Jury Awards $3.35M In Damages For Failed Transvaginal Mesh Implant

In a resounding victory for Plaintiff, a jury in the Superior Court of Atlantic County, N.J., reached a partial verdict totaling $3.35 million in compensatory damages for Ms. Linda Goss and against Johnson & Johnson for their defective transvaginal mesh implant.

Surgical mesh, which is used for transvaginal mesh surgery and bladder slings, is a medical device that is generally used to repair weakened or damaged tissue (specifically in pelvic organ prolapse (POP) or stress urinary incontinence (SUI)).

Serious Complications have been known to occur when the mesh moves - perforating the bladder, bowel or uterus. According to an FDA Alert from July 2012, serious complications such as infection, erosion of vaginal tissue, vaginal bleeding, vaginal scaring and severe pain are not rare.

In the case of Ms. Gross, a former nurse from South Dakota, the pain from the implanted device was so bad that she had trouble sitting down. In the lawsuit, Ms. Gross alleged the implant led to a variety of complications, including mesh erosion, scar tissue, inflammation and "neurologic compromise to structures and tissues."

Johnson & Johnson released the product prior to FDA approval; instead of conducting lengthy tests, the company compared the Gynecare Prolift to another one of its mesh products already on the market, Gynecare Gynemesh. Internal emails show the pharmaceutical company was aware of the failure rate during testing, disregarded the potential risks, and placed the implant on the market for sale.

As of February 25, 2013 there are more than 2,500 cases pending before Honorable Carol E. Higbee of the Superior Court of New Jersey against both Johnson & Johnson and C.R. Bard, Inc. (who sold a similar mesh product). We expect the number of lawsuits to continue to increase as more women become aware of their legal rights.