

SCHEDULE I

DISCOVERY AWAITED

SCHEDULE 11
PARAGRAPH OF REAMENDED
MAIN STATEMENT OF CLAIM
NOT RELIED UPON

LPN

92 (al) - (bs), (bn).

QUEEN'S BENCH DIVISION

B E T W E E N :

LPN 160

Plaintiff

-and-

NORTH EAST THAMES REGIONAL HEALTH AUTHORITY

First Defendant

-and-

HAMPSTEAD HEALTH AUTHORITY

Second Defendant

-and-

THE DEPARTMENT OF HEALTH

Third Defendant

-and-

THE ATTORNEY GENERAL SUED AS THE ATTORNEY GENERAL
(ON BEHALF OF THE COMMITTEE ON SAFETY OF MEDICINES)

Fourth Defendant

-and-

THE ATTORNEY GENERAL SUED AS THE ATTORNEY GENERAL
ON BEHALF OF THE LICENSING AUTHORITY UNDER THE
MEDICINES ACT 1968

Fifth Defendant

-and-

CENTRAL BLOOD LABORATORIES AUTHORITY

Sixth Defendant

-and-

NORTH WEST THAMES REGIONAL HEALTH AUTHORITY

Seventh Defendant

-and-

PETER BERNARD ALLEN KERNOFF

Eighth Defendant

D E F E N C E

1. Paragraph 1 of the Statement of Claim is admitted.
2. Save that it is averred the Plaintiff was born on the 2nd of June 1972 paragraph 2 of the Statement of Claim is

admitted.

3. Paragraph 3 of the Statement of Claim is admitted.

4. The Schedule referred to in paragraph 4 of the Statement of Claim is blank. It is averred that between his arrival at The Royal Free Hospital and the 19th of December 1984 the Plaintiff received Factor VIII concentrate manufactured by Armour in Batch no. X60811. During this time he received a total of 32,160 units.

5. Save that it is admitted that samples were taken and stored on the 19th of December 1984, the 12th of September 1985 and diverse dates subsequently, paragraph 5 of the Statement of claim is denied.

6. All samples of the Plaintiff's blood taken and stored at The Royal Free Hospital have subsequently been tested positive for the presence of antibodies to the HIV.

7. Paragraph 7 of the Statement of Claim is denied. The first sample of the Plaintiff's blood which has subsequently been tested positive for antibodies to the HIV at the Royal Free Hospital was taken on the 19th of December 1984.

8. The Defendant alleges that sero conversion took place before December 1984. Paragraph 9 of the Statement of Claim is admitted.

10. Save and insofar as the same are expressly admitted or not admitted herein, each and every allegation of the Statement of Claim is denied as if the same were set out in traversed seriatim.

-3-