

Frequently Asked Questions About The Cartiva Toe Implant Lawsuits

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

Navigating the complexities of medical device litigation can be overwhelming. We've compiled answers to some common questions to help you understand your options if you've been affected by a defective Cartiva implant.

Q: I don't live in New Jersey. Can I still hire a New Jersey law firm for my Cartiva case?

A: Yes, absolutely. While our firm is based in New Jersey, we proudly represent Cartiva implant patients from all over the country. Our legal team is equipped to handle cases across state lines, and our New Jersey location, the same state as defendant Stryker, provides us with unique advantages in this litigation. We are dedicated to advocating for injured individuals nationwide.

Q: I had my Cartiva implant years ago. Has my state's statute of limitations expired?

A: It is unlikely. While each state has its own statute of limitations, generally speaking, the window for filing these lawsuits has not expired for most individuals, especially given the October 2024 recall of Cartiva implants distributed since July 2016. The specific timing can depend on when you first became aware of your implant's issues or when the recall occurred. If you are concerned about the timing of your potential lawsuit, please contact us for a free, confidential consultation. We can assess your specific circumstances and advise you on the applicable deadlines.

Q: Are you going to sue my doctor if I pursue a lawsuit against Cartiva?

A: No, these cases do not involve suing your doctor. Cartiva lawsuits focus on holding the manufacturer, Stryker Corporation, responsible for injuries and losses caused by a defective medical device. At Wilentz, we understand and respect the important relationship you have with your healthcare provider. We work alongside your doctors by gathering necessary medical records and understanding the impact of your injury, all in pursuit of justice against the device manufacturer.

Q: What kind of complications are patients experiencing with the Cartiva implant?

A: Patients with Cartiva implants have reported a range of significant complications, including:

- Persistent or worsening pain in the big toe joint
- Implant loosening or subsidence (where the implant sinks into the bone)
- Loss of joint motion or increased stiffness
- Infection
- Bone erosion or osteolysis (bone degradation) around the implant
- The need for revision surgery to remove or replace the implant, or to perform a fusion.

If you are experiencing any of these symptoms after receiving a Cartiva implant, it is crucial to seek medical attention and then consider your legal options.

Q: What kind of compensation can I seek in a Cartiva implant lawsuit?

A: If successful, a Cartiva implant lawsuit can help you recover various types of damages. These may include compensation for your past and future medical expenses related to the defective implant (including revision surgeries), lost wages due to time off work, pain and suffering, loss of enjoyment of life, and other related financial and non-financial losses. The specific compensation you may be entitled to will depend on the unique details of your case.

Q: How much does it cost to hire Wilentz, Goldman & Spitzer, P.A. for a Cartiva lawsuit?

A: We typically handle Cartiva implant lawsuits on a contingency fee basis. This means you pay no upfront fees, and we only get paid if we successfully recover compensation for you, either through a settlement or a verdict. Our fees are a percentage of the recovery, so you don't have to worry about out-of-pocket legal expenses while pursuing your claim.

Q: How long does a Cartiva implant lawsuit typically take?

A: The timeline for medical device litigation can vary significantly based on the complexity of the cases, the number of plaintiffs, and whether the cases are consolidated into a Multi-District Litigation (MDL). While some cases may settle sooner, it is not uncommon for complex defective medical device lawsuits to take several years to resolve. We are committed to keeping our clients informed throughout every stage of the legal process.

Q: What should I do if my Cartiva implant has failed or is causing problems?

A: Your health is paramount. First, seek medical attention from your doctor or a qualified orthopedic surgeon to address your symptoms and determine the appropriate medical course of action. Once your immediate medical needs are addressed, contact our firm at 732-855-0375 for a free consultation. We can evaluate your situation and discuss your legal rights and options.

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To speak with an attorney about your legal options, please call: 732-855-0375.