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Gallagher & Kennedy Trial Lawyer Helps Secure \$3.6 Million Dollar Verdict for Plaintiff in First Bard Inferior Vena Cava Bellwether Trial

PHOENIX, Ariz. (April xx, 2018) In a verdict announced March 30th, Sheri Booker, the first plaintiff in the Bard Inferior Vena Cava (IVC) filter multi-district litigation (MDL) to try her product liability claims, was awarded \$3.6 million dollars. This is the first of five bellwether cases in the MDL and sets the tone for a large number of suits that Bard faces across the country. The trial began March 14, 2018, and lasted three weeks in Arizona federal court.

Gallagher & Kennedy Shareholder Mark O'Connor and Ramon Rossi Lopez of Lopez McHugh LLP serve as co-lead/liaison counsel in the MDL. Both Mark O'Connor and Ramon Rossi Lopez were also lead trial counsel for Ms. Booker. Ms. Booker had the Bard G2 filter implanted when she was 37. The filter subsequently broke, leaving pieces in Ms. Booker's IVC, aorta, and in her heart, resulting in significant injuries and medical procedures, including open-heart surgery. The nine-member jury deliberated for six-and-a-half hours before they decided that Bard negligently failed to warn consumers of the risk, and then awarded punitive damages to Ms. Booker.

In his argument to the jury during the punitive damages phase, Mark O'Connor, stated "The simple fix was there - don't put it on the market." O'Connor emphasized that Bard never went to the medical community to say "We gave you something dangerous and we need to fix it before it causes irreversible damage." After trial, Mark O'Connor shared, "Sheri Booker showed tremendous courage in telling her story to the jury."

U.S. District Court Judge David Campbell is presiding over the MDL, which includes more than 3,600 plaintiffs from across the country. In coming weeks, Mark O'Connor will serve as lead trial counsel in another bellwether case for Gallagher & Kennedy client Doris Jones, this time centering on Bard's fourth-generation IVC filter, the Eclipse.

Other members of Ms. Booker's legal team included Julia Reed Zaic of Heaviside Reed Zaic, who delivered the opening statement, and Joseph R. Johnson of Babbitt & Johnson.

About Gallagher & Kennedy's Plaintiff's Personal Injury and Wrongful Death Practice

Established in 1978, Gallagher & Kennedy is an Arizona-based law firm with nearly 80 attorneys in offices in Phoenix and Santa Fe with clients ranging from Fortune 500 companies to small businesses and individuals. The firm's Plaintiff's Personal Injury and Wrongful Death group is one of Arizona's most respected and successful plaintiffs' practices with over \$500 million in verdicts, awards and settlements on behalf of their clients.