Transvaginal Mesh Litigation: A Focused Look at Compensatory Damages Post-MDL

Women with disabling injuries have yet to settle claims against TVM manufacturers because accepting the offer would result in living as a medical indigent.



SANTA BARBARA, CA, UNITED STATES, May 28, 2020 /EINPresswire.com/ -- Within the rubble of the West Virginia Transvaginal Mesh Multidistrict Litigation (MDL) are likely a few hundred or so brave women with disabling injuries who have yet to settle their claims against the manufacturers because accepting the offered compensation under the tier settlements would have punched their ticket to a life-time living as a medical indigent. Many within the rubble have symptoms or diagnoses consistent with neurological injuries caused by the defectively designed products of Bard, American Medical Systems, Ethicon, Coloplast, and Boston Scientific. Many are disabled and alone; some divorced; and most struggling week to week to gather the basic necessities of life.

Dr. Greg Vigna, national pharmaceutical injury attorney, practicing physicians, and Certified Life Care Planner says, "June 21, 2018 was a very important date for the women holding on within the MDL because it signaled the time that seriously injured women could have their cases directly filed in courts outside the MDL and have a clear path to the courthouse without being stuck in the MDL. It signaled the time when serious trial attorneys could step up and litigate these cases."

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> *Dr. Greg Vigna*

Dr. Vigna states, "I have talked to women over the years injured by Ethicon and Boston Scientific, with their deep pockets, destroyed by pudendal neuralgia, and offered pennies on the dollar by tier settlements that did nothing to prevent their medical indigence. The MDL was about erosion and not about neurological injury. Since the MDL closed its doors to new cases, my law firm with co-counsel of experienced pharmaceutical trial attorneys were the first to file a newly

injured women diagnosed with pudendal neuralgia in California, and we have since filed dozens of cases for seriously injured women across the country."

Dr. Vigna adds, "We represent women in the 'wave' discovery process of the MDL, women remanded to state courts from the MDL, and women who are subject to a tolling agreement after their case was dismissed without prejudice in the MDL. These women will be marched to the courthouse while we work up their cases for trial."

Martin Baughman, PLLC from Dallas Texas, a national pharmaceutical injury trial firm, has filed many of these cases. Ben Martin, Esq. states, "The purpose of product liability law is injury reduction and compensation. Looking at the serious injuries of the women I represent, it is obvious that the manufacturers to date haven't owned up to the harm they have caused."

Mr. Martin adds, "We are carefully investigating cases to ensure that women who have neurological injuries who are severely harmed are represented."

Compensatory damages in a product injury lawsuit include past and future losses along with payment for their pain and suffering. Past losses include those from vocational disability and cost of medical care, as well as future monetary losses including the cost of necessary and appropriate care. Vocational loss and future care require evidence—sometimes presented by vocational and economic experts and life care planners.

Ben Martin and Laura Baughman are national pharmaceutical injury attorneys in Dallas, Texas. Dr. Vigna is a California and Washington DC lawyer who focuses on catastrophic injuries caused by transvaginal mesh devices including pudendal neuralgia, obturator neuralgia, ilioinguinal neuralgia, and Complex Regional Pain Syndrome.

For articles, video resources, and information visit the Pudendal Neuralgia Educational Portal (https://pudendalportal.lifecare123.com/) or https://tvm.lifecare123.com/.

Click here for information regarding sling related complications:
https://tvm.lifecare123.com/slingebook.html
Click here for a FREE BOOK on Vaginal Mesh Pain: https://vignalawgroup.com/publications/

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