$1 billion settlement reached in faulty hip replacement cases; Alabama attorneys involved

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BIRMINGHAM, Alabama - More than 4,000 people who had surgery to remove defective hip replacement devices made by two companies will share in a **legal settlement** potentially worth more than $1 billion, courts in Minnesota and New Jersey announced today.

At least two lawyers from Alabama were involved in the cases.

U.S. District Judge Donovan Frank in St. Paul, Minn., who oversees the national Multidistrict Litigation involving the Stryker Corporation and Howmedica Osteonics Corp. hip replacement devices, announced the settlement Monday afternoon.

Howmedica Osteonics Corp. -referred to as Stryker Orthopaedics -is a subsidiary of Stryker Corporation.

The settlement in that federal case covers 2,375 plaintiffs in 39 states. Simultaneously with that announcement, a state court in New Jersey announced the settlement covering about 2,000 cases filed around the nation in that state.

The settlement covering both the federal and state cases applies to victims who had revision surgery - taking out the bad hardware and replacing it. The settlement amounts to $300,000 per patient.

Annesley DeGaris, an attorney with Cory Watson Crowder and DeGaris, was among the six attorneys that made up the plaintiff leadership committee by the Minnesota federal court.

To qualify for the settlement, the plaintiff had to have the revision surgery by Nov. 3, DeGaris said. But the litigation is not over, especially for those who have the device implanted in them and have not yet had the surgery to replace it, he said.

It is unclear how may Alabama residents may have had the revision surgery and are due to share in the settlement.

DeGaris said he has a total of about 120 clients from across the nation that have had the revision surgery and about 100 others who have not had it yet.

"I'm thrilled for my clients. They have suffered a lot. I'm glad they are going to get compensation they really deserve," DeGaris said.

Revision surgery is difficult and complicated, DeGaris said. "It is a brutal surgery," he said.

The devices had problems with corrosion, debris from the friction between the metal parts, and metal poisoning from the metal shavings getting into the bloodstream.

Peter Flowers, Chair of the Plaintiff's Lead Counsel Committee, stated in a press release that the committee had negotiated "one of the largest medical device settlements with an unlimited compensation fund," which could potentially reach more than a billion dollars in restitution.

Howmedica and Stryker had its Rejuvenate and ABG II Modular Hip Implant devices recalled in July 2012 amid reports of unusually high rates of device failure, according to a press release issued Monday by the Beasley Allen law firm in Montgomery.

Navan Ward, Jr., an attorney with Beasley Allen was involved in the litigation for cases against Howmedica and Stryker in the New Jersey consolidated hip implant litigation.

"Since the Rejuvenate and ABG II metal hip devices were pulled from the market in July 2012, my firm, along with several law firms around the country, has worked hard to expose the problems with these products, along with the similar problems seen with several of the other failed metal-on-metal hip devices made by other manufacturers," Ward stated in the press release.

"Due to the highly invasive nature of these particular hip devices, the revision surgeries suffered by many of our clients have been catastrophic in nature, leading to permanent damage to their hip and femur areas," Ward stated in the press release.

An estimated 20,000 people were implanted in the U.S. with the Rejuvenate and ABG II hip products, according to the Beasley Allen statement.

Updated at 7:20 a.m. Nov. 4 to correct spelling