

California Woman Alleges Gardasil Causes POTS, Autonomic Dysfunction in HPV Vaccine Lawsuit

The plaintiff is Catherine Boss of Glendale, California who continues to suffer from POTS and other serious health issues she alleges were caused by Gardasil.

LOS ANGELES, CA, UNITED STATES, November 8, 2022 /EINPresswire.com/ -- Gardasil vaccine attorneys from Baum Hedlund Aristei & Goldman have filed a lawsuit on behalf of a Southern California woman who alleges she developed postural orthostatic tachycardia syndrome (POTS) and associated symptoms after receiving the human papillomavirus (HPV) vaccine. POTS is a form of

dysautonomia, which is a malfunction of a person's autonomic nervous system. Symptoms of dysautonomia can be wide-ranging because the autonomic nervous system innervates, monitors and controls most of the tissues and organs in the body. Depending on the severity, dysautonomia and POTS can be devastating and permanently life-altering.

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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.”

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Catherine Boss Gardasil Injury Plaintiff



Before Gardasil, Catherine's greatest passion was participating in her school's color guard rifle and sabre team. She enjoyed all sorts of outdoor activities.

Gardasil Plaintiff, Catherine Boss

[Personal injury attorneys](#) Bijan Esfandiari, Michael L. Baum, Stephanie B. Sherman, and Monique Alarcon, along with co-counsel Robert F. Kennedy, Jr., filed the complaint in U.S. District Court for the Central District of California (Case 2:22-cv-06993). The plaintiff is Catherine G. Boss of Glendale, California who continues to suffer from POTS and other serious health issues she alleges were caused by Gardasil.


Boss's lawsuit is against Gardasil's manufacturer, New Jersey-based pharmaceutical giant Merck & Co., Inc. and its subsidiary, Merck Sharp & Dohme. The complaint makes the following allegations (among many others):

- Merck has risked the lives of patients with full knowledge of Gardasil's questionable efficacy and its serious and sometimes fatal side effects.
- Merck has made conscious decisions to not warn or inform the unsuspecting public and medical providers of the severe and sometimes fatal risks of Gardasil.
- Merck engaged in a relentless propaganda campaign aimed at frightening and guilt-tripping parents who failed to inoculate their children with Gardasil.

- Merck's conduct, including its false promotion of Gardasil and its failure to issue appropriate warnings concerning the severe risks of Gardasil, created a substantial risk of significant harm to children and patients who were being injected with Gardasil, and therefore warrants an award of punitive damages.

The plaintiff's mother, Kathleen Boss, alleges that, had she known the truth about Merck's conduct with the "dangerous and defective" HPV vaccine and its potential to cause serious adverse health effects, she never would have given consent for her daughter to receive Gardasil as a teen.

"Merck's efforts to conceal the risk of serious adverse events associated with Gardasil continue to pay off handsomely," says attorney Stephanie B. Sherman. "The company knows that disclosing the possibility of life-altering side effects would hurt the bottom line, so the company chose to bury its head in the sand, even as the lives of young men and women are turned upside down after Gardasil. It's shameful, but it's also not surprising. Remember, this is the same company that decided Vioxx sales were more important than people. The story is no different with the Gardasil vaccine, and we intend to hold Merck accountable for its disregard for human life."



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"I just want Merck to know that they took from me the opportunity to pursue my dreams."

Catherine Boss is suing Merck for injuries suffered after the Gardasil shot

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Catherine was 16 years old when she received her first Gardasil shot on December 12, 2016. She and her mother were told Gardasil was safe and effective for preventing cervical cancer. Considering the doctor's recommendations, Catherine's mother, Kathleen Boss, consented to her daughter being injected with the "cervical cancer vaccine," Gardasil.

Before Gardasil, Catherine was a normal teen who enjoyed school and the many activities in which she was involved. She spent most of her time outdoors and enjoyed dancing, gymnastics, soccer, rock climbing, hiking, and other hobbies. Her greatest passion as a teen was participating in her school's color guard rifle and sabre team.

Immediately following her first Gardasil dose, Catherine experienced significant fatigue, headache, shortness of breath, hypotension, and abdominal pain. She fell asleep on the way home from the doctor's office and slept until the next day, which was unusual for her.

On February 16, 2017, Catherine returned to the doctor for a follow up appointment and "well child" visit. Her doctor noted that Catherine had continued episodes of syncope (fainting), as well as migraine with visual loss, vomiting, and intermittent panic attacks. During this visit, Catherine received her second dosage of Gardasil.

On April 19, 2017, Catherine was evaluated by a cardiologist who noted frequent episodes of orthostatic lightheadedness, panic attacks, fatigue, abdominal pains, and syncope occurring 1-2x per week. The physician performed orthostatic vital signs, and his assessment included "frequent dysautonomia symptoms, possibly postural orthostatic tachycardia syndrome."

On November 6, 2017, Catherine had another follow up appointment with her doctor who noted continued dizziness and 15 episodes of syncope over the past month, difficulty sleeping, decreased appetite, severe menstrual cramps, lethargy, chills, shortness of breath and headache. She received her third dosage of Gardasil at this visit.

As the months progressed, so did Catherine's symptoms. She saw several doctors for her growing list of debilitating injuries and ailments, which now included:

- Dizziness
- Fatigue
- Lethargy
- Shakiness
- Frequent episodes of syncope
- Heart palpitations
- Lightheadedness
- Shortness of breath
- Headaches
- Migraines
- Nausea

- Vomiting
- Frequent viral and bacterial infections
- Hot flashes
- Abdominal pain
- Neck pain
- Back pain
- Pelvic pain
- Severe dysmenorrhea
- Anxiety
- Panic attacks
- Insomnia

As a result of her post-Gardasil symptoms, Catherine was unable to engage in activities that a healthy young person her age would normally enjoy. She missed school frequently and was forced to reduce her social and physical activities. After working hard to earn a spot as one of three captains on her color guard team, Catherine was physically unable to perform many of the routines that she had been doing for years.

Based upon her chronic and severe post-Gardasil symptoms, Catherine has been diagnosed with various medical conditions, including:

- POTS
- Dysautonomia
- Gastroparesis
- Migraines
- Syncope
- Pain disorder
- Endometriosis

Catherine's post-Gardasil diagnosed illnesses prevent her from sitting or standing for prolonged periods of time, which has limited her career options. She had plans of a career working with animals, but can no longer pursue that dream due to her symptoms. At 22, she walks with a cane that doubles as a seat when she can no longer stand. She struggles to overcome all her Gardasil related conditions and would love nothing more than to be healthy again.

"When all of the things you've ever wanted to do are physical and something like this comes along and takes away your ability to simply stay on your feet for more than a few minutes at a time, I can't express how devastating that is," says Catherine Boss. "I just want Merck to know that they took from me the opportunity to pursue my dreams."

"It is unfortunate that pharmaceutical companies are not held to the same standard as doctors," says Kathleen Boss. "I feel like Merck has inflicted harm to my child under the guise of providing 'protection.'"

Gardasil Vaccine Lawsuit Allegations Against Merck

Lawsuits against Merck include the following causes of action:

- 1) Negligence
- 2) Strict Liability (Failure to Warn)
- 3) Strict Liability (Manufacturing Defect)
- 4) Breach of Warranty
- 5) Common Law Fraud
- 6) Violation of California's Unfair Competition Law

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. 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 designing and 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.

Until 2021, 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 December 2019. 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.

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.

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