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## Jury Selection Begins In Strattice® Hernia Mesh Trial After Key Ruling In Favor Of Plaintiffs

**Atlantic City, NJ –** In an important ruling for plaintiffs harmed by the Strattice® Reconstructive Tissue Matrix, a medical device used to repair hernias, Judge John C. Porto of the New Jersey Superior Court denied the defendants' motion for summary judgment. Specifically, the Court found that the evidence was sufficient for a jury to conclude "**the Defendants knowingly withheld or misrepresented information or acted with actual malice in their actions associated with Strattice**." The defendants are LifeCell Corporation, Allergan, Inc. and Allergan USA Sales, Inc., subsidiaries of pharmaceutical giant Abbvie, Inc.)

> "We are very pleased with this ruling, and the fact that the Court found the evidence as compelling as we do."
>
> **Attorney Ned Mulligan**
> **Co-Lead Counsel for Plaintiffs**
> **COHEN & MALAD, LLP**

The plaintiffs allege design defect, failure to warn, breach of warranty, and punitive damages claims. The case also includes allegations of false and misleading marketing claims. Judge Porto's ruling cleared the case to proceed to a bellwether jury trial beginning the week of March 4; jury selection is now under way. The bellwether trial case is one of hundreds of cases filed against the defendants in New Jersey state and federal courts.

Strattice is a hernia repair mesh made of pig tissue. The plaintiffs allege that there are other hernia meshes on the market that are far safer and less expensive than the defendants' Strattice.

Currently, hundreds of Medical Device Reports (MDAs) have been received by the FDA in relation to the surgical mesh. Because of common allegations and number of cases being filed, in October 2021 the New Jersey court system consolidated them into a Multi-County Litigation (MCL). There is also a parallel consolidated litigation pending in the United States District Court for the District of New Jersey.

Patients report painful, debilitating and life-threatening complications after implantation, including:

- hernia recurrence
- abdominal swelling, gastrointestinal distress, and obstructions
- abscess, infection, organ punctures, and internal bleeding
- chronic pain and nerve damage
- migration of mesh away from the implantation site, and/or rejection of the device
- death

"This ruling will positively impact the cases of hundreds of plaintiffs who were harmed by Strattice," said attorney Ned Mulligan, co-lead counsel for plaintiffs and Partner at Cohen & Malad, LLP. "We look forward to presenting this case to a jury."

Plaintiffs are represented by attorneys from Cohen & Malad, LLP and Ketterer, Browne & Associates. Defendants Lifecell Corporation, Allergan, Inc., and Allergan, Inc. USA are represented by Lowenstein Sandler, LLP and Nelson Mullins Riley & Scarborough LLP. Individuals who believe they've suffered harm due to the implantation of Strattice hernia mesh should contact Cohen & Malad, LLP for a free, confidential evaluation of their potential case.

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