, your relatives or anyone close to you ever:

Yourself	Someone
	Close

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | a. Sued someone else |
| <input type="checkbox"/> | <input type="checkbox"/> | b. Been sued by someone else |
| <input type="checkbox"/> | <input type="checkbox"/> | c. Been involved in a lawsuit of any kind either as a plaintiff, or defendant, or a witness |
| <input type="checkbox"/> | <input type="checkbox"/> | d. Suffered from any type of permanent injury, disease or disability |
| <input type="checkbox"/> | <input type="checkbox"/> | e. Been unable to work due to a permanent injury, disease or disability |
| <input type="checkbox"/> | <input type="checkbox"/> | f. Been involved in an accident that resulted in loss or injury |
| <input type="checkbox"/> | <input type="checkbox"/> | g. Ever filed a legal claim or complaint of any sort against an individual or entity |
| <input type="checkbox"/> | <input type="checkbox"/> | h. Made a personal injury claim or filed for worker's compensation |

If you answered yes to any of the above, please explain:

26. This case involves a medical device. Medical devices in this country are regulated by the Food & Drug Administration (FDA). Do you have any knowledge about the FDA, its rules and procedures, or its governance of medical devices? YES NO

If yes, please explain:

27. This case likely will involve evidence of FDA clearance of medical products. Do you have strong views, favorable or unfavorable, about the FDA or its oversight of medical products? YES NO

If yes, please explain:

28. This case involves IVC filters that are implanted into a patient's vein with the intention of preventing blood clots from reaching the lungs or heart. Is there anything about this subject matter that causes you to believe that you could not consider the evidence fairly, impartially, and according to the jury's instructions? YES NO

If yes, please explain:

29. Have you read or heard anything about lawsuits involving any medical devices, including IVC filters? YES NO

If yes, please explain what you have read or heard:

30. Have you read or heard anything (in the media, from family or friends) about C. R. Bard or Bard Peripheral Vascular, medical device manufacturers? YES NO

If yes, please explain what you have read or heard and please identify any media report you can recall:

31. Have you read or heard anything (in the media, from family or friends) about IVC filters?
 YES NO

If yes, please explain what you have heard or read:

32. If you have heard or read something about lawsuits involving any medical devices, including IVC filters, would that make it difficult for you to serve as a fair and impartial juror in this case? YES NO

If yes, please explain:

33. Is there anything else that you think might affect your ability to be fair and impartial to both sides of a product defect case against a medical device manufacturer? YES NO

If yes, please explain:

34. Have you, your relatives or anyone close to you ever worked for C. R. Bard or Bard Peripheral Vascular? YES NO

If yes, please describe who, the job title and dates of employment:

35. Have you, your relatives or anyone close to you ever worked for a company that manufactured or sold IVC filters? YES NO

If yes, please describe who, the name of the company, the job title and dates of employment:

36. Have you, your relatives or anyone close to you ever worked for a medical device company?
 YES NO

If yes, please identify the person(s), the work performed and the dates of employment:

37. Have you, your relatives or anyone close to you ever worked for a health care facility (e.g., hospital, physician's office, critical care center or medical clinic)? YES NO

If yes, please identify the person(s), the work performed and the dates of employment:

38. Have you, your relatives or anyone close to you ever been diagnosed with any of the following? Check all that apply.

- Blood Clots
- Pulmonary Embolism (PE)
- Deep Venous Thrombosis (DVT)

If you have checked any of the above, please identify the person(s), and describe the complication and outcome:

39. Have you, your relatives or anyone close to you ever been prescribed or taken anti-coagulation medication ("blood thinners"), such as Coumadin, Warfarin, Xarelto or Lovenox? YES NO

If yes, please identify the person(s), the name of the medication(s) and outcome:

40. Have you, your relatives or anyone you personally know ever had an IVC filter or medical device implanted? YES NO

If yes please identify:

The person(s): _____

Type of medical device: _____

Manufacturer of medical device: _____

Any complications experienced with device: _____

41. Do you know anyone who had a negative experience or suffered injuries from an IVC filter? YES NO

If yes, please explain:

42. Do you know anyone who had a negative experience or suffered injuries from any other medical device or prescription drug? YES NO

If yes, please explain:

43. If you, or a family member or someone close to you, had a negative experience with any type of medical device or prescription drug, would that experience make it difficult for you to serve as a fair and impartial juror in this case? YES NO

If yes, please explain:

44. Do you or someone in your immediate family have experience in the following? Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> Drug or medical device company | <input type="checkbox"/> Product design or testing |
| <input type="checkbox"/> Medicine/medical field | <input type="checkbox"/> Quality Assurance/Quality Control |
| <input type="checkbox"/> State/federal regulatory agencies, e.g., FDA | <input type="checkbox"/> Health Hazard Evaluations (HHE) |
| <input type="checkbox"/> Root Cause Analysis | <input type="checkbox"/> Insurance industry |
| <input type="checkbox"/> 510k clearance process | <input type="checkbox"/> Premarket Approval (PMA) process |
| <input type="checkbox"/> MAUDE | <input type="checkbox"/> Engineering |
| <input type="checkbox"/> Medical Device Reports (MDR) | |

If you have checked any of the above, please explain:

45. From what you have heard or read, do you think in recent years, the number of injury lawsuits filed has generally been:

- Too high About right Too low No opinion

46. From what you have heard or read, do you think money damages from recent lawsuits have generally been:

Too high About right Too low No opinion

47. Do you support legislative reforms to place caps or limits on the amount of money juries can award? YES NO

If yes, please explain:

48. If you are chosen to be a juror, and while jury selection is in process, you are not permitted to read or listen to any media or Internet coverage of this case and related subjects while the case is pending. Will you be able to follow these restrictions in light of the fact that this trial will last up to two weeks? YES NO

If no, please explain:

49. If you are chosen to be a juror, and while jury selection is in process, the Court will instruct you that you will not be able to blog, tweet, post on Facebook or other social networks, talk about, or otherwise communicate anything about this case while the case is pending. Is there any reason why you cannot follow this instruction? YES NO

If yes, please explain:

50. Do you have any ethical, religious, moral, political, philosophical or other beliefs that would prevent you from applying the law to the evidence of the case? YES NO

If yes, please explain:

51. Do you know of any reason you could not be a fair, impartial, unbiased juror in this lawsuit? YES NO

If yes, please explain:

SPACE FOR ADDITIONAL RESPONSES. Please include the number of the question for which you are supplying additional information.

EXHIBIT A

List of potential witnesses or names of relevant individuals

Altonoga, M.D., William

Asch, M.D., Murray R.

Baird, Brett

Ball, M.D., Lee Wolpin

Betensky, Ph.D., Rebecca A.

Bizovi, M.D., Kenneth

Brauer, Ph.D., Christine L.

Briant, Ph.D., P.E., Paul

Bynon, Anne

Carr, Jr., Robert M.

Chanduszko, Andre

Ciavarella, M.D., David

Cohen, M.D., Gary

Cook, M.D., William David

Creal, Joni

Dahl, D.O., Raymond E.

Davis, M.D., Terry Lane

DeCant, Len

DeFord, John

DeJohn, Joe

Dhatt, M.D., Ravinder

Duffy, M.D., Regan M.

Edwards, Bill

Edwards, Mary

Fasching, Ph.D. P.E., Audrey A.

Feigal, M.D., David W.

Ganser, Christopher

Garcia, M.D., David

Georgievskiy, M.D., Ivan

Gillette, Brooke

Glass, Holly

Goodman, M.D., Jay D.

Goswani, M.D., Pompy

Grassi, M.D., Clement J.

Graves, Micky

Fuller, Kay

Greer, Jason

Hudnall, Janet

Hurst. M. D., Darren Robert

Kandarpa, M.D., Krishna

Kaufman, M.D., John M.

Kessler, M.D., J.D., David

Lehman, John

Little, William "Bill"

Ludwig, Judy

McDermott, John

McMeeking, Ph.D., Robert M.

Modra, Chad

Morris, M.D., Christopher S.

Mortiz, M.D., Mark

O'Brien, Jamse Edward

O'Quinn, Shari Allen

Orms, Daniel

Parisian, M.D., Susan

Peterson, Justin

Peterson, Lisa

Raj, M.D., Joshua

Raji-Kubba, Abitthal

Randall, Michael

Randall, Scott

Ritchie, Ph.D., Sc.D., Robert O.

Roberts, M.D., Anne Christine

Rogers, M.D., FrederickRomney, Kim

Schulz, Gin

Sobieszczyk, M.D., Piotr

Stavropoulos, M.D., S. William

Streiff, M.D., Michael B.

Sullivan, Jack

Tessmer, Alex

Thisted, Ph.D., Ronald A.

Tillman, Ph.D., MPA, FRAPS, Donna-Bea

Trerotola, M.D., Scott

Tseng, M.D., Daniel M.

Uelman, Doug

Van Vleet, John

Venbrux, M.D., Anthony

Vierling, Carol

Vogel, Bryan

Vogelzang, M.D., Robert L.

Weiland, John

Weist, M.D., John Walters

Williamson, Steven

Wilson, Mark

Wong, Natalie

York, M.D., FACS, Douglas

EXHIBIT B

List of Hospitals / Medical Facilities / Employers

Hospital/Medical Facilities/Providers:

Anticoagulation Clinic

Portland, OR 97225

Oregon Clinic Westside Surgical Group Pacific Vascular Specialists

Portland, OR 97225

Pinnacle Health

Harrisburg, PA 17104

Orthopedic Institute of Pennsylvania

Camp Hill, PA

Providence Family Medicine — Bethany

Portland, OR 97229

Providence Family Medicine — Wilsonville

Portland, OR 97123

Providence St. Vincent

Portland, OR 97225

Surgical Associates, PC

Portland, OR 97225

Vincent Hospital East Pavilion

Portland, OR 97225

Pacific Vascular Specialists

Portland, OR 97225

Providence Occupational Health

Hillsboro, OR 97124

Employers:

Blooming Junction

Cornelius, Oregon 97113

Kruger Family Farm

Portland Oregon 97231

Market of Choice
Beaverton OR 97229

West Linn
Wilsonville School District
Tualaton, OR 97062