

No. _____

In the Supreme Court of the United States

MARILYN COUDRAIN, AS ADMINISTRATOR OF THE ESTATE
OF ELLEN SMITH, ET AL.,

Petitioners,

v.

BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE APPELLATE COURT OF ILLINOIS
FOR THE FIRST DISTRICT

PETITION FOR WRIT OF CERTIORARI

John A. Bruegger
Counsel of Record
jbruegger@parawolf.com
Justin R. Parafinczuk
jparafinczuk@parawolf.com
PARAFINCZUK WOLF, P.A.
5550 Glades Rd, Ste 500
Boca Raton, FL 33437
(954) 462-6700

Attorneys for Petitioners

AUGUST MMXXVI

QUESTION PRESENTED

Whether, under the Due Process Clause of the Fourteenth Amendment and *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U.S. 351 (2021), a State may exercise specific personal jurisdiction over nonresident corporate defendants in product-liability and failure-to-warn actions brought by nonresident plaintiffs when the defendants purposefully used the forum State to package, label, market, and distribute the allegedly defective product nationwide, although the plaintiffs were injured outside the forum State.

PARTIES TO THE PROCEEDINGS

Petitioners, all of whom were plaintiffs-appellants below, are Marilyn Coudrain, as administrator of the Estate of Ellen Smith; Olivia Adams; Deanna Adelman; Anthony Anderson; Susan Austin; Janardan Ayyappan; Cynthia Ballou; Rita Banks, administrator of the estate of Wilbert Banks; Shirley Barney; Venissa Barquet; Mary Barrett; Linwood Battle; Norene Beard; Jimetta Beasley; Barbara Belcher; Mary Betts; Michael Borookhim; Anthony Bouchard; Sybil Bouse; Anna Brandtjen, administrator of the estate of Anthony Brandtjen; Douglas Brenton; Janet Brett; Sandra Brogan; Elvira Brown; Erin Brown; Shelley Bullock, the administrator of the estate of Marilyn Holland; Owen Burdge; Jimmy Burnside; Boyd Cain; Charles Caldwell; Matt Callahan; Alfredo Canizalez; Serenia Carnegie; Nancy Carnes, administrator of the estate of Mark Carnes; Missouri Carstaffney; Allen Carter; Norma Cetuk; Helen Chow; Richard Christoffersen; Nicole Christopher; John Clare; Dorothy Collins; Gerald Combs; Eddie Cooper; Carolyn Coughlin; Cynthia Covington; Candace Crone; Patricia Crouch; Christine Currie; Anthny Czerwein; Daisy Damian; Gemayel Davis; Michael Davis; Roncindra Davis; Jeffrey Todd Davis; Heidi DeClue; Sharmayne Dicks; Deborah Dodd; Ruth Dorrance; Deborah Drew; Nanci Drury; Richard Dusch; Roland Eaglin; Gary D. Eckrich; Cathy Evans; Jeanette Evans; Georgia Ezeilo; Pearl R. Fields; William Fleming; George Flint; Robert Florkey; Carolyn Foster, administrator of the estate of Aaron J. Foster; Dennis Fox; Emilio Franco; Katrina Frazier; Ronald Fulmer; Richard Gaiti; Dinah George; Larry German; Jeffrey Gill;

Khaliefe Glover; Emmanuel Goldstein; Greg Gover;
 Michael Hall; Shayne (Shane) M. Hall; Lashonda
 Hampton, as administrator of the estate of Sheila
 Furr; Minnie Harris; Douglas Harrison; Joshua Haw-
 kins; Tina Herrin; Tomasa Hill; Lois Hinkle; Sandra
 Holmes; Willie Holmes; John Holstein; Dawn Hurr,
 administrator of the estate of Cassandra Day; Earl
 Johnson; Lisha Johnson; Maria Johnson; Gary John-
 ston; Gilbert Joines; Kenya Knezevich; Joan Knoph;
 Leonard J. Lee; Carol Lorenz; Betty Lubar; Lawrence
 Luckey; David William Lundblom; Carlos Maldonado;
 David Mann; Vicki McCall; David McClelland; Jean
 McDonnell; Curtis McPherson; Mark Meyer; Micheal
 Miller; Richard B. Moffitt; Kerrie L. Moran; Deborah
 Morgan; Freedom Murray; Azmi Mustafa; Garard
 Naff; Albert Nevarez, Jr.; Robert Newman; Marilyn
 Denise Oreoluwa; Joshua Owens; Gloria Y. Pacley;
 Shanna Palmour; Dina Peller; Renita Perez; Kaysan-
 dra Peyton; Michele Dawn Piacquadio; Franco Polizzi;
 Marlon Pucket; Vadalina Quinones; David Long
 Quintero; Sharon Renfro; Patricia Rhem; Danica Ri-
 ley; Vernon Risby; Craig Rodkin; Elvir Sabanovic;
 Marco Antonio Sandoval; Kimberly Sayles; Louise
 Scott; Sammy Shah; Patricia Siebert; Joseph T. Silva;
 Pamela Smith; Rebecca Smith; Talton Smith; Donna
 Snyder, administrator of the estate of Ronald Lee
 Snyder; Melisa Sobota; Rose A. South; Christian Spin-
 ing; Olivia Sutton; Jeffrey Tantleff; Johnnie Tarver;
 Tinisha Thomas; David Thureau; Shane Tomczak;
 Elizabeth Francy Torres Vieira; Timmy Trahan;
 Courtney Turner; Detlef Vance; Tina Ayers Vick; Nate
 Vortharms; Kyla Voss, administrator of the Estate of
 Daryle Peters; Cynthia M. Ward; Christopher Warren,
 administrator of the estate of Danielle Barney;

Karleythia Washington; Stephen Weidenhamer; Mary Jane White; Kazuko Williams; Paul Williams; Quincy Carl Williams; Rory Williams; Myisha Wright; Allen Wronko; Robert Yasick.

Respondents, all of whom were defendants-appellees below, are Boehringer Ingelheim Pharmaceuticals, Inc.; Boehringer Ingelheim USA Corporation; Boehringer Ingelheim Corporation; Sanofi-Aventis U. S. LLC; and Sanofi U. S. Services, Inc. None of the parties has a stock ticker symbol.

RELATED PROCEEDINGS

Circuit Court of Illinois (Cook Cty.):

Banna v. Walgreen Co., et al., No. 2020–L–004916 (Jan. 23, 2025) (consolidated pretrial proceeding in which the circuit court granted Brand Defendants’ joint motion to dismiss the non-Illinois plaintiffs’ claims for lack of personal jurisdiction; individual final dismissal orders followed in petitioners’ cases)

Olivia Adams v. Walgreen Co., et al., No. 2023L003324 (Mar. 5, 2025) (judgment of dismissal entered)

Deanna Adelman v. Walgreen Co., et al., No. 2023L004069 (Mar. 5, 2025) (judgment of dismissal entered)

Anthony Anderson v. Walgreen Co., et al., No. 2023L003624 (Mar. 5, 2025) (judgment of dismissal entered)

Susan Austin v. Walgreen Co., et al., No. 2023L003631 (Mar. 5, 2025) (judgment of dismissal entered)

Janardanan Ayyappan v. Walgreen Co., et al., No. 2023L003327 (Mar. 5, 2025) (judgment of dismissal entered)

Cynthia Ballou v. Walgreen Co., et al., No. 2023L003653 (Mar. 5, 2025) (judgment of dismissal entered)

Rita Banks (Estate of Wilbert Banks) v. Walgreen Co., et al., No. 2023L003659 (Mar. 5, 2025) (judgment of dismissal entered)

Shirley Barney v. Walgreen Co., et al., No. 2023L003341 (Mar. 5, 2025) (judgment of dismissal entered)

Venissa Barquet v. Walgreen Co., et al., No. 2023L003675 (Mar. 5, 2025) (judgment of dismissal entered)

Mary Barrett v. Walgreen Co., et al., No. 2023L003425 (Mar. 5, 2025) (judgment of dismissal entered)

Linwood Battle v. Walgreen Co., et al., No. 2023L003673 (Mar. 5, 2025) (judgment of dismissal entered)

Norene Beard v. Walgreen Co., et al., No. 2023L003431 (Mar. 5, 2025) (judgment of dismissal entered)

Jimetta Beasley v. Walgreen Co., et al., No. 2023L003426 (Mar. 5, 2025) (judgment of dismissal entered)

Barbara Belcher v. Walgreen Co., et al., No. 2023L003430 (Mar. 5, 2025) (judgment of dismissal entered)

Mary Betts v. Walgreen Co., et al., No. 2023L003684 (Mar. 5, 2025) (judgment of dismissal entered)

Michael Borookhim v. Walgreen Co., et al., No. 2023L003957 (Mar. 5, 2025) (judgment of dismissal entered)

Anthony Bouchard v. Walgreen Co., et al., No. 2023L003697 (Mar. 5, 2025) (judgment of dismissal entered)

Sybil Bouse v. Walgreen Co., et al., No. 2023L004044 (Mar. 5, 2025) (judgment of dismissal entered)

Anna Brandtjen (Estate of Anthony Brandtjen) v. Walgreen Co., et al., No. 2023L004013 (Mar. 5, 2025) (judgment of dismissal entered)

Douglas Brenton v. Walgreen Co., et al., No. 2023L003961 (Mar. 5, 2025) (judgment of dismissal entered)

Janet Brett v. Walgreen Co., et al., No. 2023L003730 (Mar. 5, 2025) (judgment of dismissal entered)

Sandra Brogan v. Walgreen Co., et al., No. 2023L003438 (Mar. 5, 2025) (judgment of dismissal entered)

Elvira Brown v. Walgreen Co., et al., No. 2023L003735 (Mar. 5, 2025) (judgment of dismissal entered)

Erin Brown v. Walgreen Co., et al., No. 2023L004043 (Mar. 5, 2025) (judgment of dismissal entered)

Owen Burdge v. Walgreen Co., et al., No. 2023L004039 (Mar. 5, 2025) (judgment of dismissal entered)

Jimmy Burnside v. Walgreen Co., et al., No. 2023L003761 (Mar. 5, 2025) (judgment of dismissal entered)

Boyd Cain v. Walgreen Co., et al., No. 2023L003700 (Mar. 5, 2025) (judgment of dismissal entered)

Charles Caldwell v. Walgreen Co., et al., No. 2023L004046 (Mar. 5, 2025) (judgment of dismissal entered)

Matt Callahan v. Walgreen Co., et al., No. 2023L003762 (Mar. 5, 2025) (judgment of dismissal entered)

Alfredo Canizalez v. Walgreen Co., et al., No. 2023L003766 (Mar. 5, 2025) (judgment of dismissal entered)

Serenia Carnegie v. Walgreen Co., et al., No. 2023L004048 (Mar. 5, 2025) (judgment of dismissal entered)

Nancy Carnes (Estate of Mark Carnes) v. Walgreen Co., et al., No. 2023L004094 (Mar. 5, 2025) (judgment of dismissal entered)

Missouri Carstaffney v. Walgreen Co., et al., No. 2023L003767 (Mar. 5, 2025) (judgment of dismissal entered)

Allen Carter v. Walgreen Co., et al., No. 2023L003667 (Mar. 5, 2025) (judgment of dismissal entered)

Norma Cetuk v. Walgreen Co., et al., No. 2023L003768 (Mar. 5, 2025) (judgment of dismissal entered)

Helen Chow v. Walgreen Co., et al., No. 2023L003704 (Mar. 5, 2025) (judgment of dismissal entered)

Richard Christoffersen v. Walgreen Co., et al., No. 2023L003988 (Mar. 5, 2025) (judgment of dismissal entered)

Nicole Christopher v. Walgreen Co., et al., No. 2023L003707 (Mar. 5, 2025) (judgment of dismissal entered)

John Clare v. Walgreen Co., et al., No. 2023L004104 (Mar. 5, 2025) (judgment of dismissal entered)

Dorothy Collins v. Walgreen Co., et al., No. 2023L003791 (Mar. 5, 2025) (judgment of dismissal entered)

Gerald Combs v. Walgreen Co., et al., No. 2023L004050 (Mar. 5, 2025) (judgment of dismissal entered)

Eddie Cooper v. Walgreen Co., et al., No. 2023L004054 (Mar. 5, 2025) (judgment of dismissal entered)

Carolyn Coughlin v. Walgreen Co., et al., No. 2023L003712 (Mar. 5, 2025) (judgment of dismissal entered)

Cynthia Covington v. Walgreen Co., et al., No. 2023L003433 (Mar. 5, 2025) (judgment of dismissal entered)

Candace Crone v. Walgreen Co., et al., No. 2023L003785 (Mar. 5, 2025) (judgment of dismissal entered)

Patricia Crouch v. Walgreen Co., et al., No. 2023L004012 (Mar. 5, 2025) (judgment of dismissal entered)

Christine Currie v. Walgreen Co., et al., No. 2023L003432 (Mar. 5, 2025) (judgment of dismissal entered)

Anthny Czerwein v. Walgreen Co., et al., No. 2023L003440 (Mar. 5, 2025) (judgment of dismissal entered)

Daisy Damian v. Walgreen Co., et al., No. 2023L003779 (Mar. 5, 2025) (judgment of dismissal entered)

Gemayel Davis v. Walgreen Co., et al., No. 2023L003789 (Mar. 5, 2025) (judgment of dismissal entered)

Michael Davis v. Walgreen Co., et al., No. 2023L004015 (Mar. 5, 2025) (judgment of dismissal entered)

Roncindra Davis v. Walgreen Co., et al., No. 2023L003797 (Mar. 5, 2025) (judgment of dismissal entered)

Jeffrey Todd Davis v. Walgreen Co., et al., No. 2023L003795 (Mar. 5, 2025) (judgment of dismissal entered)

Heidi DeClue v. Walgreen Co., et al., No. 2023L003970 (Mar. 5, 2025) (judgment of dismissal entered)

Sharmayne Dicks v. Walgreen Co., et al., No. 2023L003787 (Mar. 5, 2025) (judgment of dismissal entered)

Deborah Dodd v. Walgreen Co., et al., No. 2023L003807 (Mar. 5, 2025) (judgment of dismissal entered)

Ruth Dorrance v. Walgreen Co., et al., No. 2023L003815 (Mar. 5, 2025) (judgment of dismissal entered)

Deborah Drew v. Walgreen Co., et al., No. 2023L003442 (Mar. 5, 2025) (judgment of dismissal entered)

Nanci Drury v. Walgreen Co., et al., No. 2023L003444 (Mar. 5, 2025) (judgment of dismissal entered)

Richard Dusch v. Walgreen Co., et al., No. 2023L003817 (Mar. 5, 2025) (judgment of dismissal entered)

Roland Eaglin v. Walgreen Co., et al., No. 2023L003820 (Mar. 5, 2025) (judgment of dismissal entered)

Gary D. Eckrich v. Walgreen Co., et al., No. 2023L003819 (Mar. 5, 2025) (judgment of dismissal entered)

Cathy Evans v. Walgreen Co., et al., No. 2023L003842 (Mar. 5, 2025) (judgment of dismissal entered)

Jeanette Evans v. Walgreen Co., et al., No. 2023L003847 (Mar. 5, 2025) (judgment of dismissal entered)

Georgia Ezeilo v. Walgreen Co., et al., No. 2023L003434 (Mar. 5, 2025) (judgment of dismissal entered)

Pearl R. Fields v. Walgreen Co., et al., No. 2023L003443 (Mar. 5, 2025) (judgment of dismissal entered)

William Fleming v. Walgreen Co., et al., No. 2023L004011 (Mar. 5, 2025) (judgment of dismissal entered)

George Flint v. Walgreen Co., et al., No. 2023L003454 (Mar. 5, 2025) (judgment of dismissal entered)

Robert Florkey v. Walgreen Co., et al., No. 2023L003845 (Mar. 5, 2025) (judgment of dismissal entered)

Carolyn Foster (Estate of Aaron J. Foster) v. Walgreen Co., et al., No. 2023L004093 (Mar. 5, 2025) (judgment of dismissal entered)

Dennis Fox v. Walgreen Co., et al., No. 2023L003680 (Mar. 5, 2025) (judgment of dismissal entered)

Emilio Franco v. Walgreen Co., et al., No. 2023L003848 (Mar. 5, 2025) (judgment of dismissal entered)

Katrina Frazier v. Walgreen Co., et al., No. 2023L003852 (Mar. 5, 2025) (judgment of dismissal entered)

Ronald Fulmer v. Walgreen Co., et al., No. 2023L003854 (Mar. 5, 2025) (judgment of dismissal entered)

Richard Gaiti v. Walgreen Co., et al., No. 2023L004097 (Mar. 5, 2025) (judgment of dismissal entered)

Dinah George v. Walgreen Co., et al., No. 2023L003879 (Mar. 5, 2025) (judgment of dismissal entered)

Larry German v. Walgreen Co., et al., No. 2023L004102 (Mar. 5, 2025) (judgment of dismissal entered)

Jeffrey Gill v. Walgreen Co., et al., No. 2023L003455 (Mar. 5, 2025) (judgment of dismissal entered)

Khaliefe Glover v. Walgreen Co., et al., No. 2023L003763 (Mar. 5, 2025) (judgment of dismissal entered)

Emmanuel Goldstein v. Walgreen Co., et al., No. 2023L003467 (Mar. 5, 2025) (judgment of dismissal entered)

Greg Gover v. Walgreen Co., et al., No. 2023L003738 (Mar. 5, 2025) (judgment of dismissal entered)

Michael Hall v. Walgreen Co., et al., No. 2023L003865 (Mar. 5, 2025) (judgment of dismissal entered)

Shayne (Shane) M. Hall v. Walgreen Co., et al., No. 2023L003868 (Mar. 5, 2025) (judgment of dismissal entered)

Minnie Harris v. Walgreen Co., et al., No. 2023L003871 (Mar. 5, 2025) (judgment of dismissal entered)

Douglas Harrison v. Walgreen Co., et al., No. 2023L003869 (Mar. 5, 2025) (judgment of dismissal entered)

Joshua Hawkins v. Walgreen Co., et al., No. 2023L003873 (Mar. 5, 2025) (judgment of dismissal entered)

Tina Herrin v. Walgreen Co., et al., No. 2023L003874 (Mar. 5, 2025) (judgment of dismissal entered)

Tomasa Hill v. Walgreen Co., et al., No. 2023L003876 (Mar. 5, 2025) (judgment of dismissal entered)

Lois Hinkle v. Walgreen Co., et al., No. 2023L003464 (Mar. 5, 2025) (judgment of dismissal entered)

Sandra Holmes v. Walgreen Co., et al., No. 2023L003739 (Mar. 5, 2025) (judgment of dismissal entered)

Willie Holmes v. Walgreen Co., et al., No. 2023L003731 (Mar. 5, 2025) (judgment of dismissal entered)

John Holstein v. Walgreen Co., et al., No. 2023L003465 (Mar. 5, 2025) (judgment of dismissal entered)

Earl Johnson v. Walgreen Co., et al., No. 2023L003466 (Mar. 5, 2025) (judgment of dismissal entered)

Lisha Johnson v. Walgreen Co., et al., No. 2023L003467 (Mar. 5, 2025) (judgment of dismissal entered)

Maria Johnson v. Walgreen Co., et al., No. 2023L003469 (Mar. 5, 2025) (judgment of dismissal entered)

Gary Johnston v. Walgreen Co., et al., No. 2023L003470 (Mar. 5, 2025) (judgment of dismissal entered)

Gilbert Joines v. Walgreen Co., et al., No. 2023L003705 (Mar. 5, 2025) (judgment of dismissal entered)

Kenya Knezevich v. Walgreen Co., et al., No. 2023L003733 (Mar. 5, 2025) (judgment of dismissal entered)

Joan Knoph v. Walgreen Co., et al., No. 2023L003890 (Mar. 5, 2025) (judgment of dismissal entered)

Leonard J. Lee v. Walgreen Co., et al., No. 2023L003908 (Mar. 5, 2025) (judgment of dismissal entered)

Carol Lorenz v. Walgreen Co., et al., No. 2023L004100 (Mar. 5, 2025) (judgment of dismissal entered)

Betty Lubar v. Walgreen Co., et al., No. 2023L004061 (Mar. 5, 2025) (judgment of dismissal entered)

Lawrence Luckey v. Walgreen Co., et al., No. 2023L003905 (Mar. 5, 2025) (judgment of dismissal entered)

David William Lundblom v. Walgreen Co., et al., No. 2023L003907 (Mar. 5, 2025) (judgment of dismissal entered)

Carlos Maldonado v. Walgreen Co., et al., No. 2023L003923 (Mar. 5, 2025) (judgment of dismissal entered)

David Mann v. Walgreen Co., et al., No. 2023L003504 (Mar. 5, 2025) (judgment of dismissal entered)

Vicki McCall v. Walgreen Co., et al., No. 2023L003930 (Mar. 5, 2025) (judgment of dismissal entered)

David McClelland v. Walgreen Co., et al., No. 2023L003932 (Mar. 5, 2025) (judgment of dismissal entered)

Jean McDonnell v. Walgreen Co., et al., No. 2023L003523 (Mar. 5, 2025) (judgment of dismissal entered)

Curtis McPherson v. Walgreen Co., et al., No. 2023L003744 (Mar. 5, 2025) (judgment of dismissal entered)

Mark Meyer v. Walgreen Co., et al., No. 2023L003529 (Mar. 5, 2025) (judgment of dismissal entered)

Micheal Miller v. Walgreen Co., et al., No. 2023L003920 (Mar. 5, 2025) (judgment of dismissal entered)

Richard B. Moffitt v. Walgreen Co., et al., No. 2023L004062 (Mar. 5, 2025) (judgment of dismissal entered)

Kerrie L. Moran v. Walgreen Co., et al., No. 2023L003919 (Mar. 5, 2025) (judgment of dismissal entered)

Deborah Morgan v. Walgreen Co., et al., No. 2023L004066 (Mar. 5, 2025) (judgment of dismissal entered)

Freedom Murray v. Walgreen Co., et al., No. 2023L003915 (Mar. 5, 2025) (judgment of dismissal entered)

Azmi Mustafa v. Walgreen Co., et al., No. 2023L004005 (Mar. 5, 2025) (judgment of dismissal entered)

Garard Naff v. Walgreen Co., et al., No. 2023L003974 (Mar. 5, 2025) (judgment of dismissal entered)

Albert Nevarez, Jr. v. Walgreen Co., et al., No. 2023L004004 (Mar. 5, 2025) (judgment of dismissal entered)

Robert Newman v. Walgreen Co., et al., No. 2023L004077 (Mar. 5, 2025) (judgment of dismissal entered)

Marilyn Denise Oreoluwa v. Walgreen Co., et al., No. 2023L004127 (Mar. 5, 2025) (judgment of dismissal entered)

Joshua Owens v. Walgreen Co., et al., No. 2023L003533 (Mar. 5, 2025) (judgment of dismissal entered)

Gloria Y. Pacley v. Walgreen Co., et al., No. 2023L003535 (Mar. 5, 2025) (judgment of dismissal entered)

Shanna Palmour v. Walgreen Co., et al., No. 2023L003996 (Mar. 5, 2025) (judgment of dismissal entered)

Dina Peller v. Walgreen Co., et al., No. 2023L003750 (Mar. 5, 2025) (judgment of dismissal entered)

Renita Perez v. Walgreen Co., et al., No. 2023L004090 (Mar. 5, 2025) (judgment of dismissal entered)

Kaysandra Peyton v. Walgreen Co., et al., No. 2023L003769 (Mar. 5, 2025) (judgment of dismissal entered)

Michele Dawn Piacquadio v. Walgreen Co., et al., No. 2023L003538 (Mar. 5, 2025) (judgment of dismissal entered)

Franco Polizzi v. Walgreen Co., et al., No. 2023L003992 (Mar. 5, 2025) (judgment of dismissal entered)

Marlon Pucket v. Walgreen Co., et al., No. 2023L003984 (Mar. 5, 2025) (judgment of dismissal entered)

Vadalina Quinones v. Walgreen Co., et al., No. 2023L003542 (Mar. 5, 2025) (judgment of dismissal entered)

David Long Quintero v. Walgreen Co., et al., No. 2023L004107 (Mar. 5, 2025) (judgment of dismissal entered)

Sharon Renfro v. Walgreen Co., et al., No. 2023L003951 (Mar. 5, 2025) (judgment of dismissal entered)

Patricia Rhem v. Walgreen Co., et al., No. 2023L003939 (Mar. 5, 2025) (judgment of dismissal entered)

Danica Riley v. Walgreen Co., et al., No. 2023L003752 (Mar. 5, 2025) (judgment of dismissal entered)

Vernon Risby v. Walgreen Co., et al., No. 2023L003969 (Mar. 5, 2025) (judgment of dismissal entered)

Craig Rodkin v. Walgreen Co., et al., No. 2023L004001 (Mar. 5, 2025) (judgment of dismissal entered)

Elvir Sabanovic v. Walgreen Co., et al., No. 2023L003991 (Mar. 5, 2025) (judgment of dismissal entered)

Marco Antonio Sandoval v. Walgreen Co., et al., No. 2023L003976 (Mar. 5, 2025) (judgment of dismissal entered)

Kimberly Sayles v. Walgreen Co., et al., No. 2023L003941 (Mar. 5, 2025) (judgment of dismissal entered)

Louise Scott v. Walgreen Co., et al., No. 2023L003567 (Mar. 5, 2025) (judgment of dismissal entered)

Sammy Shah v. Walgreen Co., et al., No. 2023L003943 (Mar. 5, 2025) (judgment of dismissal entered)

Patricia Siebert v. Walgreen Co., et al., No. 2023L003568 (Mar. 5, 2025) (judgment of dismissal entered)

Joseph T. Silva v. Walgreen Co., et al., No. 2023L003916 (Mar. 5, 2025) (judgment of dismissal entered)

Pamela Smith v. Walgreen Co., et al., No. 2023L003812 (Mar. 5, 2025) (judgment of dismissal entered)

Rebecca Smith v. Walgreen Co., et al., No. 2023L003574 (Mar. 5, 2025) (judgment of dismissal entered)

Talton Smith v. Walgreen Co., et al., No. 2023L003575 (Mar. 5, 2025) (judgment of dismissal entered)

Donna Snyder (Estate of Ronald Lee Snyder) v. Walgreen Co., et al., No. 2023L003782 (Mar. 5, 2025) (judgment of dismissal entered)

Melisa Sobota v. Walgreen Co., et al., No. 2023L003579 (Mar. 5, 2025) (judgment of dismissal entered)

Rose A. South v. Walgreen Co., et al., No. 2023L003986 (Mar. 5, 2025) (judgment of dismissal entered)

Christian Spining v. Walgreen Co., et al., No. 2023L003813 (Mar. 5, 2025) (judgment of dismissal entered)

Olivia Sutton v. Walgreen Co., et al., No. 2023L003841 (Mar. 5, 2025) (judgment of dismissal entered)

Jeffrey Tantleff v. Walgreen Co., et al., No. 2023L003826 (Mar. 5, 2025) (judgment of dismissal entered)

Johnnie Tarver v. Walgreen Co., et al., No. 2023L004032 (Mar. 5, 2025) (judgment of dismissal entered)

Tinisha Thomas v. Walgreen Co., et al., No. 2023L003582 (Mar. 5, 2025) (judgment of dismissal entered)

David Thureau v. Walgreen Co., et al., No. 2023L003827 (Mar. 5, 2025) (judgment of dismissal entered)

Shane Tomczak v. Walgreen Co., et al., No. 2023L004086 (Mar. 5, 2025) (judgment of dismissal entered)

Elizabeth Francy Torres Vieira v. Walgreen Co., et al., No. 2023L003833 (Mar. 5, 2025) (judgment of dismissal entered)

Timmy Trahan v. Walgreen Co., et al., No. 2023L003583 (Mar. 5, 2025) (judgment of dismissal entered)

Courtney Turner v. Walgreen Co., et al., No. 2023L003830 (Mar. 5, 2025) (judgment of dismissal entered)

Detlef Vance v. Walgreen Co., et al., No. 2023L004110 (Mar. 5, 2025) (judgment of dismissal entered)

Tina Ayers Vick v. Walgreen Co., et al., No. 2023L003713 (Mar. 5, 2025) (judgment of dismissal entered)

Nate Vortherms v. Walgreen Co., et al., No. 2023L003893 (Mar. 5, 2025) (judgment of dismissal entered)

Cynthia M. Ward v. Walgreen Co., et al., No. 2023L003882 (Mar. 5, 2025) (judgment of dismissal entered)

Karleythia Washington v. Walgreen Co., et al., No. 2023L003793 (Mar. 5, 2025) (judgment of dismissal entered)

Stephen Weidenhamer v. Walgreen Co., et al., No. 2023L004106 (Mar. 5, 2025) (judgment of dismissal entered)

Mary Jane White v. Walgreen Co., et al., No. 2023L003584 (Mar. 5, 2025) (judgment of dismissal entered)

Kazuko Williams v. Walgreen Co., et al., No. 2023L004052 (Mar. 5, 2025) (judgment of dismissal entered)

Paul Williams v. Walgreen Co., et al., No. 2023L003586 (Mar. 5, 2025) (judgment of dismissal entered)

Quincy Carl Williams v. Walgreen Co., et al., No. 2023L003834 (Mar. 5, 2025) (judgment of dismissal entered)

Rory Williams v. Walgreen Co., et al., No. 2023L003587 (Mar. 5, 2025) (judgment of dismissal entered)

Myisha Wright v. Walgreen Co., et al., No. 2023L003832 (Mar. 5, 2025) (judgment of dismissal entered)

Allen Wronko v. Walgreen Co., et al., No. 2023L003831 (Mar. 5, 2025) (judgment of dismissal entered)

Robert Yasick v. Walgreen Co., et al., No. 2023L003592 (Mar. 5, 2025) (judgment of dismissal entered)

Marilyn Coudrain, as Administrator of the Estate of Ellen Smith v. Walgreen Co., et al., No. 2023L003569 (Mar. 24, 2025) (judgment of dismissal entered)

Shelley Bullock (Estate of Marilyn Holland) v. Walgreen Co., et al., No. 2023L003463 (Mar. 24, 2025) (judgment of dismissal entered)

Lashonda Hampton (Estate of Sheila Furr) v. Walgreen Co., et al., No. 2023L003858 (Mar. 24, 2025) (judgment of dismissal entered)

Dawn Hurr (Estate of Cassandra Day) v. Walgreen Co., et al., No. 2023L003447 (Mar. 24, 2025) (judgment of dismissal entered)

Kyla Voss (Estate of Daryle Peters) v. Walgreen Co., et al., No. 2023L003990 (Mar. 24, 2025) (judgment of dismissal entered)

Christopher Warren (Estate of Danielle Barney) v. Walgreen Co., et al., No. 2023L003664 (Mar. 24, 2025) (judgment of dismissal entered)

Appellate Court of Illinois, First District:

Coudrain v. Walgreen Co., No. 1–25–0614, 2026 IL App (1st) 250614–U (Feb. 20, 2026) (judgment affirming dismissal entered)

Supreme Court of Illinois:

Coudrain v. Walgreen Co., No. 132993 (May 27, 2026) (petition for leave to appeal denied)

TABLE OF CONTENTS

Question Presented	i
Parties to the Proceedings	ii
Related Proceedings	iv
Table of Authorities.....	xxviii
Opinions Below.....	1
Jurisdiction.....	1
Constitutional Provision Involved.....	1
Introduction.....	2
Statement of the Case.....	5
I. Factual Background	5
II. Procedural History.....	10
Reasons for Granting the Petition.....	11
I. The Decision Below Directly Conflicts with <i>Ford Motor Co.</i> by Imposing a Causation Requirement that This Court Unequivocally Rejected	12
II. Respondents’ Extensive Utilization of Illinois’s Commercial Infrastructure Satisfies the “Relates To” Test Under Due Process.....	13
III. Certiorari is Necessary to Clarify the Scope of <i>Bristol-Myers Squibb</i> in light of <i>Ford</i> <i>Motor Co.</i>	14
Conclusion	16

Appendix

Appendix A

Order [circuit court affirmed, 2026 IL App (1st) 250614–U], Appellate Court of Illinois for the First Appellate District, *Marilyn Coudrain, as Administrator of the Estate of Ellen Smith, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,
 No. 1–25–0614 (Feb. 20, 2026) App–1

Appendix B

Order of Dismissal with Prejudice, Circuit Court of Illinois, Cook County, *Marilyn Coudrain, as Administrator of the Estate of Ellen Smith, et al. v. Walgreen, Co., et al.*,
 No. 2023L003569 (Apr. 25, 2025) App–26

Appendix C

Record of Proceedings, Circuit Court of Illinois, Cook County, *Marilyn Coudrain, as Administrator of the Estate of Ellen Smith, et al. v. Walgreen, Co., et al.*,
 No. 2023L003569 (Jan. 23, 2025) App–28

Appendix D

Order [discretionary review denied], Supreme Court of Illinois, *Marilyn Coudrain, as Administrator of the Estate of Ellen Smith, et al. v. Walgreen, Co., et al. (Boehringer Ingelheim Pharmaceuticals, Inc., et al., respondents)*,
 No. 132993 (May. 27, 2026) App–89

Appendix E

Complaint, Circuit Court of Illinois, Cook County,
*Marilyn Coudrain, as Administrator of the Estate
 of Ellen Smith, et al. v. Walgreen, Co., et al.*,
 No. 2023L003569 (Apr. 12, 2023) App-92

Appendix F

Exhibit A for 180 Cases to be Appealed by April 4,
 2025, Circuit Court of Illinois, Cook County, *Mar-
 ilyn Coudrain, as Administrator of the Estate of
 Ellen Smith, et al. v. Walgreen, Co., et al.*,
 No. 2023L003569 (Apr. 3, 2025) App-207

Sealed Appendix**Volume I**

Appendix G

Defendants Boehringer Ingelheim Pharmaceuti-
 cals, Inc.'s and Boehringer Ingelheim USA Corpo-
 ration's Supplemental Responses and Objections
 to Non-Illinois Plaintiffs' Requests for Admis-
 sions Related to Personal Jurisdiction, Circuit
 Court of Cook County, Illinois, County Depart-
 ment, Law Division, *George Banna v. Walgreen
 Co.; et al.*,
 No. 2020 L 004916 (Mar. 21, 2024) App-214

Appendix H

Brokerage Agreement (Boehringer Ingelheim
 Consumer Health Care Division of Boehringer
 Ingelheim Pharmaceuticals, Inc. and Crossmark,
 Inc.),
 (Effective Jan. 1, 2009) App-299

Appendix I

Brokerage Agreement (Boehringer Ingelheim Consumer Health Care Division of Boehringer Ingelheim Pharmaceuticals, Inc. and Crossmark, Inc.),
(Effective April 1, 2011) App-326

Appendix J

Brokerage Agreement (Boehringer Ingelheim Consumer Health Care Division of Boehringer Ingelheim Pharmaceuticals, Inc. and Mechanical Servants, Inc.),
(Effective Dec. 19, 2013) App-367

Appendix K

Brokerage Agreement (Boehringer Ingelheim Consumer Health Care Division of Boehringer Ingelheim Pharmaceuticals, Inc. and Medex Merchandising Inc.),
(Effective Dec. 19, 2013) App-391

Appendix L

Brokerage Agreement (Boehringer Ingelheim Consumer Health Care Division of Boehringer Ingelheim Pharmaceuticals, Inc. and Morden Aids),
(Effective Dec. 19, 2013) App-414

Appendix M

Quality Assurance Agreement Between Rand Diversified Companies, LLC and Boehringer Ingelheim Pharmaceuticals, Inc. with Boehringer Ingelheim Roxane, Inc.
(Effective June 2009 and August 2011) App-436

Appendix N

Defendants Sanofi-Aventis U.S. LLC and Sanofi US Services Inc.’s Amended Supplemental Re- sponses to Plaintiffs’ First Set of Requests for Production of Documents Related to Personal Ju- risdiction, Circuit Court of Cook County, Illinois, County Department, Law Division, <i>George Banna</i> <i>v. Walgreen Co.; et al.</i> , No. 2023-L-004916 (Sep. 18, 2024)	App–496
---	---------

Appendix O

Continuing Guaranty and Indemnification Agreement	App–607
--	---------

Volume II

Appendix P

Sanofi Zantac Sales 2017-2019 (Unredacted)	App–611
---	---------

Volume III

Appendix P (Continuing)

Sanofi Zantac Sales 2017-2019 (Unredacted)	App–1010
---	----------

Volume IV

Appendix P (Continuing II)

Sanofi Zantac Sales 2017-2019 (Unredacted)	App–1409
---	----------

Appendix Q

Convenience Valet Transfer Agreement (Unredacted)	App–1537
--	----------

TABLE OF AUTHORITIES

Cases

<i>Bristol-Myers Squibb Co. v. Superior Court</i> , 582 U. S. 255 (2017)	10, 12, 14–15
<i>Ford Motor Co. v. Montana Eighth Judicial Dist.</i> <i>Court</i> , 592 U. S. 351 (2021)	2, 4, 10–16
<i>Helicopteros Nacionales de Colombia, S. A. v. Hall</i> , 466 U. S. 408 (1984)	3
<i>Keeton v. Hustler Magazine, Inc.</i> , 465 U. S. 770 (1984)	2–4
<i>M. M. v. GlaxoSmithKline, LLC</i> , 2016 IL App (1st) 151909	4
<i>Rios v. Bayer Corp.</i> , 2020 IL 125020	10
<i>Shaffer v. Heitner</i> , 433 U. S. 186 (1977)	3
<i>Walden v. Fiore</i> , 571 U. S. 277 (2014)	3
<i>World-Wide Volkswagen Corp. v. Woodson</i> , 444 U. S. 286 (1980)	3

Constitutional Provisions, Statutes, and Rules

U. S. Const. Amdt. XIV, §1	1, 4–5, 11, 13, 15–16
28 U. S. C. §1257(a)	1
S. Ct. R. 10	11–12

OPINIONS BELOW

The Supreme Court of Illinois’s order denying leave to appeal is available at 2026 Ill. LEXIS 520 and 2026 WL 1485656, and is reproduced in the Appendix at App. 89–90. The Appellate Court of Illinois, First District’s order is unpublished and available at 2026 IL App (1st) 250614–U, and is reproduced in the Appendix at App. 1–25. The relevant circuit-court orders are unreported and is reproduced in the Appendix at App. 26–88.

JURISDICTION

The Appellate Court of Illinois, First District, entered judgment on February 20, 2026. The Supreme Court of Illinois denied petitioners’ timely petition for leave to appeal on May 27, 2026. This Court has jurisdiction under 28 U. S. C. §1257(a).

CONSTITUTIONAL PROVISION INVOLVED

U. S. Const., Amdt. XIV, §1 provides:

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” U. S. Const., Amdt. XIV, §1.

INTRODUCTION

This Court has held that a State may exercise specific jurisdiction over claims that *either* “arise out of or relate to” a defendant’s contacts with the forum State. *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U.S. 351, 362 (2021) (emphasis added). In rejecting *Ford*’s argument that its forum contacts must bear a causal relationship to the underlying litigation, this Court explained that “[n]one of our precedents has suggested that only a strict causal relationship between the defendant’s in-state activity and the litigation will do.” *Id.*, at 362. The Court likewise has “never framed the specific jurisdiction inquiry as always requiring proof of causation—*i. e.*, proof that the plaintiff’s claim came about because of the defendant’s in-state conduct.” *Ibid.*

But in upholding the Circuit Court’s dismissal of the underlying plaintiffs’ complaints for lack of personal jurisdiction (and the Supreme Court of Illinois’s refusal to review), the Appellate Court of Illinois created a strict *de facto* rule specifically rejected by this Court—namely that states can only exercise jurisdiction over personal injury claims if defendants’ activities in the forum state caused plaintiffs’ injuries in the forum state. In other words, regardless of defendants’ contacts with the forum, if the plaintiffs were not injured in the forum state, there can never be specific jurisdiction. This is tantamount to imposing jurisdiction on defendants based on plaintiffs’ contact with the forum.

But this Court has never held that, and such a rule has been repeatedly rejected. See *Keeton v. Hustler Magazine, Inc.*, 465 U.S. 770, 775–779 (1984);

Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 417 (1984) (holding that the focus should be on defendant’s connections, not those of another party or third party); *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286, 298 (1980) (rejecting Oklahoma jurisdiction over a automobile dealer operating in New York, New Jersey, and Connecticut when plaintiff merely drove the vehicle into Oklahoma); *Walden v. Fiore*, 571 U.S. 277, 284 (2014) (jurisdiction “must arise out of contacts that the ‘defendant *himself*’ creates with the forum State.”) (emphasis in original).

In *Keeton*, this Court considered whether New Hampshire could exercise personal jurisdiction over a nonresident defendant on claims brought by a nonresident plaintiff. *Keeton*, 465 U.S., at 772. The Court explained that “minimum contacts” require consideration of “the relationship among the defendant, the forum, and the litigation.” *Id.*, at 775 (quoting *Shaffer v. Heitner*, 433 U.S. 186, 204 (1977)). The Court then analyzed the parties’ connections to New Hampshire and found that defendant had sufficient minimum contacts with the forum, but that the lower court focused on “the extremely limited contacts of the *plaintiff* with New Hampshire.” *Keeton*, 465 U.S., at 779 (emphasis in original).

This Court held that plaintiffs’ contacts with the forum are not controlling:

“But we have not to date required a plaintiff to have ‘minimum contacts’ with the forum State before permitting that State to assert personal jurisdiction over a nonresident defendant. On the contrary, we have upheld the assertion of

jurisdiction where such contacts were entirely lacking.” *Keeton*, 465 U. S., at 779.

Furthermore, this Court recognized that “plaintiff’s residence in the forum may, because of defendant’s relationship with the plaintiff, enhance defendant’s contacts with the forum.” *Ibid.* But the lack of plaintiff’s contacts in the forum does not determine jurisdiction over the defendant: “[P]laintiff’s residence in the forum State is not a separate requirement, and lack of residence will not defeat jurisdiction established on the basis of defendant’s contacts.” *Ibid.*

Instead of following the longstanding interpretation of the Due Process Clause from *Keeton* and the recent clarification in *Ford Motor Company* that specific jurisdiction can be based on litigation that *either* “arises out of” or “relates to” defendant’s contacts with the forum, the Circuit Court of Cook County and Appellate Court of Illinois, First District (and the Supreme Court of Illinois, by its refusal to review this issue) focused instead on whether plaintiffs bought or ingested their Zantac products in Illinois, and whether they were injured in Illinois. App. 1–25. This was a clear departure from rules established by this Court and previously implemented in Illinois. See, e. g., *M. M. v. GlaxoSmithKline, LLC*, 2016 IL App (1st) 151909, ¶ 56 (court held that “[i]n light of the ‘lenient and flexible’ ‘arising from’ and ‘related to’ standard, [nonresident] plaintiffs meet the low threshold of a *prima facie* showing that their claims arose from defendant GSK’s Paxil trials in Illinois.”) The courts also misinterpreted the facts to argue that Plaintiffs’ claims of jurisdiction were based on whether Walgreens, a nonparty, had contacts with Illinois,

rather than whether the Defendants reached into Illinois to conduct substantial business with Walgreens and other Illinois corporations related to the packaging, sales and distribution of Zantac.

Because of the substantial intentional, continuing, and highly relevant contacts *these Defendants* had with Illinois *with respect to the very Zantac that these Plaintiffs bought and ingested*, a proper reading of the Due Process Clause would allow Illinois to exercise specific jurisdiction because the underlying litigation “relates to” these contacts.

Therefore, this Court should grant the petition.

STATEMENT OF THE CASE

I. Factual Background

This case presents a vital question regarding the reach of state court specific personal jurisdiction over non-resident corporate defendants that systematically leverage a state’s commercial hubs to manufacture, package, label, and distribute hazardous pharmaceuticals nationwide. This petition involves the underlying personal injury cases of 180 Plaintiffs related to their alleged use of the drug Zantac (ranitidine), which they allege caused them to develop cancer. App. 92–206, 207–216. While these Plaintiffs are not residents of Illinois, and they used and were injured by Zantac outside of Illinois, each alleges that Defendants’ activities with respect to Zantac in Illinois relate to their injury. *Ibid.*

The Boehringer Ingelheim Defendants (BI Defendants or BI”) marketed, distributed, shipped, and sold over-the-counter (OTC) Zantac to retailers, distributors, and wholesalers in Illinois, among other States, from April 2007 through December 2016. App. 243–

244, 252–254.¹ In addition to using Illinois markets for Zantac sales, BI also marketed Zantac to Walgreens, an Illinois corporation, for nationwide sales.

BI retained Crossmark, Inc., to act as a broker for the sale of its products, including Zantac. App. 299–325, 326–366. In a 2009/2010 agreement, BI appointed Crossmark as its “exclusive representative for negotiations of sales of the Products in the Territory subject to the terms and conditions hereof.” App. 300. In a 2011/2012 agreement, the language was altered slightly: “CHC hereby appoints Broker as CHC’s representative with respect to the promotion and sale of the Products, with responsibility for its assigned Customers, subject to the terms and conditions of this Agreement. Broker hereby agrees to act as CHC’s exclusive representative with respect to its assigned Customers.” App. 327–328. The “Products,” as defined therein, only included Dulcolax and Zantac. App. 312. Among Crossmark’s duties were to carry out BI’s instructions with regard to the sales and marketing strategy in negotiating contracts with Walgreens. App. 352. Thus, BI sold its Zantac product to consumers in Illinois, but also specifically retained Crossmark to market, promote, and enter into contracts for selling Zantac to Walgreens, an

¹ Beginning with this reference to the record, the remaining documents cited in this Factual Background are confidential and were maintained under seal in the courts below. Petitioners’ motions to file materials under seal are forthcoming, and if those motions are granted, will submit the unredacted documents to the Court.

Illinois company, for sales nationally. All Petitioners in this appeal purchased Zantac from Walgreens stores.²

BI also contracted with two Illinois companies to repackage Zantac for nationwide sales. First, BI retained Mechanical Servants, Inc. (doing business as Convenience Valet), an Illinois corporation in Melrose Park, Illinois, to repackage OTC Zantac for nationwide sales. App. 367–390. In this agreement, BI specifically agrees to sell Zantac to this Illinois company for repackaging, including providing “FDA Drug Facts Labeling for the Products for use by Repackager in preparing Repackaging Materials.” App. 393–396. Mechanical Servants receives Zantac from BI, then puts it in the final packages, including the box, label, and package insert that contains the defective warnings, for sale to the customers in “finished, final repackaged form.” *Ibid.* T This contract was ongoing and was modified to extend at least through December 31, 2016. App. 367–390. BI also retained Modern Aids, an Illinois corporation in Elk Grove, Illinois, to repackage OTC Zantac for nationwide sales under materially identical terms. App. 414–435. The terms of the Modern Aids contract are identical to the Mechanical Servants contract. *Ibid.*

² BI sold OTC Zantac under contracts with non-Illinois brokers to Illinois companies from April 2007 through December 2016, including Ahold Financial Services, Bethel Eckert, Dearborn Wholesale Grocers, Dik Drug Company Inc., Eby-Brown Company, Fore Supply Co., H. D. Smith Wholesale Drug Co., Mechanical Servants, Inc., MedEx Merchandising Inc., MFD Country Club Supply Inc., Modern Aids Inc., Navy Exchange, RN International, Walgreens Co., and Walgreens.com. App. 252–253.

Additionally, BI also signed a Quality Assurance Agreement with Rand Diversified Companies, LLC. App. 436–495. While Rand is headquartered in New Jersey, a substantial portion of the agreement was to be performed at its facility in Edwardsville, Illinois. The agreement was approved by a Director of Operations and Senior Account Manager located in Illinois. *Id.*, at 436–438, 456. The facilities identified for packaging and conversion of the Zantac products were in Edison, New Jersey, and Edwardsville, Illinois locations. *Id.*, at 436. The key personnel performing this contract included two employees from New Jersey as well as the Manager Quality Assurance-IL, Vice President of Quality, and Director of Operations, all located in Edwardsville, Illinois. *Id.*, at 436–438.

Sanofi-Aventis U. S. LLC and Sanofi U. S. Services, Inc. (collectively, the Sanofi Defendants or Sanofi) earned \$465,486,873.15 in revenue from products sold in Illinois from 2017 through 2023. App. 611–926. Sanofi sold \$14,652,126.54 of Zantac to Illinois companies during the period in which it had the right to market and sell Zantac between 2017 through 2019. *Ibid.* Specifically, over the course of nearly 900 shipments, it sold and shipped \$4,424,850.94 worth of Zantac to the Walgreens Distribution Center in Mt. Vernon, Illinois. *Ibid.* Additionally, Sanofi also shipped hundreds of packages of Zantac to another Walgreens Distribution Center located in Edwardsville, Illinois, totaling \$157,408.48. *Ibid.* This totals nearly \$5,000,000 worth of Zantac that Sanofi sold and shipped to Walgreens in Illinois for distribution to its stores throughout the United States. *Ibid.*

Sanofi also contracted to sell Zantac through Illinois with other entities that are owned by Walgreens for

sale in Walgreens-related stores around the country. For example, AmerisourceBergen is an Orlando, Florida company, and its largest shareholder is Walgreens. Sanofi contracted with AmerisourceBergen to sell its products, including entering into an indemnification agreement to indemnify AmerisourceBergen against any losses as a result of Sanofi's products. App. 607–610. As a result, Sanofi sold and shipped \$31,800.48 of Zantac to AmerisourceBergen in Romeoville, Illinois. App. 611–926. In addition to selling to Walgreens, over the course of nearly 1200 shipments, it sold and shipped \$1,978,552.08 worth of Zantac to the Walmart Distribution Center in Spring Valley, Illinois, and \$638,333.67 to Sam's Club's Distribution Center in Oswego, Illinois for distribution to their stores inside and outside of Illinois. *Id.* Sanofi sold and shipped \$1,647,763.96 worth of Zantac to the Supervalu Distribution Center in Oglesby, Illinois. In total, Sanofi sold and shipped \$14,652,126.54 in Zantac to retailers and distribution hubs for Amazon (Joliet, IL), Walmart (Spring Valley, IL), Sams (Oswego, IL, Park Forest, IL), Supervalu (Oglesby, IL), McKesson (Aurora, IL), Costco (Morris, IL), and Walgreens (Mt. Vernon, IL, Edwardsville, IL), among many others. *Ibid.*

Also, like BI, Sanofi relied on the services of two repackaging firms, Modern Aids in Elk Grove, IL, and Convenience Valet in Melrose Park, IL and Glendale Heights, IL, to repackage their OTC Zantac into the final packaging, including the defective labels and package inserts, for sale to consumers throughout the United States. App. 1537–1539. During this time, Sanofi sold and shipped \$3,406,177.52 worth of Zantac to Mechanical Servants and \$240,240 worth of

Zantac to Modern Aids for this purpose. *Ibid.* The allegedly defective labels at issue in this case were put on the retail packaging in Illinois, and it is this packaging consumers would read when they purchased it.

II. Procedural History

The Circuit Court of Cook County entered orders granting respondents’ motions to dismiss for lack of personal jurisdiction between March 5 and March 24, 2025. App. 26–88; 2026 IL App (1st) 250614–U, ¶ 16. Petitioners timely appealed, and the Appellate Court of Illinois, First District, affirmed on February 20, 2026. App. 1–25. The appellate court concluded that under *Rios v. Bayer Corp.* and *Bristol-Myers Squibb Co. v. Superior Court*, personal jurisdiction was absent because Petitioners were non-residents who suffered injury outside Illinois. Crucially, the lower court restricted this Court’s landmark decision in *Ford Motor Co. v. Montana Eighth Judicial Dist. Court* to cases where a plaintiff resides or suffers injury within the forum state, holding that Ford did not alter the requirement that non-resident plaintiffs must demonstrate a direct in-state injury or residency to satisfy specific jurisdiction. App. 10–15; 2026 IL App (1st) 250614–U, ¶¶ 25–36. Petitioners sought leave to appeal; the Supreme Court of Illinois denied leave without opinion on May 27, 2026. App. 89.

The federal question was raised in the circuit court after jurisdictional discovery, in petitioners’ January 10, 2025 response opposing dismissal and at the January 23, 2025 hearing. There, petitioners argued that respondents had “purposefully reached into Illinois” with respect to Zantac and distinguished *Bristol-Myers Squibb Co. v. Superior Court*; the circuit court

rejected that position, holding that the nonresident petitioners’ claims did not arise out of or relate to respondents’ Illinois activities. App. 4–7; 2026 IL App (1st) 250614–U, ¶¶ 7–13. On appeal, petitioners expressly argued that the circuit court misconstrued *Ford Motor Co. v. Montana Eighth Judicial Dist. Court* and that the “relate to” requirement does not demand causation. *Id.*, 10–11, ¶¶ 26–28. Petitioners then sought leave to appeal; the Supreme Court of Illinois denied leave without opinion on May 27, 2026. App. 89.

REASONS FOR GRANTING THE PETITION

This case warrants certiorari under S. Ct. R. 10(c) because petitioners contend that the Appellate Court of Illinois decided an important question of federal constitutional law in direct conflict with this Court’s controlling precedent in *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U.S. 351 (2021). By holding that specific personal jurisdiction over non-resident corporate defendants is categorically barred unless a non-resident plaintiff suffers a direct, in-state physical injury, the decision below resurrects a strict “causation-only” requirement that this Court unequivocally rejected in *Ford*. App. 11; 2026 IL App (1st) 250614–U, ¶ 28. Certiorari is urgently required to correct Illinois’s departure from established Due Process jurisprudence and to clarify the proper scope of specific jurisdiction in multi-state product distribution litigation.

**I. The Decision Below Directly Conflicts with
Ford Motor Co. by Imposing a Causation
 Requirement that This Court
 Unequivocally Rejected**

Under S. Ct. R. 10(c), this Court grants certiorari when a state court of last resort has decided an important federal question in a way that conflicts with relevant decisions of this Court. The Illinois appellate court (and the Supreme Court of Illinois, by denying leave to appeal) did precisely that by narrowing the constitutional framework for specific personal jurisdiction to require direct, in-state causation. In *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U.S. 351, 362 (2021), this Court rejected the defendant’s argument that specific personal jurisdiction requires a strict causal link—namely, that the defendant’s forum-state conduct must have directly caused the plaintiff’s particular injury. Writing for the Court, JUSTICE KAGAN emphasized that the traditional constitutional formulation “demands that the suit ‘arise out of or relate to the defendant’s contacts with the forum.’” *Id.*, at 362 (quoting *Bristol-Myers Squibb Co. v. Superior Court*, 582 U.S. 255, 262 (2017)). The Court made clear that the second half of that standard—“relate to”—is disjunctive and “contemplates that some relationships will support jurisdiction without a causal showing,” so long as there is a sufficient affiliation between the forum, the defendant, and the underlying controversy. *Ford*, 592 U.S., at 362. The Illinois courts fundamentally misconstrued this standard. Rather than analyzing whether Petitioners’ claims “relate to” Respondents’ deliberate and continuous commercial activities in

Illinois, the lower courts treated the non-resident status of Petitioners and their out-of-state injuries as an absolute jurisdictional bar. By requiring a direct, proximate-cause connection between Illinois soil and the physical manifestation of Petitioners' injuries, the decision below reinstated the rigid causation standard that Ford expressly discarded.

II. Respondents' Extensive Utilization of Illinois's Commercial Infrastructure Satisfies the "Relates To" Test Under Due Process

Under a proper application of *Ford Motor Co.*, specific jurisdiction exists where a corporate defendant purposefully reaches into a forum state to cultivate and service a market for the very product that caused the plaintiffs' harm. Here, Respondents did not merely engage in isolated or unrelated business in Illinois. Instead, Respondents purposefully reached into Illinois to establish, package, label, and supply the primary retail distribution channel for Zantac nationwide. Respondents executed essential packaging, processing, and quality assurance contracts with Illinois entities—including Mechanical Servants in Melrose Park and Modern Aids in Elk Grove—that placed Zantac into the very packaging containing the allegedly defective warnings. Furthermore, Respondents targeted Illinois corporate infrastructure by negotiating master distribution agreements with Walgreen Co. (an Illinois corporation) and shipping tens of millions of dollars of Zantac directly into Walgreens' central Illinois distribution hubs. It is through this exact Illinois-centered supply chain that Zantac was allocated and delivered to the local Walgreens retail shelves

around the country where Petitioners purchased the product. Under *Ford Motor Co.*, it is irrelevant that Petitioners did not purchase their Zantac inside Illinois or sustain their physical illnesses within its borders. Because Respondents purposefully utilized Illinois’s commercial machinery to distribute the allegedly defective drug into the retail hands of consumers, Petitioners’ claims undeniably “relate to” Respondents’ extensive, product-specific contacts with Illinois.

III. Certiorari is Necessary to Clarify the Scope of *Bristol-Myers Squibb* in light of *Ford Motor Co.*

The decision below highlights an urgent, deepening split among state and federal courts over the proper interplay between *Bristol-Myers Squibb Co. v. Superior Court*, 582 U. S. 255 (2017), and *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U. S. 351 (2021).

In *Bristol-Myers*, specific jurisdiction was absent because the non-resident plaintiffs attempted to hook jurisdiction onto the defendant’s unrelated contacts with third parties inside California, while the defendant itself had not developed, packaged, or directed the distribution of the drug from within that State. 582 U. S., at 258, 264–268. The Illinois Appellate Court erroneously treated *Bristol-Myers* as a bright-line rule requiring plaintiff residency, conflating a defendant’s own forum contacts with the third-party contacts rejected in *Bristol-Myers*. App. 11, 13–15, 2026 IL App (1st) 250614–U, ¶¶ 28, 32–36. Petitioners contend that this reading gives insufficient effect to *Ford*’s instruction that the “relate to” inquiry need not always rest on causation.

Unlike the detached defendant in *Bristol-Myers*, the BI and Sanofi Defendants here repeatedly and purposefully reached into Illinois to establish, maintain, and execute the operational apparatus for their Zantac product. Defendants directly contracted with Illinois entities, utilized local packaging facilities, and engaged in-state distribution hubs to launch their product into the nationwide stream of commerce, including using Illinois-based Walgreens, the nation's largest retail pharmacy chain. Each plaintiff below alleged in their complaint that they purchased the defective Zantac at their Walgreens, which was a direct consequence of Defendants' contacts with Illinois. These are Defendants' own direct contacts—not the derivative contacts of third parties. Under the “relate to” standard reiterated and highlighted in *Ford Motor Co.*, due process is satisfied where a defendant intentionally uses a forum's commercial infrastructure as a launchpad for nationwide distribution and a plaintiff's claim arises out of or relates to that precise operational pipeline.

The Illinois courts have misinterpreted this Court's Due Process analysis in light of *Ford Motor Co.*, and in doing so, created a *de facto* prohibition on states exercising personal jurisdiction over the claims of non-residents, regardless of the quality and quantity of the contacts with the forum. Under this misapplication of the Due Process analysis, national corporations may heavily exploit a host state's manufacturing, packaging, and logistics infrastructure to distribute products across the country, yet remain completely immune in that state from suits brought by non-resident consumers injured by those exact operations. This Court should grant certiorari to resolve the

conflict between the Illinois courts' interpretation of the Fourteenth Amendment's Due Process Clause and the recent rulings by this Court, reaffirm the defendant-focused inquiry of the "relates to" standard articulated in *Ford Motor Co.*, and clarify that due process allows states to exercise jurisdiction over corporations that purposefully reach into the forum to build their distribution pipelines.

CONCLUSION

For the foregoing reasons, this Court should be grant certiorari.

Respectfully submitted.

John A. Bruegger
Counsel of Record
jbruegger@parawolf.com
Justin R. Parafinczuk
jparafinczuk@parawolf.com
PARAFINCZUK WOLF, P.A.
5550 Glades Rd, Ste 500
Boca Raton, FL 33437
(954) 462-6700

AUGUST 2026

Attorneys for Petitioners