

Local plaintiff 'lucky' to survive after mesh blamed for infection

Class action suit targets hernia mesh manufacturer

By **LISA TALLYN**
Staff Writer



Kristie Pells of Georgetown is a representative plaintiff in a class action lawsuit in Canada against a company that manufactured a mesh used for hernia repair. Pells suffered a perforated bowel and other problems allegedly as a result of the mesh.

Photo by Ted Brown

A Georgetown woman is a lead plaintiff in a class action lawsuit against a company that made a surgical mesh for hernia repair.

Kristie Pells, 39, suffered a perforated bowel and serious infection allegedly as a result of the Kugel Mesh that was put in her abdomen six years ago during hernia repair surgery at Mount Sinai Hospital.

Lawyer Harvin Pitch, counsel to Stevensons LLP in Toronto (which has commenced the lawsuit with other Canadian legal firms), said Pells will be a representative plaintiff in the lawsuit—representing those in Canada who have been affected by the mesh. The product is manufactured by CR Bard Inc. and Davol Inc. in the U.S. and distributed in Canada by Bard Canada Inc., all of whom have been named defendants in the Canadian lawsuit. Davol Inc. and Bard Canada are subsidiaries of CR Bard Inc.

The statement of claim was issued in Ontario Superior Court in May of last year. The claim, which has not yet been proven in court, alleges the defendants negligently breached their duty of care to patients in the development, testing, manufacture and promotion of their Kugel Mesh products.

Pells had her first hernia surgery at the age of 30, and at 33 was back in hospital again to have three more hernias repaired.

During that surgery, Pells said her doctor decided to put a Kugel Mesh patch in to strengthen the abdominal wall and allow her more freedom to lift things and be more physically active.

Pells didn't have any problems for several years and the mesh actually allowed her to do things she previously couldn't such as grocery shopping without help from her son or husband, golf and even skate.

But early last year, she knew some-

thing was wrong.

Pells is used to having stitches from her previous hernia surgeries work their way to the surface of her skin.

"Normally I can pull and cut them. It's no big deal," said Pells.

But this time one of the stitches resulted in a hole in her stomach she

said that "didn't heal like normal."

She was also experiencing a lot of abdominal pain, was tired, and felt unwell.

She went to see her surgeon at Mount Sinai last spring who told her she believed the mesh caused an infection and scheduled her for surgery in

last September to remove it.

"I was eager to get it done and over with. I didn't like the word 'infection,'" said Pells, who pushed for a cancellation date.

Fortunately one came up for July 24, which Pells said she was lucky to get considering what the doctor found when she did the surgery.

The planned one-hour operation turned into four, as the mesh had perforated Pells' bowel.

"I also had an abscess and fistulae (irregular connective tissue growths between the intestines and other organs)," said Pells.

The doctor had to remove a section of bowel that had been perforated and infected, said Pells.

"I have no large intestine (from previous surgery), but I did have some small intestine left. But now they had to take more. I need what I've got. That was an extra worry."

"I could have died because of the infection, she (the doctor) was shocked at what she found. She said I was very lucky," said Pells.

Recovery was long and difficult.

Pells was in hospital for a week on a morphine pump for the pain, and when she went home she required nursing care everyday for three months because her incision was infected.

At one point she had to go back to hospital where doctors opened up a four-inch section of her incision in the emergency room, while Pells was fully conscious, and remove a "massive amount of infection."

"It was the most painful thing I have ever had done to me," said Pells. She was left with a four-inch hole that had to be packed and cleaned daily by nurses until it healed.

When she got home Pells said she spent the first three weeks basically in bed, and it took several more weeks of recuperation before she could finally go back to her classified advertising job at *The Independent & Free Press*.

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