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From: HarrisMartin's Hip & Knee Implant Litigation
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JPML Separates Minn. Plaintiff's ASR and Pinnacle Hip Replacement Claims

WASHINGTON, D.C. — The Judicial Panel on Multidistrict Litigation has divided DePuy ASR and Pinnacle hip implant claims asserted by a Minnesota woman in a single federal lawsuit and conditionally assigned them to pending MDLs in Texas and Ohio. _Sevre, et al. v. DePuy Orthopaedics, Inc., et al._, No. 11-01461 (D. Minn.).

The JPML issued its order on June 21, assigning Carol L. Sevre's DePuy ASR Hip Implant claims to the Northern District of Ohio, while separating and conditionally transferring her remaining claims to the DePuy Pinnacle Hip Implant MDL pending in the U.S. District Court for the Northern District of Texas.

The panel noted in its two-page order that it has, to date, transferred 477 DePuy ASR actions to Judge David A. Katz in the Northern District of Ohio (_In re: DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation_, MDL No. 2197), while assigning 66 Pinnacle Hip Implant cases to Judge James E. Kinkeade in the Northern District of Texas (_In re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation_, MDL No. 2244).

Sevre and her husband, Dale G. Sevre, allege in a complaint filed on June 3 in the U.S. District Court for the District of Minnesota that Sevre was injured by defects in both ASR and Pinnacle hip implant systems.

She complains that she underwent a right-side total hip replacement in 2005, in which a DePuy Pinnacle acetabular cup, a DePuy Summit tapered hip stem, a Pinnacle Marathon acetabular liner and a DePuy articul/EZE femoral head were implanted.

Approximately two years later, Sevre says, she began to experience squeaking and pain, and her physician discovered "complete wear through the superior margin of the acetabular component."

Sevre underwent revision surgery on June 4, 2007, during which metallosis was confirmed. Her physicians removed the Pinnacle components and replaced them with a DePuy ASR taper sleeve and anchor and an ASR femoral head and acetabular cup.

The DePuy ASR XL Acetabular and ASR Hip Resurfacing systems were recalled in August 2010.

Sevre says she has not yet been tested for elevated chromium or cobalt blood levels that may have resulted from implant component failures.

Defendants include DePuy Orthopaedics Inc.; DePuy International Limited; Johnson & Johnson Services Inc.; Johnson & Johnson International; and Johnson & Johnson.

Kate E. Jaycox, Vincent J. Moccio and Genevieve M. Zimmerman of Robins Kaplan Miller & Ciresi in Minneapolis represent the Sevres.
