

Media advisory

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Mostyn calls on mesh implant maker to release internal documents

Amber and Steve Mostyn of Houston-based Mostyn Law have called on Boston Scientific Corp. to release its internal communications documents, now part of a federal racketeering lawsuit that accuses the company of using counterfeit material from China to manufacture defective vaginal mesh implants.

They sharply criticized the company after it disputed allegations in the suit that it smuggled bogus supplies into the United States, failed to conduct thorough tests, defrauded regulators and then sold faulty mesh implants that have put thousands of women at risk.

The federal class-action suit was filed this week on behalf of Teresa Stevens of Lincoln County, West Virginia, who has suffered severe health problems because of Boston Scientific's inferior mesh.

"If Boston Science really believes Ms. Stevens' lawsuit has no merit, they could put a stop to it today," Amber Mostyn said. "Key evidence in this case - including Boston Scientific's own internal communications - is unavailable for the public to review because of that company's abuse of confidentiality rules. Boston Scientific should allow the public to review these documents, immediately."

She said the law firm notified Boston Scientific a week ago that of its findings that counterfeit, smuggled polypropylene was used to make the vaginal mesh products. "And for one week, we have asked Boston Scientific to provide any evidence that contradict the more than 10 million pages of discovery documents from which we uncovered proof of their smuggled counterfeit plastic resin. They refuse to do so."

"Now, in emails we are releasing this morning, we have told Boston Scientific that our latest scientific tests conclude their counterfeit mesh product contains dangerous selenium, and that we will meet them anywhere and anytime to work together and get this dangerous counterfeit medical device off the market. It is time for this company to do the right thing."

The documents that Boston Scientific has fought in the courts to keep private were obtained by attorneys in connection with other civil suits against that company and other mesh implants producers. Some of those records are listed in the new federal suit but under court rules, they cannot be made public.

"Boston Scientific says they don't believe concerns about implanting secretly smuggled counterfeit plastic resin into women's bodies have 'merit,' and they intend to 'vigorously defend' themselves," Steve Mostyn said.

"Boston Scientific sure wasn't vigorously defending the health of countless thousands of American women when they engaged in a conspiracy to pay a known Chinese counterfeiter to acquire and provide unapproved plastic resin for the vaginal mesh products, and then went to great lengths to get that Chinese counterfeit medical device into our country," he said.

For more information and copies of the federal suit and related filings, see:

<https://vaginalmeshclassaction.com/>

The case is styled Stevens v. Boston Scientific Corp., et. al., 2:16-0265, U.S. District Court, Southern District of West Virginia (Charleston).

For media questions, contact:

Joseph C. Madden, Mostyn Law

jcmadden@mostynlaw.com

713-714-0000 (office)

713-443-9421 (cell)

About Mostyn Law

The Houston-based firm is one of the country's leading civil litigation firms, headed by Steve Mostyn and Amber Anderson Mostyn. Their work has focused on representing clients who have been victims of negligence, bad faith or other wrongdoing by medical device manufacturers, pharmaceutical companies, insurance companies and others.

Steve, a graduate of the South Texas College of Law, is a founding member of the Texas Association of Consumer Lawyers and former president of the Texas Trial Lawyers Association. Amber, a graduate of the University of Texas Law School in Austin, has been an adjunct professor at Texas Wesleyan Law School and at South Texas College of Law.

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For more information and copies of the email exchanges, the federal suit and related filings, see: <https://vaginalmeshclassaction.com/>