

Frequently Asked Questions: Cartiva MDL No. 3172

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.

Below are answers to common questions regarding the recent federal court order to centralize Cartiva Synthetic Cartilage Implant lawsuits.

What is an MDL? An MDL, or Multidistrict Litigation, is a legal process used in the federal court system to handle hundreds or thousands of similar cases. By centralizing these cases under one judge, the court can streamline discovery, avoid conflicting rulings, and save time for everyone involved.

Does this mean I am part of a "Class Action"? No. While similar, an MDL is different from a class action. In an MDL, your lawsuit remains your own individual case. You maintain your own legal representation, and any potential settlement or verdict would be based on the specific injuries you suffered.

Why did the court choose the Eastern District of Arkansas? The court selected this district because it is centrally located and near Memphis, Tennessee, where Cartiva's corporate successor, Wright Medical Group, was headquartered. This makes it easier to access witnesses and evidence relevant to how the device was tested and marketed.

Who is the judge presiding over the cases? The Honorable Kristine G. Baker will oversee the proceedings. Judge Baker is an experienced transferee judge known for her capacity to manage complex litigation efficiently.

What common issues will the court investigate? The litigation will focus on several key factual questions, including:

- Whether the Cartiva SCI device was defectively designed.
- Whether the manufacturer provided sufficient warnings and labels to doctors and patients.
- What the manufacturer knew about the device's failure rate during the FDA approval process.
- The circumstances surrounding the eventual recall of the SCI device.

What if I already have a lawyer? If you have already retained counsel, your attorney will manage the transition of your case into the MDL. If you do not yet have legal representation, now is the time to speak with a firm experienced in medical device litigation to ensure your claim is filed correctly.

Does Wilentz have experience with these types of cases? Yes. Our firm has a long history of representing victims of defective medical devices. Attorney **Joshua S. Kincannon** has spent over 25 years litigating against major medical device manufacturers, recovering millions for clients in similar mass tort actions.

This post is for informational purposes only and does not constitute legal advice. Past results do not guarantee future outcomes.

To speak with an attorney about your legal options, please call: 732-313-2323.