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Woman Awarded $2.1M in Fourth Pelvic Mesh Trial

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A Philadelphia jury has awarded $2.1 million to a woman claiming she experienced ongoing pain resulting from the deterioration of a pelvic mesh implant.

The $2.1 million verdict in Beltz v. Ethicon came in the fourth pelvic mesh trial against Johnson & Johnson subsidiary Ethicon in the Philadelphia Court of Common Pleas. The jury handed up its verdict May 26 after 12 days of trial and nine hours of deliberation.

The verdict came just under a month after a jury handed up a $20 million verdict—including $17.5 million in punitive damages—in the third trial.

According to plaintiff Sharon Beltz's attorney, **Thomas R. Kline of Kline & Specter**, the 12-member jury found the Prolift mesh product was defective under the Tincher risk-utility test, answering "yes" to the question of whether the risk outweighed the cost or burden of making it safer.

"This is now our fourth consecutive Philadelphia jury verdict award [of] multimillion dollars against Johnson and Johnson for their dangerously defective transvaginal mesh products which injured tens of thousands of women, this being the second straight jury verdict relating to its dangerous Prolift product, which was withdrawn from the market in 2012," Kline said in an email. "We are pleased that Sharon Beltz, a woman from Pen Argyl, Pennsylvania, will be compensated, and expect many additional jury verdicts to follow."

Johnson & Johnson did not respond to a request for comment.

According to Beltz's pretrial memorandum, the mesh could not be removed.

"Mrs. Beltz's problems are thus permanent. She may elect to undergo further pain injections, resection of the mesh, or start taking pain medications regularly, but these options at best will only mitigate her symptoms. She has to live the remainder of her life with constant pelvic pain, a sensation her bladder is pulling, urinary incontinence and retention, lower flank pain, urinary tract infections, and severe pain with sex that lingers days after she has intercourse," court papers said.

"She will be at risk for exposure of the mesh in her vagina and erosion of the mesh into her bladder, urethra, or other organs for the remainder of her life."

Ethicon countered with several defenses, including statute of limitations arguments, claims that her suit was barred by the mesh's warranty, and that she couldn't prove causation. Additionally, Ethicon said punitive damages were not warranted.

Ethicon argued that the mesh "has been proven to be safe and effective in patients with SUI, is the standard of care, and is a suitable first-line surgical option as recognized in the pertinent professional society incontinence treatment guidelines, analyses, systematic reviews and position statements as well as Cochrane Reviews," according to its pretrial memorandum.