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For Immediate Release:

Athens Attorney Appointed National Lead Co-Counsel in Hernia Mesh Lawsuits

ATHENS, Ga. – (Nov. 22, 2017) – Henry G. Garrard, III of Blasingame, Burch, Garrard & Ashley, P.C. has been appointed national lead counsel for plaintiffs suing Johnson & Johnson subsidiary Ethicon over defective hernia mesh implants.

The lawsuits were consolidated into multidistrict litigation ("MDL") in front of U.S. District Court Judge Richard W. Story, Northern District of Georgia, In Re: Ethicon Physiomesh Flexible Composite Hernia Mesh Products Liability Litigation, MDL No. 2782. Judge Story appointed Garrard Co-Lead Counsel and Liaison Counsel for Plaintiffs.

"I am pleased that the Court had confidence in my experience and my firm's ability to help lead this litigation," Garrard said. "We have a long history of work and leadership in mesh related litigation nationally. Our goal is to create a great work product in this litigation that will result in an efficient approach to trials and ultimately a fair resolution for clients. We will work diligently with our co-counsel and counsel for Ethicon to advance this litigation expeditiously."

Lawsuits allege Physiomesh is defective

There are currently more than 80 lawsuits pending in the Physiomesh MDL with hundreds more expected. The plaintiffs allege Ethicon defectively designed Physiomesh by including a coating on the mesh that prevents it from incorporating into the body and that the mesh is too weak to withstand normal internal pressures and can rupture. These defects can cause painful and dangerous complications, including hernia recurrence, migration of the mesh, pockets of fluid around the mesh, adhesions, and bowel obstructions, many requiring additional surgeries.

Mesh used for surgical repair of hernias

Doctors use hernia mesh to repair hernias, which happen when internal body tissue and/or intestines push through a weak spot in the muscle. First developed in the 1950s, hernia mesh is a widely accepted method of hernia repair.

During hernia surgery, doctors place hernia mesh over or under the opening in the abdomen or groin. The patient's body is supposed to grow new tissue into the mesh, which is called "ingrowth." The hernia mesh and the newly grown tissue are supposed to help reinforce the muscle and prevent the internal structures from pushing through.

What is Physiomesh?

Ethicon, a subsidiary of Johnson & Johnson, developed Physiomesh hernia mesh. Physiomesh is made of polypropylene, a permanent plastic material, sandwiched between a monocryl coating

that is intended to be absorbed by the body over time. One side of the coated mesh is placed adjacent to intestines and other internal structures. The other side is placed in contact with the abdominal wall. Tissue ingrowth is supposed to occur from the abdominal wall into the mesh to help hold it in place. However, the coating can prevent this ingrowth from occurring, resulting in movement or "migration" of the mesh. The polypropylene mesh used in the Physiomesh product has very large pores, which can result in the mesh rupturing and/or not being properly affixed to the abdominal wall by surgeons using Ethicon's SecureStrap tacking device.

In April 2010, Ethicon obtained FDA clearance for Physiomesh through the FDA's 510(k) fast-track process, which allows the marketing and sale of a product without medical testing to prove that it is safe to use.

Ethicon began selling Physiomesh in October 2010 and voluntarily recalled it in May 2016 after studies showed patients suffered higher than average rates of hernias recurring and additional surgeries.

About Blasingame, Burch, Garrard & Ashley, P.C.

Blasingame, Burch, Garrard & Ashley, P.C. is a trial law firm based in Athens, Georgia. The firm has been a national leader in surgical mesh litigation since 2006, when it filed what is believed to be the first ever lawsuit over defective transvaginal mesh. Garrard is co-lead counsel for the Transvaginal Mesh MDL in the Southern District of West Virginia, which involved over 100,000 lawsuits on behalf of women injured by defective mesh products.

In 2010, the firm's lawyers won a mid-trial confidential settlement with Johnson & Johnson subsidiary Mentor Corp. for over 100 women injured by its ObTape pelvic mesh.

In 2013, the firm's lawyers tried and won a $2 million verdict against C.R. Bard for a woman injured by its defective pelvic mesh. The case was the first case to go to trial in the transvaginal mesh multidistrict litigation. The firm secured confidential settlements with Bard for two more women shortly before their cases went to trial.

Firm attorneys have won confidential settlements for more than 4,500 women injured by defective pelvic mesh with manufacturers Ethicon/Johnson and Johnson, C.R. Bard, American Medical Systems, Covidien, Boston Scientific and Coloplast.

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