

[Aredia / Zometa Jaw Injury Lawsuit In New Jersey Ends In Defense Verdict For Novartis](#)

This October 2010 New Jersey Trial Result Is In Stark Contrast To \$3.2 Million Verdict In 2009 Montana Zometa Case

(Posted by Tom Lamb at www.DrugInjuryWatch.com on October 7, 2010; see <http://bit.ly/8ZU31Y>)

In early October 2010 the New Jersey state court jury which heard the evidence in the case of *Bessemer v. Novartis Pharmaceuticals Corp.* found in favor of the Defendant and against Jane Bessemer, who alleged she developed osteonecrosis of the jaw (ONJ) as a result of using Aredia and, thereafter, Zometa, two bisphosphonate drugs made by Novartis.

More precisely, from this October 6, 2010 *Bloomberg* article, "[Novartis Wins Trial Over Jaw Injury Blamed on Drugs](#)":

By a 7-2 vote, the panel answered "No" to the question: "Did Novartis fail to provide an adequate warning to Mrs. Bessemer's prescribing physician concerning the risks of jaw problems from Aredia and/or Zometa that Novartis either knew or should have known prior to Mrs. Bessemer discontinuing use of the drug(s)?"

At this *Bessemer* trial in New Jersey, which had started on September 23, the lawyer for Novartis made two primary arguments in defense of the drug company:

- (1) Novartis adequately warned Ms. Bessemer's doctor of risks known at the time; and,
- (2) Ms. Bessemer's jaw condition was unrelated to her use of Aredia and Zometa but, instead, was caused by a bone infection known as osteomyelitis, and not ONJ.

It is unclear from the October 6 *Bloomberg* article, above, whether the jury voted on this second issue concerning "causation" or not.

The *Bessemer* case is the second Zometa products liability lawsuit that has gone to a jury verdict, but the first case ended quite differently with a \$3.2 million Plaintiff's verdict back in October 2009.

That [earlier Zometa trial was in a Montana state court and involved Peggy L. Stevens](#), who allegedly developed osteonecrosis of the jaw (ONJ) due to her use of Zometa and sued Novartis for failure to warn adequately about this serious jaw injury side effect. The jury in that Montana case obviously came to a different determination on this "warning" issue than the New Jersey jury.

The October 6 *Bloomberg* article estimates that the Zometa / Aredia litigation currently consists of 550 lawsuits in the federal court MDL and about 150 lawsuits in the New Jersey state court "Mass Tort" consolidation pending in Middlesex County, NJ, where the *Bessemer* trial took place.

We will continue to monitor the *Aredia and Zometa Products Liability Litigation* (MDL No. 1760), pending in the Middle District of Tennessee, Nashville District, as well as the New Jersey state court cases, and will report significant developments here at [Drug Injury Watch](#).

Attorney [Tom Lamb](#) represents people in personal injury and wrongful death cases involving unsafe prescription drugs or medication errors. The above article was posted originally on his blog, **Drug Injury Watch** – with live links and readers' Comments.

<http://www.DrugInjuryWatch.com>