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WILENTZ, GOLDMAN & SPITZER, P.A.

# Cartiva Implant Litigation Update: MDL 3172 Moves Forward with Initial Organizational Meeting

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At Wilentz, Goldman & Spitzer, P.A., we are actively monitoring the ongoing Cartiva Synthetic Cartilage Implant litigation to ensure our clients—and anyone impacted by this device—have the latest information. For those unfamiliar, the Cartiva implant is a synthetic device inserted into the big toe to treat arthritis. Unfortunately, many patients have experienced significant issues, leading to widespread litigation.

Here is the latest major development in the federal multidistrict litigation (MDL).

**Initial Organizational Hearing Set for August 2026**

Federal Cartiva lawsuits have been centralized into MDL No. 3172 in the United States District Court for the Eastern District of Arkansas. Chief United States District Judge Kristine G. Baker, who is presiding over the MDL, recently issued a letter setting an initial organizational hearing for Wednesday, August 26, 2026, at 1:30 p.m. CDT. The hearing will take place in Little Rock, Arkansas, though counsel are permitted to appear via video conference.

This hearing is a critical first step in organizing the litigation process for all involved parties.

**Key Deadlines and Court Requests**

Leading up to the August 26th hearing, the Court has outlined several crucial deadlines and requests to help structure the proceedings:

- **Leadership Proposals**: Counsel for both plaintiffs and defendants must submit proposals for the organization of counsel by Wednesday, August 19, 2026. The Court has asked that these proposals address the need for lead and liaison counsel, steering committees, proposed fee and compensation structures, and the handling of any related state cases.
- **Case Status Summaries**: By August 19, 2026, both sides are also asked to provide a summary of the current procedural posture of the various cases. Because some cases were recently filed while others are already well into discovery, the Court wants to identify the timing of pending motions, propose a discovery plan that avoids duplication without causing undue delays, and summarize existing protective orders.
- **Proposed Schedules and Jurisdiction Issues**: The Court requested a proposed schedule for conducting discovery and motion practice. Additionally, the Court asked defendants to report whether they intend to file any motions to dismiss based on jurisdiction or service issues, and whether they believe the appropriate parties have been named as defendants.

**Why This Matters for Cartiva Patients**

The centralization of federal cases into MDL No. 3172 was designed to streamline the legal process for plaintiffs across the country. Unlike a class action, an MDL allows each plaintiff to maintain their individual case while sharing resources during the pretrial and discovery phases.

The Cartiva device was recalled in late 2024 due to higher-than-expected rates of complications, including implant subsidence (sinking into the bone), displacement, nerve damage, and fragmentation. Many patients who trusted this device to preserve joint motion found themselves needing the very fusion surgeries the implant was originally meant to prevent.

With the Court now actively setting structural and discovery frameworks, the litigation is moving into a highly organized, active phase.

**We Are Here to Help**

If you or a loved one received a Cartiva synthetic cartilage implant in your big toe and have experienced persistent pain, implant failure, or required revision surgery, your time to file a claim may be limited.

Contact our team today to discuss your legal options and learn how this MDL might impact your case.

**Attorney**

- Joshua S. Kincannon

**Practice**

- Defective Drug & Device Injury