

Cartiva Implant Litigation Update: A Strong Start for Patients

Tuesday, September 8, 2026

If you or a loved one have experienced complications or required revision surgery following a Cartiva Synthetic Cartilage Implant, you may be closely following the ongoing federal litigation.

The Cartiva litigation involves centralized claims regarding alleged defects in the implant, which is a hydrogel device originally designed to treat arthritis at the base of the big toe. Patients have alleged that the device is defective and prone to failure, leading to significant complications such as bone loss, severe pain, and the necessity for secondary surgeries.

While these cases are still in their early stages, we have recently seen a highly encouraging development in the courtroom that sets a solid foundation for the road ahead.

A Critical Milestone: The Initial Management Order

On August 31, 2026, Chief United States District Judge Kristine G. Baker, who oversees the federal Cartiva multidistrict litigation (MDL No. 3172) in the Eastern District of Arkansas, signed a pivotal document. You can review the document [here](#).

What does this Order mean for your case?

When thousands of similar lawsuits are filed across the country, federal courts consolidate them into an MDL to streamline the legal process. The recent Order formally establishes the legal framework and leadership structure that will guide this litigation forward. It outlines the coordinated rules for discovery, pretrial motions, and evidence gathering so that the plaintiffs' legal teams can operate smoothly and avoid duplicating efforts.

While we are just getting started, this Order is a positive sign. Judge Baker is demonstrating a highly organized, efficient, and proactive approach to managing these complex claims. Her structured oversight confirms that the litigation is built on a strong, capable judicial foundation—exactly what patients need for a fair and timely resolution.

Leadership in the Courtroom: Joshua Kincannon Appointed to Steering Committee

Because an MDL involves many individual cases, the Court appoints a select group of experienced attorneys to lead the litigation on behalf of all plaintiffs nationwide.

We are proud to announce that Joshua Kincannon has been officially appointed by the Court to the Plaintiffs' MDL Steering Committee.

As a member of this national leadership team, Joshua Kincannon will play a direct and vital role in advancing the litigation against the defendants. According to the Court's Order, the Steering Committee is tasked with essential duties, including:

- Conducting extensive fact-finding and discovery.
- Managing electronic stored information (ESI) and drafting critical legal motions.
- Making presentations and arguments directly to the Court.

- Preparing for and executing upcoming jury trials.

This appointment ensures that our firm is at the very forefront of the fight, giving our clients a powerful voice in the direction and strategy of the national Cartiva litigation.

What Happens Next?

The Court is moving at a steady and deliberate pace. Judge Baker has already established near-term deadlines to keep the cases moving, including:

- **October 1, 2026:** A deadline for the legal teams to submit updated position statements on critical pretrial issues, such as how explanted (removed) devices should be preserved, whether there should be a uniform complaint template, and the identification of state-level cases pending in other jurisdictions.
- **October 8, 2026:** A follow-up telephone status conference with the Court to discuss these next steps and to set a schedule for the defendants' initial responsive pleadings.

We Are Here for You

The Cartiva litigation is just beginning, but the establishment of a strong leadership team and an organized judicial schedule means we are off to an excellent start. If you have questions about your Cartiva implant, the recent Court Order, or what to expect in the coming months, please call our legal team at **732-313-2323** for a free consultation.

Attorney

- Joshua S. Kincannon