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By David Sell, Inquirer Staff Writer

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A jury in Atlantic City ordered Johnson & Johnson on Thursday to pay \$7.8 million in punitive damages to a former hospice nurse for the pain and suffering she endured after using a vaginal mesh implant sold by J&J's Ethicon subsidiary.

The verdict follows a \$3.35 million award for compensatory damages, delivered Monday.

The Gynecare Prolift implant was supposed to help support muscles and sagging internal organs near the pelvis, a condition, referred to as prolapse, that affects some women in years after giving birth. The device did not work for Linda Gross, 47, who had 18 surgeries in hope of relieving the pain after the initial operation.

Gross, who lives with her family in Watertown, S.D., missed so many days of work because of health issues that she was fired from her job.

She was unavailable for comment Thursday, but testified during the seven-week trial that her life after surgery was a "living hell."

J&J began selling the implant in 2005 before withdrawing it in 2012 in the face of reports of problems and lawsuits. J&J said it would appeal the jury decision and both awards.

"Ethicon acted appropriately and responsibly in the research, development, and marketing of the Prolift pelvic organ prolapse repair kit," J&J said in a statement.

The statement angered Gross' attorney, Adam Slater.

"We're going to need more and bigger punitive-damage awards against Johnson & Johnson before they ever have the humility to realize they are not above the law," Slater said in an interview.

There are thousands of implant cases in state and federal courts around the country against multiple manufacturers of vaginal implants. This was just the second verdict, and both verdicts have gone to the plaintiffs.

New Jersey Superior Court in Atlantic County has, like Philadelphia's Court of Common Pleas, become a common venue for multidistrict litigation in cases of a similar nature.

In March 2006, Slater filed his first implant suit. Gross and her husband, Jeff, researched the matter and contacted Slater that year. He now has 250 implant cases pending in state court.

J&J, which is based in New Brunswick, N.J., and has operations in several places in the Philadelphia region, faces about 1,800 implant lawsuits in New Jersey. Multiple J&J divisions face product lawsuits and are dealing with product recalls.

The company's McNeil Consumer Healthcare plant in Fort Washington has been closed since April 2010 after dozens of product recalls and will not reopen until a federal judge approves.

In the implant case, J&J lawyer Christy Jones urged jurors - six women and three men - not to award punitive damages because J&J had not acted in a way to warrant it, according to Bloomberg News.

"I understand that you have found that we could have done a better job and that we in fact fell short," Jones said Tuesday. "My clients understand that. We hear you, I promise you. While I confess to you from the bottom of my heart that it hurts, and we're disappointed in the verdict, we nonetheless appreciate what you have said and recognize and respect your verdict."



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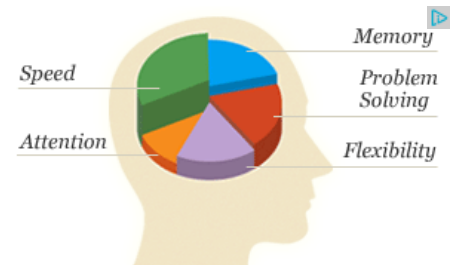
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J&J was less apologetic Thursday after the punitive-damages award and said the jury decision was conflicted. The company argued that the jury said the implant was not defective in design and that J&J did not misrepresent the product to surgeons.

"While we are always concerned when a patient experiences medical conditions like those suffered by the plaintiff, all surgeries for pelvic organ prolapse present risks of complications," the company said in its statement.

Attorney Jeff Grand joined Gross' attorneys because his firm is involved in implant litigation and he serves as a liaison among groups of plaintiffs' attorneys. He said the \$11.15 million total award was a message from the jury.

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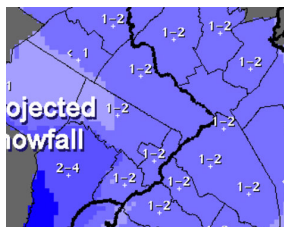
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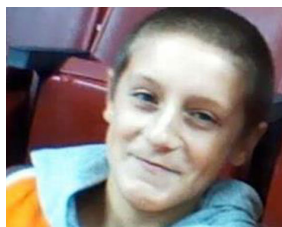
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