

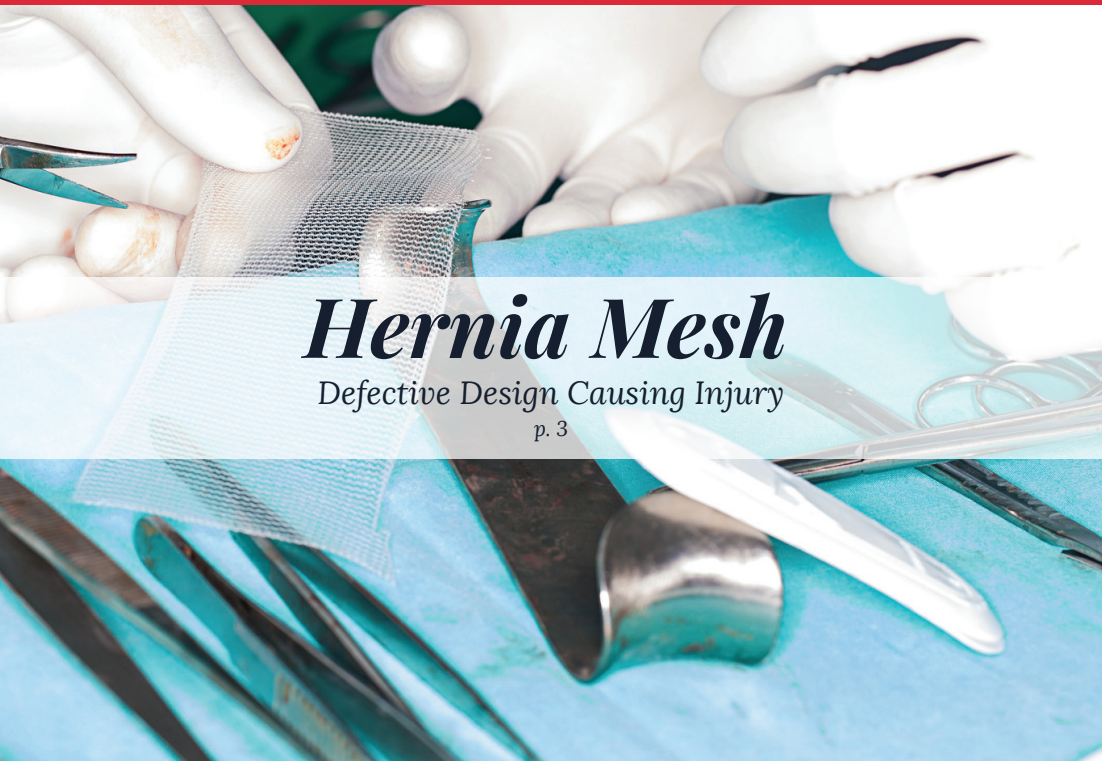


# G·LAW

*"Promoting safety through accountability."*

*Spring 2017*

*A publication for  
the clients and  
friends of  
GoldenbergLaw.*



## ***Hernia Mesh***

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800 LaSalle Avenue  
Suite 2150  
Minneapolis, MN 55402

**GOLDENBERGLAW**   
PRODUCTS LIABILITY AND PERSONAL INJURY

Phone: 612-333-4662  
Toll Free: 1-855-333-4662  
[www.goldenberglaw.com](http://www.goldenberglaw.com)



*A Message From...*

# Stuart Goldenberg

***Johnson & Johnson was hit with six punishing jury verdicts in 2016. Yet it still refuses to settle cases.***

record books.” In 2016, J&J lost six of seven jury verdicts in the US over product defect claims. These six verdicts were each over \$50 million because the juries punished J&J with punitive damages for ignoring the safety of the public. According to Bloomberg, in 2017 J&J “is facing at least 17 trials in state and federal courts in the US over Pinnacle hip implants, talcum baby powder, pelvic mesh, Risperdal, and Xarelto.” It faces thousands of lawsuits from seriously injured people. Now yet another J&J product is harming consumers - hernia mesh. See page 3 for more details.

About a year ago in this column, I asked, “what is wrong with J&J?” Now things are only getting worse for them. Bloomberg News and the American Association for Justice (AAJ) recently reported that Johnson & Johnson “had a year for the

***Congress is now offering protections for Big Corporations and destroying your consumer rights if you are hurt by their negligence!***

Despite big corporations like J&J ignoring the safety of people using its drugs, devices, and consumer products, the House of Representatives has already passed a bill that would virtually eliminate your right to sue them if a drug, device, car, or consumer product caused devastating injuries.

Legal actions against big manufacturing companies and multibillion dollar pharmaceutical companies are difficult and expensive. These companies will spend an endless amount of money to keep secrets and cover up bad conduct. It is always a David vs Goliath battle. Law firms like GoldenbergLaw fight for the little guy and we are often successful.

The recent bills in congress will take away the ability of “the little guy” to fight against companies that cause deaths, disability and destruction. They will virtually eliminate your rights to bring a legal action. They are taking away the only legal weapon you have to hold these companies responsible for dangerous products and defective medical devices. In essence, they are taking away your slingshot and leaving you defenseless. By passing these bills, Congress will make it so difficult to bring a case that no law firm like us will be willing to accept it.

Why are they doing this? Profits over people. “Tort reform” has been tried in many states without any proof that it “creates jobs.” Instead these profits go into the pockets of the 1%. These companies have lobbied your Representatives and Senators. These bills have already passed in the House. Now they go to the Senate.

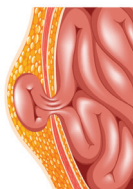
Please call or write to your Senator and tell them to vote NO to H.R. 985 and H.R. 1215.

# Dangerous Drugs and Devices

**GoldenbergLaw is currently investigating claims involving these products and has 30 years of experience handling dangerous drug and device cases. Contact us at (612) 436-5026 or 1-855-333-4662.**

## HERNIA MESH

Hernia mesh failing to integrate into patient's bodies. Can cause migration, hernia recurrence, required removal surgery, bowel obstructions, and punctured organs among, other injuries.



## TALCUM POWDER/BABY POWDER

Talc-based powder used for many purposes - linked to ovarian cancer when used for female hygiene in genital area.



## ABILIFY

A widely prescribed antipsychotic medication approved for treatment of schizophrenia, bipolar disorder, and depression - linked to compulsive gambling behaviors.



## INFERIOR VENA CAVA FILTER

Blood clot filters placed in the large vein leading to the heart - shown to migrate or fracture after a period of time and can puncture parts of the vein or other internal organs.



## BENICAR

Blood pressure medication - linked to severe intestinal problems that cause chronic diarrhea, dehydration, and weight loss.



## STRYKER REJUVENATE/ABG II HIP STEM

Modular hip stems - linked to corrosion at stem/neck junction leading to elevated metal levels in bloodstream, necrosis, and revision surgery.



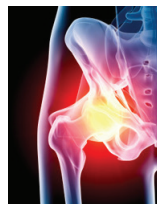
## STRYKER V40 FEMORAL HEADS

One component of a metal-on-metal modular hip replacement system. Attaches to a metal neck and stem, causing corrosion and metal-on-metal wear. This leads to metal poisoning, necrosis, and need for revision surgery.



## METAL-ON-METAL HIPS

Models include DePuy ASR, DePuy Pinnacle, Zimmer Durom Cup, and others - linked to implant loosening, pain, high metal levels in blood, and need for revision surgery.



## BAIR HUGGER

A warming blanket used during surgeries that can spread contaminated air over open wounds - linked to deep joint infections and need for revision surgery.



## ZIMMER PERSONA KNEE

A knee device system that has been recalled by the manufacturer - has been known to loosen and cause bone damage when uncemented.



## TESTOSTERONE THERAPY DRUGS

Male hormone drugs - linked to increased risk of heart attack, blood clots, stroke, or death.



## XARELTO

A blood thinner medication that has been linked to uncontrollable bleeding.



# Hernia Mesh

## *Defective Design Causing Injury*

**A hernia occurs when organs or tissue push through a hole or weak spot in the body cavity. Hernia mesh is biosynthetic material that a surgeon implants to repair the tear. More than one million hernia repair surgeries occur each year in the U.S.**

### *How Does it Work?*

In order to successfully patch the hole, hernia mesh must successfully do two things:

- 1** Act as a scaffold to encourage tissue growth to repair the hernia, and
- 2** Prevent the bowels and other tissue from forming scar tissue.

The surgeon must carefully implant the mesh so it does not stick to the intestines or other organs. If the mesh adheres to the intestines it can cause severe complications and a tedious repair process. The mesh must encourage tissue regrowth over where the hernia occurred. The tissue overgrowth is what prevents a hernia from occurring in the same place in the future.



### *What's the Problem?*

No matter the type of defective hernia mesh, the problem seen over and over with defective mesh products is their inability to properly integrate into the patient's body. The mesh often fails to integrate as a result of the materials used to make the mesh.

### *Injuries*

Aside from failing to do its job, when a mesh fails to integrate into the body it can lead to:

**Migration**  
**Bowel obstructions**  
**Extreme pain**  
**Hernia recurrence (when the product is meant to be permanent)**  
**Sernoma (fluid build-up)**  
**Chronic infection**  
**Organ perforation**  
**Revision surgery**



**Have you undergone revision surgery as a result of hernia mesh injuries? Contact attorney Laura Pittner at:**

**(p) 612-436-5027**

**(e) [lpittner@goldenberglaw.com](mailto:lpittner@goldenberglaw.com)**





# ***Stryker V40 Recall***

***Why Another Stryker Recall?***

*The V40 is an interchangeable component of a taper lock system. The metal V40 is screwed onto a femoral neck, acting as the end of the femur bone free to move and rotate within the hip socket.*

## ***The Problem: Taper Lock Failure***

A taper lock system in an artificial hip implant consists of a femoral head and femoral neck. The taper lock itself connects the head to the neck. A chemical reaction occurs between the metal V40 femoral head and metal femoral neck, leading to corrosion of the metal hip components and device failure. Of particular concern is corrosion with the Accolade stem.

## ***Why is This Happening?***

The V40 is made of a heavy cobalt-chromium material and was designed to be larger in size than other femoral head products offered on the market. As you might guess, the cobalt-chromium V40 is heavy, placing a good deal of pressure on the other hip components. The extreme pressure in combination with movement can lead to corrosion of the parts (taper lock failure).

**GoldenbergLaw has handled hundreds of hip replacement cases. We have successfully won millions in settlements for clients with defective hip replacements. Please call us at 612-333-4662 if you have had a revision surgery after your initial hip replacement due to a defective hip replacement product.**

## ***Revision Surgery After Initial Hip Replacement?***

Stryker Orthopaedics sent an urgent recall notification to orthopaedic surgeons across the country explaining the dangers associated with particular sizes of Stryker V40 Femoral Heads. Ask your doctor to see if you were implanted with a Stryker V40 head or Accolade stem.

## ***Injuries***

**Loss of mobility  
Pain  
Inflammation  
Adverse local tissue reaction  
Metallosis  
Joint instability  
Dislocation  
Broken bones  
Revision surgery**

# Contaminated Steroids

## A Case Update

The NECC steroid contamination involved some of the worst conduct we have seen in our 30+ years of practice. Drugs mixed in filthy conditions led to fungus contamination and a meningitis outbreak. There were 64 deaths, 732 diagnoses of meningitis, and thousands of other injuries. Making matters worse, the bankruptcy of the company led to totally inadequate compensation for victims. Unfortunately, there simply was not enough money and insurance to cover losses of this magnitude.

However, our effort to hold these wrongdoers responsible was not in vain. After lobbying efforts used these cases as evidence, Congress passed the Drug Quality and Security Act which gives the FDA some new authority over compounding pharmacies.

Additionally, we want you to know that the lawyers involved in the NECC litigation turned over the results of our investigation to the US Justice Department. The investigation found dirty mats and hoods, a leaky boiler, dark debris floating in vials of medicine, poor sterilization techniques, and even infestations of insects and mice in the NECC laboratory! Consequently, the Justice Department filed criminal charges - including murder - against the owner of the NECC, Barry Cadden.

The criminal trial lasted over six weeks. A jury recently acquitted Cadden of murder but found him guilty of fraud and racketeering. Sentencing will occur soon and it is expected that he will serve time in prison.

Change can come in many ways. The NECC case shows that it doesn't always take a million dollar verdict to punish wrongdoers and change policy. Because consumers had the courage to hold the NECC and its owner accountable, the NECC is no longer in business, the owner will serve time in jail, and the new law will help protect others from this happening again.

*"...the fact that many injured people across the nation... filed a claim to hold these wrongdoers responsible was not in vain."*



*"...the NECC is no longer in business, the owner will serve time in jail, and the new law will help protect others from this happening again."*

*GoldenbergLaw Would Like you to Meet...*

# *Becky Whitmore*



Becky began working as a Legal Assistant at GoldenbergLaw in 2015 after graduating from the University of Minnesota with a B.A. in History and a minor in French. Becky is currently working on the Bair Hugger litigation.

## *Becky studying abroad in Dakar, Senegal.*

What are three “can’t miss” places to check out in Minneapolis?

- 1** Quang Restaurant - for amazing Vietnamese food
- 2** Milk Jam Creamery for some of the most delicious ice cream you will ever have.
- 3** The Stone Arch Bridge - you can't beat that view.

Becky has visited  
a total of

# 8

countries around  
the world!

**“My favorite country that I’ve visited is either Senegal or Vietnam; both had amazing food and unbelievably nice and welcoming people.”**

# GOLDENBERG**LAW**

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## Contact:

[www.goldenberglaw.com](http://www.goldenberglaw.com)

Phone: 612-333-4662

Toll Free: 855-333-4662

Fax: 612-367-8107

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