

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Writ issued 2nd February 1990

HIV HAEMOPHILIA LITIGATION

B E T W E E N :

Thames
North East Thames
Leicestershire D.H.A.
NO.90.J.1166

JKP.129

PLAINTIFF

and

NOTTINGHAM DISTRICT HEALTH AUTHORITY (1)

TRENT REGIONAL HEALTH AUTHORITY (2)

SOUTH BEDFORDSHIRE DISTRICT HEALTH AUTHORITY (3)

NORTH WEST THAMES R.H.A. (4)

ATTORNEY GENERAL ON BEHALF OF THE
COMMITTEE ON SAFETY OF MEDICINES (5)

ATTORNEY GENERAL ON BEHALF OF THE LICENSING
AUTHORITY PURSUANT TO THE MEDICINES ACT 1968 (6)

DEPARTMENT OF HEALTH (7)

CENTRAL BLOOD LABORATORIES AUTHORITY (8)

DEFENDANTS

INDIVIDUAL STATEMENT OF CLAIM

In the form of Schedule One to the
Order of Mr Justice Ognall of 24th July 1989

1. Plaintiff's reference number: JKP.129

2. London Number: 1990.J.1166.

3. Particulars of Writ

- (a) issue of Writ 2nd February 1990
- (b) renewal of Writ not applicable
- (c) amendment of Writ not applicable.
- (d) service of Writ on First Defendant: 9.2.90
 - Second Defendant: 9.2.90
 - Third Defendant: 9.2.90
 - Fourth Defendant: 9.2.90
 - Fifth Defendant: 9.2.90
 - Sixth Defendant: 9.2.90
 - Seventh Defendant: 9.2.90
 - Eighth Defendant: 9.2.90

4. Particulars of Plaintiff

- (a) Date of Birth: 19th April 1957
- (b) Age: 33
- (c) Category: (b)(i)

Particulars of Haemophilia of JKP.129

- (a) Type of Haemophilia: A
- (b) Date of diagnosis: not known
- (c) Severity: severe
- (d) Date of administration of blood products:
See Appendix 1 attached.

.1 Types of Blood Product Administered:

See Appendix 1 attached

.2 Details of Manufacturers and Batch Numbers of Blood Products Administered

See Appendix 1 attached

.1 Period During which each such Blood Product was prescribed for the Plaintiff, with relevant dosages and dosages for each bleeding episode:

See Appendix 1 attached.

.2 The date of each and every sample of blood taken and stored.

No record of any such samples

. HIV Tests with Negative Results:

Dates(s) samples(s) taken:) No record of any

Dates(s) test(s) performed:) negative results.

. First HIV Test with Postive Results:

Date sample taken:) Not known

Date test performed:) 1.7.85

). Date of Sero-conversion

The Plaintiff will maintain that the sero-conversion occurred in or shortly before the date of the Plaintiff's first positive HIV test or such earlier date as may be established at trial.

11. Date Plaintiff Developed Clinical AIDS.

The Plaintiff has not developed Clinical Aids.

12. Other Specific Matters to be pleaded.

None.

13. Further Definition of Defendants.

The Fourth Defendant (N.W. Thames R.H.A.) is sued both in its ordinary RHA capacity and in its BPL capacity.

14.1 Any of the duties and/or breaches of duty pleaded in the ReAmended Main Statement of Claim not alleged by this Plaintiff.

The Plaintiff does not rely on any of the allegations in respect of clinical management and counselling set out in the ReAmended Main Statement of Claim paragraph 92 sections 7 and 8.

The Plaintiff does not rely on the allegations listed in the general exclusion list for adult Plaintiffs

14.2 Any duties and/or breaches of duty not pleaded in the ReAmended Main Statement of Claim alleged by this Plaintiff.

None are alleged

15 Particulars of alleged injury including alleged physical and psychological damage and/or other losses.

The Plaintiff is HIV positive and at risk of contracting clinical AIDS and dying from an opportunistic infection. As a result he suffers anxiety and stress from the fear of contracting AIDS and

of death. In addition, he suffers social rejection and ostracism because of his sero-positive state.

Specifically the Plaintiff has suffered:-

Low T4 cells, Thrombocytopaenia, Lymphopaenia, Herpes simplex and Intergrigo in inguinal region, and also, shows symptoms of Aids related complex .

16. Particulars of special damages and any past and future loss of earnings.

Not pleaded in accordance with the Order by the Honourable Mr Justice Ognall on 8th May 1990.

17. Details of any serious illnesses in the preceding ten years, to include dates and places where treated.

Hepatitis.

18. Details of medical notes and records held by Plaintiff's Solicitors:

Hospital records have been examined and copy extracts taken.

19. Whether an Order for provisional damages is sought.

Provisional damages are sought in anticipation of:

- i) Psychiatric illness;
- ii) AIDS;
- iii) Death.

SERVED THIS 5th DAY OF June 1990

GRO-C

J. KEITH PARK & CO.
Solicitors,
ST. HELENS.
GLR.PA.35116

Nov/Dec NHS 1960 units No numbers (from photocopy)

NHS 33045 units No numbers (from photocopy)

NHS	8Y3277	12.85
	HLH3262	out-patient notes, LRI, 11.12
	HLH3276	

NHS	8Y3277	5.1-1.10	
	8Y3364	4.9-10.10	Total 20800 units
KOATE	50R004	22.8-29.12	Total 17280 units
			Grand Total 38490 units

KOATE	50R004	1-29.1	
	50R100	8.4-9.7	
	50R113	10.7-17.9	
PROFILATE	AW7044A	29.9-22.10	
	AW7050A	23.10-10.12	
	AW7060A	24.12	Grand Total 85,120 units

Nottingham

1 9 8 3

NHS	HLB3094	23.11-6.12
	HLB3105	18.12

1 9 8 4

NHS	HLB3105	1.1
	HL3116	13.1-22.2
	HLD3121	23.2-18.3
	HLA3125	22.3-7.5
	HLB3048	16.4-30.6
	HLA3140	4.6
	HLB3160	6.7-31.7
	HLB3168	5.8-28.8
	HLA3179	30.8-1.10
	HLA3181	5.10-31.10
(Scottish NHS)	EDIN782	3.11-17.11
NHS	HLA3159	20-26.11
	HLA3191	27.11-28.12

Total approximately 32,000 units

1 9 8 5

NHS	HL3181	19-21.1
	HL3212	24.1-21.4
	HL3209	21.2-16.3
	HL3227	26.4-31.5
	HL3254	9.6-17.7