



Power Morcellator Lawsuit Plaintiff Dies 12 Days After Filing

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Tracey & Fox reports on another power morcellator lawsuit plaintiff who has tragically died after filing suit. The woman, whose case was filed on April 7th of 2015 under number 1:15-cv-01046-ODE died only 12 days after filing with the U.S. District Court in the Northern District of Georgia, Atlanta Division.

Like many others, her complaint alleges that the power morcellator tool used during her laparoscopic hysterectomy (removal of the uterus), spread previously undetected cancer, which significantly shortened her life expectancy. The surgery, performed at Piedmont Hospital in Atlanta, was done after routine testing showed negative results for cancer. It was completed on January 20th, 2011. After the surgery, however, the woman's pathology report indicated that she had endometrial stromal sarcoma and leiomyosarcoma.

Many involved in similar lawsuits allege that as the power morcellator tool tears up uterine tissue, it exposes previously hidden cancer cells and then spreads them throughout the body, creating an advanced cancer diagnosis. The tool works much like a drill, and uses small blades to slice and then remove tissue through a small incision in the abdomen.

Today, the woman's husband is pursuing legal justice for her, by representing and maintaining the lawsuit she had filed against Johnson & Johnson's Ethicon division, manufacturers of the morcellator used in her surgery. On June 18th of 2015, the husband joined with five other plaintiffs to file a motion before the U.S. Judicial Panel on Multidistrict Litigation. The motion requested that all morcellator lawsuits be consolidated in the U.S. District Court for the District of Kansas.

In April of 2014, the U.S. Food and Drug Administration issued a warning concerning the risks of power morcellators used during gynecological surgeries. They indicated that it was likely that 1 out of every 350 women undergoing power morcellator procedures had hidden uterine cancer. Additionally, they noted that if the morcellator was used to tear through uterine fibroids that did in fact contain cancer, it could spread these cancer cells to other areas of the body.

After this warning was made, Johnson & Johnson stopped all power morcellator manufacturing, and recalled those morcellators that were currently on the market. The company faces many questions and an FBI investigation concerning how long they knew about the risks associated with their device before they took action.

Additional lawsuits against the power morcellator are still being filed. The attorneys at Tracey & Fox are working to help those who have undergone power morcellator procedures and who have subsequently been given a cancer diagnosis to pursue their legal rights. These individuals and their families may be entitled to compensation.

For questions or additional information, please contact Tracey & Fox by calling 713-322-5375.

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