

ARTICLE

Jury awards woman \$7.76 million in damages for J&J mesh

Recommend

Sign Up to see what your friends recommend.

By Dave Warner and Ransdell Pierson
Thu Feb 28, 2013 5:22pm EST

(Reuters) - A New Jersey jury Thursday ordered Johnson & Johnson and a subsidiary to pay \$7.76 million in punitive damages to a South Dakota nurse who claimed she was harmed by the company's vaginal mesh.

Together with earlier compensatory damages, the decision means J&J and its Ethicon subsidiary would be responsible for paying Linda Gross, 47, of Watertown, South Dakota, some \$11.1 million.

J&J said in a statement that it plans to appeal the decision and that the punitive damages were unsupported by the evidence.

The product, before being taken off the U.S. market last year, was used to treat pelvic organ collapse, a condition for which Gross was treated in July 2006.

The Atlantic City case is the first of about 1,800 lawsuits against J&J in New Jersey, the company's home state. In addition, there are 11,000 other claims pending against several other manufacturers in a federal case in West Virginia, according to Florida attorney Bryan Aylstock.

"Linda Gross cannot turn back the clock and make her misery and pain disappear," her attorney Adam Slater said after the verdict, adding that the jury decided that J&J and its Ethicon unit "should be severely punished financially."

The lawsuit, in Atlantic City Superior Court, was brought by Gross in November 2008. It alleged that the Gyncare Prolift vaginal mesh was not safe and that J&J and Ethicon were liable for, among other things, defective design, manufacture, warnings and instructions.

According to Ben Anderson, a plaintiff attorney in the case, the jury did not find a design defect, but did determine that there had been a failure to warn Gross's doctor of the hazards, and that there was a fraudulent misrepresentation of the procedure in patient brochures.

Anderson said Gross has had 18 surgeries in which doctors attempted to remove the mesh, and more than 440 doctor office visits.

Tweet 0

Share

Share this

0

Email

Print

Related News

[Jury awards woman \\$7.76 million punitive damages for J&J mesh](#)
Thu, Feb 28 2013

[Jury awards \\$3.35 million in vaginal mesh case against Johnson & Johnson](#)
Mon, Feb 25 2013

[CORRECTED-Jury awards \\$3.35 mln to nurse in case against J&J](#)
Mon, Feb 25 2013

[Jury orders Dow Chemical to pay \\$400 million in price-fixing case](#)
Wed, Feb 20 2013

Analysis & Opinion

[Victim in SCOTUS generics case has powerful amici: Harkin and Waxman](#)

Related Topics

[Health »](#)

Follow Reuters

Facebook Twitter RSS YouTube

RECOMMENDED VIDEO



[Iberia workers storm Madrid airport \(1:22\)](#)



[Cardinals may elect identikit new pope \(1:19\)](#)



[Zeta-Jones: 'If he wasn't my husband, I'd love to work...](#)



18 Hilarious Photobombs
(Daily Fun Lists)

Login or register

Latest from My Wire



Salary.com's Dress Code Survey: The Lowdown on Low-Cut
(Salary.com)

[?]

READ

- 1 Iran's Ahmadinejad criticized over Chavez remarks
11:12am EST
- 2 CORRECTED-UPDATE 1-Royal Caribbean cruise ship back in port with 108 sick
3:19pm EST
- 3 In court, bin Laden relative denies plot charge
 VIDEO
3:30pm EST
- 4 North Korea can't hit America, but South Korea and Japan in range
10:08am EST
- 5 North Korea rejects U.N. sanctions, declares pursuit of nuclear arms
10:04pm EST

DISCUSSED

- 124 A reflective Romney emerges from seclusion, rips Obama
- 111 Spending cut showdown threatens Obama's second-term agenda
- 92 North Korea says to exercise right to preemptive nuclear attack against U.S.: KCNA

PICTURES



Reuters Photojournalism

Our day's top images, in-depth photo essays and offbeat slices of life. See the best of Reuters photography. Full Coverage | Photo caption



Britain's next top dog

Dogs from around the world compete in Britain's famed Crufts dog show. Slideshow



Life of Kim Jong-un

Morningstar analyst Damien Conover said Thursday that the litigation does not pose a huge financial risk for J&J

"...I don't think it's going to be too damaging," he said, adding that plaintiff attorneys usually pick the best cases to go first, and they are usually not representative of the entire group of patients who sue.

J&J shares closed down about 0.3 percent to \$76.11 on the New York Stock Exchange.

(Reporting by Dave Warner, and Ransdell Pierson; Editing by Maureen Bavdek, Phil Berlowitz and Richard Chang)

HEALTH

Related Quotes and News

COMPANY	PRICE	RELATED NEWS
Johnson & Johnson JNJ.N	\$78.19 +0.44 +0.57%	Jury orders J&J unit to pay \$8.3 million in metal hip trial UPDATE 3-Jury orders J&J unit to pay \$8.3 mln in metal hip trial More JNJ.N News »

Recommend Sign Up to see what your friends recommend.

Tweet this Link this Share this Digg this Email Reprints

More From Reuters

- Israel warns of Lebanon pain in next war with Hezbollah | Mar. 07
- Canada's Arctic glaciers headed for unstoppable thaw: study | Mar. 07
- Solar batteries could be utilities' next headache | Mar. 08
- Actress Demi Moore asks for alimony from Ashton Kutcher | Mar. 07
- McDonald's dropping Fruit & Walnut Salad, Chicken Selects... | Mar. 01

From Around the Web

- The Most Beautiful Celebrity Women over the age of 50 (SheBudgets)
- Even More Famous Faces with Multiple Sclerosis! (HealthCentral.com)
- Shortness of Breath? When to Worry (Lifescript.com)
- Ali Hajimiri's Chip May Allow Smartphones to See Through... (BusinessWeek)
- 10 true tales of celebrity frugality (Bankrate)

[?]

Videos From Reuters

- Cliff averted (for now): Congress swerves away from the edge
 VIDEO
- Woman dies after lion attack (0:38)
 VIDEO
- Sen. Rand Paul's 12-hour filibuster in 120
 VIDEO

From Around the Web

- 10 Medical Conditions Misdiagnosed as ADHD (HealthCentral.com)
- Best Birth Control for Older Women (Lifescript.com)
- 8 Degrees Not Worth the Investment (Salary.com)

[?]

Comments (0)

This discussion is now closed. We welcome comments on our articles for a



A look at the daily life of North Korea's leader. [Slideshow](#)

limited period after their publication.

SPONSORED LINKS



Advance Your Career in HR Mgmt with MSU
Gain strategic HR skills with an online Master Certificate from Michigan State.



Public Relations College
Pursue your passion for PR. PR Online Master's Degree.



Launch Your Business Idea Successfully
Learn to Research, Finance & Market your Entrepreneurial Idea with a MS Degree!

[Ads by Marchex](#)

ADS BY MARCHEX



Michigan State -#2 In Human Resource Mgmt
Advance your career with MSU's 100% online Master Certificate in HR Mgmt
www.MichiganStateUniversity.com



Public Relations College
Pursue your passion for PR. PR Online Master's Degree.
www.FullSail.edu/Prcourses



Launch Your Business Idea Successfully
Learn to Research, Finance & Market your Entrepreneurial Idea with a MS Degree!
www.fullsailuniversity.com



Mortgage Rates hit 2.13%
\$150K Mortgage \$581/mo. 2.35%APR. Quickly Compare Top Online Mortgage Rates!
refinance.LendGo.com

[Buy a Link Now](#)

"IT HELPS ME ADDRESS MY CLIENTS' ISSUES ANYTIME, ANYWHERE."

TIM JOHNSON
HOUSTON-BASED ATTORNEY

WestlawNext
See what the WestlawNext iPad app can do for you ▶

THOMSON REUTERS

Global leaders, celebrities honor Chavez at funeral

CARACAS - From Iranian President Mahmoud Ahmadinejad to Oscar-winner Sean Penn, an eclectic mix of mourners bid farewell on Friday to Venezuela's Hugo Chavez at a state funeral, and the charismatic but divisive leader's deputy called for a snap election to pick his successor.

[| Video](#)

[CONTINUE READING](#)

MOST POPULAR

[Iran's Ahmadinejad criticized over Chavez remarks](#)

[CORRECTED-UPDATE 1-Royal Caribbean cruise ship back in port with 108 sick](#)

[In court, bin Laden relative denies plot charge | VIDEO](#)

[North Korea can't hit America, but South Korea and Japan in range](#)

[North Korea rejects U.N. sanctions, declares pursuit](#)

TOP NEWS



Kenyatta wins presidency by slim margin in Kenyan election

NAIROBI - Uhuru Kenyatta, the son of Kenya's founding president, won the presidential election with a slim margin of 50.03 percent of votes cast, provisional figures showed, just enough to avoid a run-off after a race that has divided the nation. [| Video](#)

[North Korea rejects U.N. sanctions, declares pursuit of nuclear arms](#)

[Traders see early 2015 Fed rate hike, QE3 stays for now](#)

[» More Top News](#)

ANALYSIS & OPINION



The Oscars: Reflections of America

By Nicholas Wapshott
By nominating "Lincoln," "Argo" and "Zero Dark Thirty," Academy members are considering three

distinctly different views of how Americans see themselves and their place in the world. [Commentary](#)

[Wapshott: Do personal guns defend liberty?](#)

[» More Analysis & Opinion](#)

TOP VIDEOS



Jobs keep bull market humming along

[More Americans on the job](#)

[» More Top Videos](#)

MARKETS

US Indices

DOW
67.58
14,397.07
+0.47%

NASDAQ
12.28
3,244.37
+0.38%

S&P 500
6.92
1,551.18
+0.45%

TR US INDEX
0.71

141.05
+0.51%

Int'l Indices

NIKKEI
12,283.62

HANG SENG
23,091.95

TODAY IN PICTURES



Editor's Choice

Our best photos from the last 24 hours.

Analysis: New sanctions on North Korea may be tougher, but impact in doubt

EDITION: U.S.

[Back to top](#)

Reuters.com

[Business](#) | [Markets](#) | [World](#) | [Politics](#) | [Technology](#) | [Opinion](#) | [Money](#) | [Pictures](#) | [Videos](#) | [Site Index](#)

Legal

[Bankruptcy Law](#) | [California Legal](#) | [New York Legal](#) | [Securities Law](#)

Support & Contact

[Support](#) | [Corrections](#)

Account Information

[Register](#) | [Sign In](#)

Connect with Reuters

[Twitter](#) | [Facebook](#) | [LinkedIn](#) | [RSS](#) | [Podcast](#) | [New sletters](#) | [Mobile](#)

About

[Privacy Policy](#) | [Terms of Use](#) | [Advertise With Us](#) | [AdChoices](#) | [Copyright](#)

Thomson Reuters is the world's leading source of intelligent information for businesses and professionals.

[Thomsonreuters.com](#)

[About Thomson Reuters](#)

[Investor Relations](#)

[Careers](#)

[Contact Us](#)

Our Flagship financial information platform incorporating Reuters Insider

An ultra-low latency infrastructure for electronic trading and data distribution

A connected approach to governance, risk and compliance

Our next generation legal research platform

Our global tax workstation

Thomson Reuters is the world's largest international multimedia news agency, providing investing news, world news, business news, technology news, headline news, small business news, news alerts, personal finance, stock market, and mutual funds information available on Reuters.com, video, mobile, and interactive television platforms. Thomson Reuters journalists are subject to an Editorial Handbook which requires fair presentation and disclosure of relevant interests.

NYSE and AMEX quotes delayed by at least 20 minutes. Nasdaq delayed by at least 15 minutes. For a complete list of exchanges and delays, please click here.