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\$88 Million Verdict in First Covidien Hernia Mesh Bellwether Trial, With Bernheim Kelley as Massachusetts Local Counsel

A federal jury in Boston found that Covidien failed to adequately warn physicians about its Symbotex hernia mesh, in the first of more than 2,400 federal cases to reach a jury

BOSTON, MA – August 18, 2026 – A federal jury in the United States District Court for the District of Massachusetts returned an \$88 million verdict on August 4, 2026, in favor of Larry Patterson and his wife Tammy Patterson, in the first bellwether trial of the federal Covidien hernia mesh multidistrict litigation. Walter Kelley of Bernheim Kelley Injury Lawyers served as Massachusetts local counsel for Mr. Patterson throughout the litigation.

The case is Patterson v. Covidien, Inc., No. 1:22-cv-10153-PBS, a member case of In re: Covidien Hernia Mesh Products Liability Litigation, MDL No. 3029, before U.S. District Judge Patti B. Saris. Trial began July 13, 2026, and ran roughly three weeks.

What the Jury Found

The jury found that Covidien failed to provide adequate warnings to physicians about its Symbotex Composite Mesh. It awarded \$77 million to Larry Patterson for his injuries and \$11 million to Tammy Patterson for loss of consortium.

The jury declined to award punitive damages. The full award is compensatory. Covidien denied the allegations throughout the trial and argued that Mr. Patterson's medical history and other risk factors caused his injuries. Medtronic, which owns Covidien, has indicated it will pursue post-trial motions and an appeal, so the verdict is not final.

The Evidence at the Center of the Case

Symbotex is a polyester mesh with a collagen barrier layer intended to keep the mesh from attaching directly to the bowel and other internal tissue. The barrier is the safety feature. How long it lasts determines how long the patient is protected.

According to trial evidence reported from the proceedings, the collagen barrier on Mr. Patterson's implant broke down in roughly 7 days, while surgeons were told to expect protection lasting up to about 30 days. Mr. Patterson, 61, received the implant during a 2017 hernia repair. The mesh adhered to his bowel, and he later required a second surgery to remove the mesh along with several inches of intestine.

The case that persuaded the jury was not that the device was incapable of working. It was that the surgeon who implanted it was never told how long the protective barrier would actually last.

Bernheim Kelley's Role

Walter Kelley, a trial attorney with Bernheim Kelley Injury Lawyers, served as Massachusetts local counsel for Mr. Patterson throughout the litigation. Timothy M. O'Brien of Levin, Papantonio, Proctor, Buchanan, O'Brien, Barr & Mougey, P.A., led the trial team, and Kelsey Stokes of Stokes & Hobbs tried the case with him.

"This case was about accountability," Kelley said. "Medical device manufacturers have a responsibility to provide physicians with complete and accurate information about the products they place into patients' bodies. The jury's verdict reflects the importance of that duty."

Kelley also praised the lawyers who led the case at trial:

"Tim O'Brien and Kelsey Stokes delivered an exceptional trial on behalf of Mr. Patterson. They presented a highly technical medical and scientific case with remarkable clarity, credibility, and professionalism. Their preparation, command of the evidence, and unwavering focus on their client were evident throughout the proceedings. It was an honor for our firm to be involved in such a remarkable case. Representing clients in matters that can improve product safety and make a difference in people's lives is the reason we do this work."

Why a Bellwether Verdict Matters & What It Does Not Do

A bellwether trial is a representative case selected from a large group of similar lawsuits and tried first, so both sides can see how a jury responds to evidence that runs through most of the files. Bellwether outcomes shape litigation strategy and settlement negotiations.

A bellwether verdict does not bind any other plaintiff. It does not determine the outcome or the value of any other case, and it does not entitle anyone else to a similar award. What it does is answer a question that had never been answered before this trial, which is how a jury weighs the central evidence in the Covidien mesh litigation.

Where the Covidien Hernia Mesh Litigation Stands

MDL No. 3029 was centralized in the District of Massachusetts and coordinates claims that Covidien hernia mesh products, including Symbotex, Parietex, and ProGrip, were defectively designed and inadequately labeled. Roughly 2,500 cases were pending in the federal MDL at the time of the Patterson verdict, and thousands of additional cases are pending in the Massachusetts state court.

Court-ordered mediation did not produce a global settlement before trial. Patterson was the first Covidien hernia mesh case in the country to reach a jury.

Complications That May Support a Hernia Mesh Claim

Bernheim Kelley Injury Lawyers continues to evaluate claims involving hernia mesh products and other defective medical devices. People who received a hernia mesh implant and later experienced any of the following may have legal rights worth reviewing:

- Bowel obstruction
- Adhesions, meaning the mesh attaching to the bowel or other internal tissue
- Chronic or persistent pain
- Infection, including long-running infection at the implant site
- Recurrent hernia
- Revision or removal surgery, including bowel resection

If you still have your implant records, locate them before your consultation. The product name, model, and lot number from the operative report or the implant sticker are the most useful documents when evaluating your claim.

Free Case Review for Hernia Mesh Complications

Bernheim Kelley Injury Lawyers is reviewing hernia mesh and defective medical device claims nationwide. The firm offers a free and confidential case evaluation to determine whether you have a viable claim.

Call **888-902-5867** or request a **free case review** [online](#). There is no fee unless a recovery is obtained. Clients may be responsible for costs and expenses.

About Bernheim Kelley Injury Lawyers

Bernheim Kelley Injury Lawyers is a nationally recognized law firm with decades of experience representing clients in mass tort, product liability, and personal injury cases. Founded by Jesse Bernheim, Esq., the firm has secured over \$1 billion in settlements and judgments on behalf of clients nationwide. The firm maintains offices in Fort Lauderdale, Miami, Jacksonville, Fort Myers, and Starke, Florida; in Plymouth and Boston, Massachusetts; and in Nashville, Tennessee.

The firm represents individuals and families in catastrophic injury, wrongful death, and complex product liability litigation, and is committed to holding corporations accountable and improving product safety through the civil justice system.

Legal notice: The verdict described in this release is subject to post-trial motions and appeal and is not final. Results in one case do not guarantee, predict, or suggest a similar result in any other case. Every case is different and depends on its own facts. Walter Kelley of Bernheim Kelley Injury Lawyers served as Massachusetts local counsel in this matter. The trial was led by Timothy M. O'Brien of Levin, Papantonio, Proctor, Buchanan, O'Brien, Barr & Mougey, P.A., with Kelsey Stokes of Stokes & Hobbs. This release may be considered attorney advertising under applicable rules of professional conduct.

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