

(Cite as: 952 So.2d 129)

🚩 Janssen Pharmaceutica, Inc. v. ArmondMiss.,2004.

Supreme Court of Mississippi.

JANSSEN PHARMACEUTICA, INC., Johnson & Johnson, Joseph L. Faison, M.D., Edward Quinones, M.D.,
James Riser, M.D., and Billy Wansley, et al.

v.

Colantha ARMOND, et al.

No. 2003-IA-00398-SCT.

Feb. 19, 2004.

Background: Plaintiffs, 56 prescription drug/Propulsid users, filed lawsuit against manufacturer and 42 physicians who allegedly prescribed the drug to plaintiffs for strict liability, negligence, breach of warranty, negligent misrepresentation, fraud and deceit/civil conspiracy, agent misrepresentation, products liability, and medical malpractice/negligence, and defendants filed motion to sever and transfer venue for separate trials. The Circuit Court, Jones County, [Billy Joe Landrum](#), J., denied defendants' motion to sever and their oral motion for certification of interlocutory appeal. Defendants petitioned for interlocutory appeal by permission, which was granted.

Holding: The Supreme Court, sitting en banc, [Cobb](#), J., held that plaintiffs failed to satisfy single transaction or occurrence requirement of rule of civil procedure governing permissive joinder.

Reversed and remanded.

[Graves](#), J., concurred specially in separate opinion.