

*What You Need to Know  
If You Have Suffered Harm from  
**Vaginal Mesh Implants***

# Transvaginal **MESH** **LAWSUITS**



**MARC WHITEHEAD**, Attorney at Law

**Transvaginal Mesh Lawsuits:  
What You Need to Know If You Have  
Suffered Harm from Vaginal Mesh  
Implants**

**First Edition**

**By Marc Whitehead, Esq.**

# **Transvaginal Mesh Lawsuits: What You Need to Know if You Have Suffered Harm from Vaginal Mesh Implants**

First Edition

By Marc Whitehead, Esq.

Whitehead & Associates, LLP

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Houston, Texas

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## Introduction

When you see a doctor, you place your trust in him or her to help you with your medical concerns and avoid hurting you. You also expect the doctor to keep you completely informed of exactly what is being done to you, why, and what risks are involved. This way, you have all the information you need to give your full consent to whatever medication or procedure your doctor wants to use.

Unfortunately, doctors – and the companies that doctors use to help treat patients – sometimes violate this sacred trust. For instance, a doctor might just give you a prescription or tell you that you need a certain procedure without letting you know about potential side effects. If you become injured as a result of those side effects, both your trust and your human rights may have been violated.

If you or a loved one suffered harm from transvaginal mesh, you are not alone. According to the magazine Women's Health, tens of thousands of women have filed lawsuits against manufacturers of transvaginal mesh over the past few years. Many of these lawsuits have gone to trial, and even larger numbers have been settled out of court.

Transvaginal mesh is used to give stability to the tissues in the vagina after a vaginal prolapse. Vaginal prolapse can occur to any woman at any age, although it is more common in older women. The tissues of the vagina become slack, and the bladder, uterus, and rectum can slide down into the vaginal canal. This makes it difficult, and even painful, to go to the bathroom, have sex, and exercise. After these organs are tacked back up, transvaginal mesh can be used to keep the vaginal tissues taut, so prolapse doesn't occur again.

Mesh implants had been used for a while to treat hernias and incontinence, and they had demonstrated a high level of success. The previous method of using sutures to stabilize vaginal tissue in prolapse cases had a 30 percent failure rate. Doctors started experimenting with using mesh in the vaginal canal in the early 2000's. The success rates seemed good. The only problem was that no testing had been done on long-term outcomes for these mesh implants when used in the vagina.

Women who received the implants soon started finding out just what kind of damage the implants can do. Pain, bleeding, and the movement of the mesh through the vaginal wall and even into other organs were common long-term side effects. Repairing this damage is difficult, and women who experience mesh complications often endure long term pain and injury that prevent them from fully enjoying their sexuality or going to the bathroom properly.

Anyone who has been injured by transvaginal mesh may have been the victim of medical incompetence, due to the push to get the implant to the prolapse market without sufficient studies on its long-term use. If this has happened to you or a loved one, you may be entitled to fair and substantial compensation.

So what should you do, if you suffered an injury as a result of receiving a transvaginal mesh? Here are the basics:

### **1. Contact your doctor to ask about removing the mesh.**

Find out whether the damage can be corrected and what other options for treatment might be available to you.

### **2. Document your condition.**

Compile any records of your symptoms and injury you have on hand. These can include emails, voicemails, text messages, letters, notes from your doctor, and anything else that may help prove your case in court.

### **3. Research transvaginal mesh and the things it can do to you.**

Do this only after you've compiled your records, so your research doesn't influence what you think about your situation. For example, it's easy to confuse chronic vaginal pain or bleeding caused by something else (e.g. a cyst) with a transvaginal mesh injury. However, migration of the mesh is usually not mistaken for anything else.

#### **4. Call an attorney who specializes in transvaginal mesh injury cases.**

Discuss the actions you should take based on your particular situation and circumstances.

This e-book aims to give you a brief education on transvaginal mesh, the injuries it can cause, and the many recent legal cases involving it. There is a lot of information out there about transvaginal mesh, and much of it is technical and complicated to understand. The goal of this e-book is to simplify things for you by cutting through the technical speak and eliminating irrelevant details.

Armed with this information, you can go forward and take appropriate actions.

This e-book will discuss the following things:

#### **Section 1: What You Need to Know About Transvaginal Mesh (“Transvaginal Mesh 101”)**

You don't need to know all of the technical and medical terms associated with transvaginal mesh to know what it is and what it can do. We will give you the facts you need, and explain what this mesh is, what it was originally designed to treat, what it treats now, and why it is causing so many undesirable side effects and injuries to the women who have received it.

#### **Section 2: The Legal Side of Transvaginal Mesh Injuries**

We will explain the current lawsuits being brought against the manufacturers of transvaginal mesh and the outcomes of some of the more prominent cases. We will also explain what you should do if you decide to bring your own lawsuit and what you might expect in terms of the compensation process.

**Remember: this e-book is for informational purposes only, and it does not in any way substitute for face-to-face medical and legal advice.**

We strongly recommend you seek the advice of a doctor other than the one who installed the mesh in the first place. Obtain documentation about your injury and its

extent as well as what needs to be done to fix it and to what degree it can be fixed.

We hope this e-book gives you the information you need to take a confident step forward. If you have any questions or clarifications about anything in this e-book or about transvaginal mesh lawsuits in general, please contact the attorneys at Marc Whitehead & Associates, LLP at 1-(800)-562-9830 for a free consultation.

## **Section I: What You Need to Know About Transvaginal Mesh (Transvaginal Mesh 101)**

Surgical mesh has been around since the 1950's; doctors originally used it to repair hernias. The use of mesh gradually expanded to include abdominal repair of prolapse and then repair of urinary incontinence. Finally, surgeons began inserting the mesh vaginally instead of abdominally to repair prolapse. Many different manufacturers make surgical mesh, but the material all looks and works basically the same regardless of who makes it.

The transition to use surgical mesh transvaginally came because not every surgeon had been trained in using it abdominally. The transvaginal insertion of surgical mesh meant nearly any surgeon could use it, since insertion of the mesh into the vagina is a fairly straightforward procedure. Doctors also considered the process to be the only alternative for women whose vaginal tissues were too weak to take the traditional suture-based prolapse surgery.

The FDA approved the sale of mesh kits for prolapse repair in 2004. These kits contained surgical tools, specialized instruments for the procedure, and the mesh, which can be cut to fit each individual woman.

Surgeons began to use the kits, as did general gynecologists who had not necessarily been trained in prolapse surgery. The kits' ease of use allowed unqualified doctors to try their hand at this procedure.

### **Questions about FDA Approval**

Things seemed to be going well for transvaginal mesh at first. But after a few years of use, problems began appearing in some women. As the number of patients reporting problems with the mesh increased, questions about the FDA's approval process for the mesh kits began to arise. The mesh kits had been approved based on a prior approval of a similar product used for urinary incontinence – a product that had been taken off the market in 1999 due to a high percentage of complications after surgery. The FDA called this product "misbranded" and "adulterated," a fact widely publicized in a 2002 report in the New Jersey Star Ledger.

While surgical mesh had been used safely for abdominal hernia and prolapse repair for decades, no surgical mesh had been used in a human vagina prior to the FDA's approval. Researchers had never done long term tests on the mesh's safety or efficacy, so no information on its long-term effects was available.

### **Salvage Operations: Now Common on Transvaginal Mesh**

Many doctors now perform salvage surgeries to remove transvaginal mesh. The doctors who do these surgeries agree on one thing... the vagina is not a good place for mesh implantation. Its natural flora includes several types of bacteria. Salvage doctors say this flora cannot be cleaned from the vagina prior to implantation of the mesh, and this leads to surgical complications with the mesh, sometimes immediately and sometimes years down the road. Basically, surgical mesh cannot be inserted into the vagina in a sterile manner.

The pain, bleeding, and breakthrough of mesh into the vaginal wall and the organs beyond it are all caused by infection due to the non-sterile environment in which the transvaginal mesh surgery is performed. Even when the mesh moves into the vaginal wall and organs beyond it, infection is the root cause; the vaginal bacteria causes the wound from the surgery to break down, which in turn can make the mesh move to places it does not belong.

### **Removing Mesh is Messy**

Removing transvaginal mesh is not always a straightforward or safe procedure. Pieces of the mesh can be left behind. When the mesh really gets embedded into the vagina, surgeons face the tough task of trying to extract the mesh without damaging the surrounding tissues. This task often proves complex, and women can be left with permanent vaginal injuries from the procedure itself.

These injuries can cause chronic pain, interfere with enjoyment of sex, make periods more painful, promote incontinence, and increase the incidence of vaginosis. Many women who have transvaginal mesh complications require psychological counseling to help them cope with these diverse problems.

It's not only women who experience problems with transvaginal mesh, either. Men who have sex with women who have it can be injured by the mesh. Scratched and irritated penises are not uncommon, and sex can become so painful for both partners that they give up doing it entirely. This harm can lead to marital problems, which can require counseling or even lead to divorce.

## Section 2: The Legal Side of Transvaginal Mesh Injuries

The problems associated with transvaginal mesh implants have sparked an array of lawsuits against the manufacturers of the mesh as well as doctors who implanted the mesh in women. Since November 2014, plaintiffs have filed over 65,000 lawsuits regarding transvaginal mesh. Many cases have settled out of court with a monetary award to the plaintiff. Others have gone to court. Yet other cases are still pending litigation.

### A Brief History of the Relevant FDA Warnings

The road to transvaginal mesh litigation began in 2005, when the FDA first received complaints about the side effects of surgical mesh use. From 2005 to 2008, the FDA received more than a thousand such complaints. In 2008, the agency issued a safety alert, stating that serious complications were associated with transvaginal mesh use.

In spite of this warning, doctors kept performing the surgeries. Between 2008 and 2010, the FDA received another 1,500 complaints about the mesh. The FDA took no action, except to reiterate its original safety warning. Finally, in January 2012, the FDA commanded companies that manufacture surgical mesh to conduct studies into the safety of the transvaginal use of this material. The FDA later added an addendum to its initial warning: *treating prolapse with transvaginal mesh is actually riskier than using more traditional surgical options, and the process leads to no benefits beyond those that can be expected from the traditional methods.*

### Lawsuits Involving Transvaginal Mesh – Their Context and a Brief History

Many of the relevant lawsuits allege the following:

- Transvaginal mesh surgery was not tested enough to prove that the process meets basic standards of safety;
- Manufacturers failed to inform doctors and patients of the risks involved with the vaginal placement of the mesh for treating prolapse.

The history of these lawsuits dates back to 2005, shortly after doctors began to use the mesh to treat prolapse. Most lawsuits have been handled quietly; however, some key cases do make the news.

### **Factors Judges and Juries Consider When Making Financial Awards in Transvaginal Mesh Lawsuit Cases**

Most personal injury cases settle out of court, using what a jury is most likely to award the plaintiff at a trial as the basis for negotiating a settlement offer.

When a transvaginal mesh lawsuit does go to trial, the jury considers several factors when determining whether to make an award, such as:

- The effect the injury has on the overall physical and emotional health of the plaintiff.
- The extent of the injury and how long the plaintiff has been suffering.
- The extent to which the injury can be repaired and the possibility that it might lead to lingering disabilities.
- The amount of pain caused by the injury and whether that pain will be temporary or ongoing.
- Past and future medical expenses pertaining to the injury.
- Lost wages or loss of earning capacity due to the injury.
- Any effect the injury has on the spouse of the plaintiff or on the couple's marital relationship in general.
- The effect the injury has on the ability of the plaintiff to take care of her children or other dependents.

## **Lawsuits against the Various Manufacturers of Transvaginal Mesh**

### **C.R. Bard**

The C.R. Bard Company -- makers of Avaulta transvaginal mesh -- has been the subject of approximately 10,000 related lawsuits to date.

In one recent case, a jury ordered the company to pay a woman \$2 million in damages. The jury said that C.R. Bard failed to test its mesh properly for use in human vaginas before marketing it for that purpose. The jury also found that the company neglected to use reasonable care in designing the mesh for transvaginal use and failed to warn the plaintiff of the dangers of using Avaulta transvaginally. This award included \$1.75 million in punitive damages and \$250,000 in compensatory damages. C.R. Bard appealed the verdict, but an appellate judge upheld the ruling in January 2015.

A plaintiff named C.R. Bard as a defendant in another high profile lawsuit in 2012. The jury awarded this plaintiff \$5.5 million, including \$5 million for medical expenses, pain, and suffering. The jury awarded the remaining \$500,000 to the woman's husband as compensation for loss of marital relations, caused by the mesh injuries. The company appealed, but the appellate court sided with the plaintiff.

### **Johnson & Johnson**

Johnson & Johnson owns a subsidiary company called Ethicon that manufactures Gyncare transvaginal mesh. Women injured by this product have collectively launched approximately 22,000 suits against Ethicon and Johnson & Johnson. Ethicon has also been criticized for disposing of thousands of documents regarding its development of the Gyncare mesh. Here are some example cases:

A West Virginia case led to a \$3.27 million jury award for the plaintiff in September 2014. The plaintiff alleged that Ethicon failed to warn her of the dangers of using this mesh product, which led to permanent injuries.

Two similar and recent lawsuits against Ethicon lead to two other major awards: a New Jersey woman won \$11 million, and a woman in Texas pursued legal action that resulted in a \$1.2 million settlement.

## **American Medical Systems**

This transvaginal mesh manufacturer has faced approximately 18,000 lawsuits involving its mesh to date; more are being filed almost daily (as of spring 2015).

## **Boston Scientific**

Plaintiffs have hit Boston Scientific with around 14,000 transvaginal mesh lawsuits to date. The company earned the dubious distinction of being the first transvaginal mesh manufacturer to face a court trial over injuries from its mesh. This case, which established critical benchmarks and influenced future litigation, involved allegations from four women who claimed that the mesh injured them. The jury awarded these women \$18.5 million.

The company later faced a \$26.7 million judgment pursuant to injuries caused by its Pinnacle mesh as well as a massive \$73.4 million judgment pursuant to injuries caused by its Obtryx mesh product.

## **Additional Companies**

We've covered the biggest companies and largest lawsuits, but other mesh manufacturers have faced the music as well. These include:

- Colplast--approximately 1,700 lawsuits
- Cook Medical--approximately 250 lawsuits
- Neomedic--approximately 70 lawsuits

## **Mass Torts 101: How Transvaginal Mesh Victims Are Fighting for Justice**

When companies manufacture, distribute and market products that cause harm, injured victims and their families can take the case to the court system for recourse.

A hurt person can bring an action known as a **tort** to obtain compensation for damages. A tort is a type of *civil action*, as opposed to a *criminal action*. The person who sues is known as the **plaintiff**, and the company or person being sued is known as the **defendant**. In general, for a tort to succeed, three basic things must be true.

1. **First of all, someone suffered an injury that led to costs.** For instance, if a woman had to be hospitalized for bleeding caused by a damaged or defective mesh product, the court would definitely consider the victim “injured.”
2. **Some person or entity (like a company, such as Johnson & Johnson or Boston Scientific) directly or indirectly caused that injury as a result of negligence, carelessness or other wrongdoing.**
3. **The entity responsible has money to pay for the damages.** A source of funds is important. By contrast, imagine a situation in which a drunk driver with no insurance or assets causes a serious car wreck. A lawsuit might not be feasible if the driver has no way to provide any compensation. In transvaginal mesh cases, however, this last constraint is usually not a problem, considering that companies like Johnson & Johnson have many billions of dollars.

When a lot of different people suffer similar harm from similar causes, they can combine their torts into what’s known as a **mass tort**. These plaintiffs can combine forces to sue one or several defendants. To pursue a mass tort action, plaintiffs have to ask the court for permission. The court will decide based on factors like:

- How many plaintiffs got hurt;
- Where the plaintiffs live (are they close to each other or far apart?);
- The nature of the injuries (are they similar or not?);
- Whether a single cause or set of causes was likely responsible for the damages.

Mass torts are not the same thing as **class action** lawsuits. Both legal processes bundle similar cases together for the purposes of expediency (so the court can speed things up) and to make sure that results don't vary wildly.

In a mass tort, you can have a trial that's separate from other plaintiffs' trials. In a class action, the court treats you and other plaintiffs essentially as a single group, and a single trial determines the outcome. From the perspective of a plaintiff, mass torts offer some advantages. For instance, statistically speaking, you have a greater potential for large compensation. Defendants and their attorneys can also share resources and insights.

Mass torts can also evolve into a suite of lawsuits known as **Multi District Litigation** or MDL, in which different suits are organized to go before one judge and one jurisdiction.

Mass torts can get quite complicated, both because of all the legal "moving parts" and because of the high stakes involved. Liable defendants often stand to lose millions of dollars -- in some cases, billions of dollars. As a result, defendants generally have both the motivation and the means to go to great lengths to discredit the plaintiffs' cases.

To fight back, plaintiffs and their attorneys must be meticulous, prepared, resilient, and strategic. You may have compelling science on your side and a tragic, heart wrenching story. But do not expect the defendant to give any quarter or to admit fault.

So what can you do to prepare yourself and your family for the road ahead?

### **Finding a Qualified Law Firm to Represent You**

There are times when an ambitious person can very well represent himself or herself in the legal system. For instance, if you're writing up a simple will, you could just use a template from Nolo.com to write the will. If you get into a minor fender-bender that leads to no major injuries, you could handle the insurance company negotiations on your own.

However, when it comes to cases involving serious injuries, like organ damage or permanent pain in the vagina, you really want to find a qualified attorney to represent your interests. Be choosy about which law firm you select. Given the rash of legal actions that have commenced against manufacturers like Johnson & Johnson, you will

probably see a lot of advertising over the next several months regarding transvaginal mesh related claims.

- How can you vet potential firms?
- How can you know whether you might have a claim?
- How can you work well with the law firm you choose to obtain fair results and also reclaim your dignity and protect your health and your family?

Absent context, it's difficult to know whether you have a case. You could be underestimating your need for help. The costs of vaginal surgeries and therapies could add up to hundreds of thousands of dollars, for instance. Or you might be overestimating your case. For instance, perhaps your sex problems or incontinence could be traced to endocrine problems. That's why context is essential. Speak with an attorney if there's any ambiguity; there's no harm in at least calling.

To vet prospective attorneys, first, obtain references. You can use the internet, TV, personal referrals from friends at work, etc. Take the time to think through the principles by which you want to govern the search. Why do you want an attorney? What are you hoping to accomplish? What are the essential values that you want the lawyer to have and demonstrate?

Here's a useful exercise to that end. Imagine how a relationship with an attorney might go *wrong*, and then define your values in opposite terms. For instance:

- ***I don't want a lawyer who has a dodgy ethical track record or problems with clients*** translates into the following value: ***The law firm has a stellar track record and an A+ record with the Better Business Bureau.***
- ***I'm worried that the attorney will ignore me or treat me like "just a number"*** translates into the following value: ***The attorney treats me with compassion and his or her team answers my questions and meets my needs.***

- ***I'm afraid the attorney will pressure me into taking action I don't want to take*** translates into the following value: ***The attorney listens and respects what I want.***
- ***I worry that the attorney might be under-qualified to help me*** translates into the following value: ***The attorney has strong credentials – for instance, he or she is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization and/or is [AV rated by Martindale Hubble.](#)***

Once you have these principles outlined, review the candidate lawyers' websites and other materials, and winnow your list of prospective firms down to about three. Then set appointments for a free consultation. Before your consultation, write down any questions you have about your case, about the process, or about the firm's history and qualifications. Write down the answers you get.

During your consultations, pay attention both to substance of the conversation as well as to your intuition. Do you get along with the attorney and his or her staff? Do you feel comfortable with the values that animate the law firm?

Ask about fee arrangements. In mass tort cases, attorneys often work on what's known as a "contingency" basis. This means that you only pay for legal services if the attorney wins a settlement or achieves a verdict for you. In that case, you pay a percentage of this amount.

Once you have chosen an attorney, get to know the law firm's processes and people. To save time, develop the habit of writing down your questions on paper (or on a Word document) whenever they occur to you, so that you can "batch ask" them to the attorney. In addition, you might find it useful (starting immediately) to compile any relevant evidence, including doctor's notes, a written timeline of events, written witness accounts, and so forth.

Lastly, develop strategies to deal with other needs -- financial, emotional, psychological, logistical, etc. -- so that your entire life isn't on hold while the legal process plays out. After all, depending on the nature of your injury and the size and scope of your legal

action against a transvaginal mesh manufacturer (or some other liable party), you may not get clarity about your case for months if not longer.

Avoid living life in limbo until this resolves. Work with people you trust -- such as your attorney, your financial advisor, your doctor, your personal trainer, your employer and your friends -- to manage various problems that have been raised or worsened by the injury, so that you can reclaim a degree of calm and control over your life.

### **More Background about Attorney Marc Whitehead and His Legal Team**

Attorney Whitehead and his legal team are proud of their track record and numerous distinctions in the arena of Texas personal injury law. Whitehead & Associates, LLP has been rated A+ by the Better Business Bureau – a reflection of our team’s devotion to customer service. We specialize in plaintiff personal injury, mass tort, pharmaceutical, insurance & ERISA litigation, social security disability law and veterans’ disability law.

Attorney Whitehead has served as law professor at University of Houston Law Center, where he taught Civil Trial Advocacy, as well as an Instructor of Civil Trial Advocacy at the National Institute of Trial Advocacy.

He is Board Certified by the Texas Board of Legal Specialization in Personal Injury Trial Law, putting him in a rare group of lawyers who must pass very stringent requirements to obtain and maintain this certification. He’s also active in many professional associations, serving as an American Association for Justice-Leader Forum Member, an AAJ Risperdal Litigation Group Member, an AAJ Xarelto Litigation Group Member, an AAJ Transvaginal Mass Litigation Group Member and an AAJ Toxic, Environmental and Pharmaceutical Section Member. In addition, he has been honored as an Association of Civil Trial and Appellate Specialist, rated “AV” by Martindale Hubble, rated 10.0 by AVVO, rated by SuperLawyers, and rated by the National Trial Lawyers Association as one of the Top 100 Trial Lawyers in Texas.

## Conclusion

The overarching narrative of the transvaginal mesh lawsuits may take years to understand. However, the crisis illustrates the dangers associated with approving medical devices for new uses too quickly and without human trials. If the FDA had insisted on human trials and long-term studies before approving surgical mesh for transvaginal use, you wouldn't be seeing mesh lawsuit commercials on television today, and the manufacturers we've discussed wouldn't be facing dire legal predicaments. Even more importantly, tens of thousands of women wouldn't have been injured and in pain.

Doctors originally thought the use of surgical mesh in the vagina could be an innovative, easy way to treat prolapse. Even non-specialists and sometimes non-surgeons could use this method to assist their patients. This "best of intentions" approach sadly led to awful unintended consequences. Meanwhile, despite the horrors that have unraveled, the FDA has not forbidden the use of transvaginal mesh, although the agency now strongly cautions against it. Some doctors still use the mesh, however, causing injuries to innocent and unknowing women.

We have covered the legal and medical background regarding transvaginal mesh, and we have also discussed how to find an appropriate attorney if you have been injured by transvaginal mesh as well as how to work with your attorney effectively to ensure best results.

Nothing can undo your pain; however, getting fair financial compensation can help make your life a little more pleasant and happier. It can also help you pay your medical bills for having the mesh removed and for getting surgery to correct whatever damage can be repaired. If you cannot work because of your injury, a settlement or award can help you maintain your lifestyle and pay your bills.

We hope this book has been helpful to you. If you or someone you love has been injured by transvaginal mesh, you can count on the team here at Marc Whitehead & Associates to help you get the justice you deserve. Please give us a call now at (800) 562-9830 to schedule a free, confidential consultation. We wish you the best of luck as you deal with your injury and rebuild your life.

## Disclaimer

### Disclaimer for **“Transvaginal Mesh Lawsuits: What You Need to Know if You Have Suffered Harm from Vaginal Mesh Implants”**

You understand that this book is not intended as a substitution for a consultation with an attorney. Requesting this book or viewing the information in it does not create an attorney-client relationship with Marc Whitehead & Associates LLP or any of its attorneys. To obtain legal advice about your personal injury probate matter, please engage the services of Marc Whitehead & Associates LLP or another law firm of your choice. To discuss engaging Marc Whitehead & Associates LLP to help you with your probate matter, please contact the firm.

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## CURRICULUM VITAE

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#### **Professional Experience**

*Marc Whitehead & Associates, Attorneys at Law, LLP, Founder*  
Specializing in plaintiff=s personal injury, mass tort, pharmaceutical, insurance & ERISA litigation, social security disability law and veterans disability law

*Adjunct Professor of Law (2002)*  
University of Houston Law Center  
Civil Trial Advocacy

*Instructor (2003)*  
National Institute of Trial Advocacy  
Civil Trial Advocacy

*Instructor (2005-2007)*  
National Business Institute  
Social Security Disability

#### **Board Certified**

Personal Injury Trial Law  
Texas Board of Legal Specialization

Social Security Disability Advocate  
National Board of Trial Advocates

#### **Educational Experience**

J.D. University of Houston Law Center, 1992  
Top 21% of Graduating Class  
B.B.A. in Finance, Texas A&M University, 1989  
President=s List  
Valedictorian, Normangee High School 1985

#### **Admitted to Practice**

State Bar of Texas  
U.S. District Courts, All Texas Districts  
United States Court of Appeals-Fifth Circuit  
United States Court of Appeals for Veterans Claims

#### **Professional Activities & Associations**

American Association for Justice-Leader Forum Member  
AAJ Risperdal Litigation Group Member  
AAJ Xarelto Litigation Group Member  
AAJ Transvaginal Mesh Litigation Group Member  
AAJ Toxic, Environmental, and Pharmaceutical Torts Section

Houston Trial Lawyers Association  
President (2009-10)  
President Elect (2008-2009)  
Secretary/Treasurer (2007-08)  
Vice-President (1999-2007)

Texas Trial Lawyers Association  
Board Member (1997-Present)  
Board of Advocates (1999-2001)

HBA Social Security Section Chairman (2004-2005)

Memberships and Honors

Association of Civil Trial and Appellate Specialists  
National Organization of Social Security Claims Representatives  
Texas Aggie Bar Association  
Houston Volunteer Lawyers Association  
College of the State Bar of Texas  
Houston Bar Association  
National Organization of Veterans Advocates  
AV Rated by Martindale Hubble  
10.0 AVVO Rating  
Rated by SuperLawyers  
Top 100 Trial Lawyers in Texas by National Trial Lawyers Assoc.

**Articles & Publications**

- *Tort Reform As It Relates to Strict Products Liability;*
- *A Lawyer's Guide for Determining Eligibility of Social Security Disability Claimants;*
- *Nuts & Bolts of Social Security Disability Law;*
- *The Five Step Sequential Evaluation Process Used in Determining Disability For Social Security Claimants;*
- *The Social Security Disability Puzzle-How to Fit the Pieces Together and Win Your Claim;*
- *Disability Insurance Policies-Solving the Mystery and Proving Your Case*
- *Veterans Disability Claims – Strategies for a Winning Campaign*
- *Car & Truck Crashes -10 Secrets Victims Should Know to Protect Their Rights*