

Lawsuit Filed Against Merck and Kaiser Over Gardasil Injuries

Merrick did not know that Gardasil could cause the long list of symptoms for which he now suffers.

VENTURA, CA, UNITED STATES, March 7, 2022 /EINPresswire.com/ -- Attorneys from the national law firm of Baum Hedlund Aristei & Goldman have filed a lawsuit on behalf of a young California man who alleges the Gardasil human papillomavirus (HPV) vaccine causes serious and disabling [side effects](#).

Plaintiff Merrick Brunker accuses New Jersey-based Merck & Co., Inc. and subsidiary Merck Sharp & Dohme of misrepresenting Gardasil's efficacy and downplaying known health risks to enhance sales.

Mr. Brunker's attorneys, Bijan Esfandiari, Nicole Maldonado, Michael L. Baum, Monique Alarcon, and co-counsel Robert F. Kennedy, Jr. filed the complaint (Case No. 56-2022-00563045-CU-PL-VTA) in State Court of California, Ventura County on February 8, 2022. The national law firm and co-counsel represent hundreds of individuals from across the country with similar allegations against Merck.

“

I don't think Merck has any regard for me or thousands of other people like me who suffer from post-Gardasil injuries.”

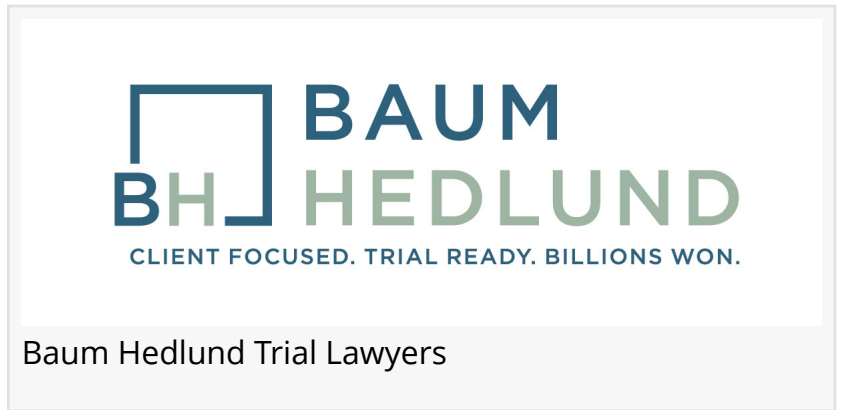
Merrick Brunker, Gardasil Plaintiff

“Merck knew if it disclosed Gardasil's questionable efficacy and the risks of life-altering side effects, most people would not consent to receiving the vaccine,” says attorney

Nicole Maldonado, who represents Mr. Brunker in this case. “The company profited from concealing known dangers, and now our client and thousands of others like him are facing severe health issues that could affect them for the rest of their lives. It's time for Merck to take responsibility for the harm Gardasil has caused.” To make matters worse, Mr. Brunker never



consented to receiving the Gardasil vaccine in the first place. When Brunker's Kaiser doctors pushed him to receive the vaccine, Brunker declined, but the doctors injected him with the vaccine, nevertheless.



Merrick Brunker was 18 years old and had just graduated from high school when he received the Gardasil vaccine

on July 15, 2016. Before Gardasil, Merrick was a happy, healthy young man who enjoyed surfing, hiking, working out, playing basketball, going to the movies, building things around his family's house, working on his car, and playing several musical instruments.

Within minutes of receiving the vaccine, Merrick reported an odd taste in his mouth, felt dizzy, and almost fainted. Six days later, he visited the doctor to report extreme headaches, intermittent tingling in his legs, numbness and feeling like he was blacking out. His symptoms were so severe he could not walk. During this visit, the doctor performed a lumbar puncture because of his symptoms. Merrick has no memory of the doctor's office visit outside of receiving the shot in his back and the doctor removing fluid.

A week after the lumbar puncture, Merrick returned to the doctor's office with his father, Leo Brunker. When the doctor came in to examine Merrick, he was lying down with the lights off and a towel over his face. He told the doctor his symptoms had grown to include headaches, weakness, muscle spasms, nausea, sharp pains to the chest, and sensitivity to light and noise. He was not informed that the vaccine could be the cause of his symptoms.

Merrick started his first semester at Ventura County Community College in August of 2016, intending to pursue a degree in music. At school, he wore sunglasses due to the light sensitivity that caused his headaches. He also suffered from extreme fatigue and had trouble sleeping every night. Some nights, he would wake up with cold sweats and hyperventilate. Due to his severe symptoms, Merrick could not finish a semester without dropping or failing a course.

After attempting to complete two semesters at Ventura City College, Merrick transferred to Santa Barbara City College (SBCC), hoping to achieve an associate degree in Business Entrepreneurship. Unfortunately, changing schools did nothing to improve his unceasing health issues, which continued to get worse. Whenever he ate or merely drank water, Merrick's body would get the sudden urge to throw up, and it physically hurt to eat. He tried his best to cope with his symptoms and keep up with his classes but was academically suspended from SBCC.

Within a matter of months, Merrick's post-Gardasil symptoms included:

- Chest pain and pressure

- Chronic fatigue
- Headaches
- Abnormal resting heart rate
- Muscle spasms
- Tingling in arms and legs
- Severe weight loss
- Insomnia
- Cold sweats
- Sensory sensitivity
- Anxiety
- Depression

Merrick's health problems prevent him from engaging in everyday activities that a young adult his age normally would enjoy. At 23, he is no longer physically active, cannot participate in the activities he used to, no longer attends school, and has had trouble finding work. Doctors have diagnosed Merrick with numerous medical conditions, including chronic fatigue syndrome (CFS), depression, and anxiety.

Merrick did not know that Gardasil could cause the long list of symptoms for which he now suffers. "I don't think Merck has any regard for me or thousands of other people like me who suffer from post-Gardasil injuries," Merrick says. "I don't think they care that they've destroyed our chance at pursuing the life we want. It's time for them to answer for all of this and be held accountable for what they've done."

Gardasil Lawsuit Allegations Against Merck

Lawsuits against Merck include the following causes of action:

- 1) Negligence
- 2) Breach of Implied Warranty (Failure to Warn)
- 3) Breach of Implied Warranty (Manufacturing Defect)
- 4) Breach of Express Warranty
- 5) Common Law Fraud

Merck has a long history of bringing controversial products to market, including Fosamax (a purported bone density drug that caused bone fractures) and Nuvaring (a birth control device associated with life-threatening blood clots and death).

Merck's most infamous drug is Vioxx, a pain medication the company had to pull from the market due to cardiovascular risks. Tens of thousands of patients filed lawsuits against Merck alleging they suffered heart attacks and other cardiovascular injuries as a result of ingesting the medication.

The litigation revealed that Merck knew early on that Vioxx was linked to fatal cardiovascular adverse events but intentionally chose to conceal the risks from the public and medical community. Lawsuits accused Merck of orchestrating a scheme to downplay the severity of the risks, misrepresenting the results of its clinical trials, failing to undertake the clinical trials that would reveal risks, and blacklisting medical professionals who dared to publicly criticize the safety of Vioxx.

Merck paid nearly \$5 billion to settle the tens of thousands of Vioxx personal injury actions and an additional \$1 billion to settle a securities class action. The company was also forced to pay \$950 million in civil and criminal fines to the Department of Justice and other governmental entities as a result of various criminal activities Merck had engaged in with respect to Vioxx.

Attorneys in the Gardasil litigation allege Merck has engaged in similar corporate malfeasance with its HPV vaccine.

According to Merck's marketing, Gardasil provides lifetime immunity to [cervical and other HPV-associated cancers](#). Plaintiffs in the Gardasil litigation, however, say Merck's marketing claim that Gardasil prevents cancer (not to mention lifetime immunity), is unproven. The allegations state that Gardasil may actually be more likely to cause cancer in those previously exposed to HPV than prevent it.

Lawsuits allege that Merck knows and actively conceals the fact that Gardasil can cause a constellation of serious adverse reactions and side effects, including autoimmune diseases, and death in some recipients. According to the complaints, Gardasil contains numerous hazardous ingredients, including at least one ingredient that Merck failed to disclose to regulators and the public. Studies have shown that one of Gardasil's ingredients, Amorphous Aluminum Hydroxyphosphate Sulfate (AAHS) binds to non-vaccine proteins, triggering autoimmune disorders and other serious conditions.

Plaintiffs say Merck, in conducting its clinical trials for Gardasil, concealed the risks to falsely enhance the vaccine's safety profile, just as the company did years prior with Vioxx. In order to obtain its Gardasil license, Merck designed its clinical trial studies to purposefully conceal evidence of chronic conditions such as autoimmune diseases while exaggerating the vaccine's purported efficacy, the lawsuits allege. This "wholesale fraud" and dishonesty in the clinical tests led many physicians to recommend the vaccination under false assumptions, attorneys say.

By December 2019, Gardasil had more reported adverse events than any other vaccine. The U.S. Food and Drug Administration's (FDA) Vaccine Adverse Event Reporting System (VAERS) had received more than 64,000 HPV vaccine adverse event reports by that time. It's not surprising then that the Vaccine Injury Compensation Program (VICP) has paid out millions of dollars in damages for injuries and deaths.

"As a result of Merck's fraud, Gardasil is wreaking havoc on a substantial swath of an entire

generation of children and young adults on a worldwide scale," the [Gardasil lawsuits](#) allege.

Allegations Against Kaiser

- 1) Medical Malpractice
- 2) Battery

Plaintiff also alleges that Kaiser (Kaiser Foundation Hospitals and Southern California Permanente Medical Group) failed to obtain consent from Mr. Bruner prior to injecting him with Gardasil, that Kaiser injected him with Gardasil against his will, and failed to medically diagnose the nature and cause of Plaintiff's immunological, autonomic and neurological adverse reactions to the vaccine.

About Baum Hedlund Aristei & Goldman

The award-winning law firm of Baum Hedlund Aristei & Goldman has successfully litigated cases against many of the largest pharmaceutical companies in the world. Established in 1973, the firm has earned a reputation for breaking new legal ground, holding corporations accountable, influencing public policy, and raising public awareness on important safety issues. Using its longstanding tradition of success in the courtroom, the firm always strives to shine a spotlight on unsafe products or harmful practices to protect consumers from dangerous products. Across all areas of practice, the firm has won more than \$4 billion in settlements and verdicts.

Baum Hedlund wishes to stress that the firm is not against vaccines. Vaccines have the potential to eradicate disease and save millions of lives. The firm is, however, against intentional efforts to mislead consumers about the safety and effectiveness of a drug or vaccine. Baum Hedlund attorneys have always fought—and will continue to fight—for the rights of consumers to be fully and honestly informed about risks associated with any drug, vaccine, or medical device. The firm will work tirelessly to ensure those rights are defended and victims of injustice are compensated for their injuries.

Robin McCall

Baum, Hedlund, Aristei & Goldman, PC

+1 310-207-3233

[email us here](#)

Visit us on social media:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[Other](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/564910871>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors

try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2022 IPD Group, Inc. All Right Reserved.