

## Three New Lawsuits Filed Over Shoulder Damage From Pain Pumps

*Shoulder surgery patients allege pain pumps have caused irreversible shoulder damage.*

Baltimore, MD ([PRWeb](#)) November 21, 2008 -- The law firms of Janet, Jenner & Suggs (Baltimore) and Cohen & Malad (Indianapolis) filed three lawsuits this month on behalf of injured victims of shoulder pain pumps.

Pain pumps are medical devices that are used to manage post-operative pain. Many orthopedic surgeons use pain pumps after surgery to deliver, by way of a catheter, continuous doses of pain relief medication directly into the shoulder.

Lawsuits filed on behalf of former patients allege the pain pumps have caused irreversible shoulder damage, leading to a condition called "glenohumeral chondrolysis," which is the complete or nearly complete loss of cartilage in the shoulder joint. Glenohumeral chondrolysis is irreversible and causes the bones to grind together without the necessary cushioning effects of the cartilage. Patients with the condition say it is disabling and excruciatingly painful.

"The plaintiffs in our pain pump lawsuits allege that with the knowledge and encouragement of the pain pump manufacturers, surgeons began to insert catheters directly into the shoulder joint space -- even though no studies had been done to determine the safety of that technique," said Baltimore lawyer [Robert K. Jenner](#), one of the attorneys for the plaintiffs. "The manufacturers of the anesthetics, similarly, did nothing to investigate whether the continuous infusion of their drugs into shoulder joint spaces was harmful. Instead, they encouraged orthopedic surgeons to use the pumps and anesthetics, in tandem, in an untested and dangerous manner."

The three pain pump lawsuits, filed in various U.S. District Courts, are:

\* Fougner v. I-Flow Corp. et al., No. 0:08-cv-05157-DSD-AJB (D. Minn): On September 27, 1999, Jaimee Fougner, then 23 years old, underwent arthroscopic surgery for shoulder problems. During the surgery, Ms. Fougner's orthopedic surgeon affixed a pain pump to her shoulder. In her lawsuit, Ms. Fougner alleges that as a result of the placement of the pain pump, she now suffers from glenohumeral chondrolysis. Ms. Fougner has sued I-Flow Corporation, the manufacturer of the pain pump, in addition to the manufacturers of the anesthetics drugs used in the pump.

\* Punderson v. I-Flow Corp. et al., No. 2:08-cv-198 (D. Vt): Scot Punderson of Groton, Vermont underwent routine shoulder surgery on September 23, 2005. His surgeon affixed a shoulder pain pump. Mr. Punderson alleges he now suffers from the devastating effects of chondrolysis. He has sued the manufacturer of the pain pump and anesthetic manufacturers.

\* Van Heest v. Stryker Corp. et al., No. 3:08-cv-5316 (D. N.J.): Karen Van Heest is a personal trainer living in Howell, New Jersey. In November 2005, she underwent surgery for a torn rotator cuff of her left shoulder. She had a shoulder pain pump affixed and alleges she developed shoulder chondrolysis. As a result of her debilitating condition, which is permanent and life-long, Ms. Van Heest alleges she now has difficulty doing the most basic tasks of everyday living. She has sued Stryker Corporation, the manufacturer of her pain pump, and the anesthetic drug manufacturers.

Pain Pump Background

The pain pumps first used in the 1990s had limited amounts of anesthetic, and surgeons placed the pain pump catheter in the muscle or outside the shoulder joint. Later on, however, the manufacturers increased the anesthetic capacity by developing high-volume pumps. They began to encourage surgeons to insert catheters directly into the shoulder joint space, Jenner said.

Several pain pump manufacturers applied to the FDA to alter their package inserts to include an indication for placement of the pain pump catheter in the shoulder joint space but the FDA repeatedly denied these applications.

In 2004, multiple scientific studies confirmed the toxic effects of pain pump anesthetics on shoulder cartilage. In late 2005 and early 2006, Dr. Charles L. Beck, an orthopedic surgeon, reported disturbing findings to the scientific community about pain pump use. His research found that a significant number of his shoulder patients developed chondrolysis following intra-articular placement of a pain pump catheter. He associated these injuries with the use of intra-articular pain pumps.

About Jenner & Suggs, LLC and Cohen & Malad, LLP

The law firms of Janet, Jenner & Suggs, LLC (Baltimore) and Cohen & Malad, LLP (Indianapolis) are leaders in pharmaceutical, medical device and mass tort litigation nationwide. They have formed a litigation partnership for the purposes of representing victims of shoulder pain pumps, and have assumed national leadership roles. The firms are taking referrals from law firms and can be reached at [www.pain-pump-lawsuits.com](http://www.pain-pump-lawsuits.com) or by calling 1-888-4-MEDLAW.

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