

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RICHARD & SUSAN KLUSMANN,	§	
	§	
Plaintiffs,	§	
	§	MDL No. 2244
v.	§	
	§	
	§	
DEPUY ORTHOPAEDICS, INC.; DEPUY	§	No. 3:11-cv-2800-K
PRODUCTS, INC.; DEPUY SYNTHES,	§	
INC.; JOHNSON & JOHNSON; JOHNSON	§	
& JOHNSON SERVICES, INC.; and	§	
JOHNSON & JOHNSON,	§	
INTERNATIONAL,	§	
	§	
Defendants.	§	

FINAL JUDGMENT

Pursuant to the jury's verdict returned on March 17, 2016, this Court renders judgment for Plaintiff Richard Klusmann against Defendant DePuy Orthopaedics, Inc., and Defendant Johnson & Johnson, jointly and severally, in the amounts described below:

- \$7,084,022 for physical pain and mental anguish sustained in the past;
- \$11,806,703 for physical pain and mental anguish that, in reasonable probability he will sustain in the future;
- \$4,722,681 for disfigurement sustained in the past;
- \$4,722,681 for disfigurement that, in reasonable probability, he will sustain in the future;

- \$7,084,022 for physical impairment sustained in the past;
- \$11,806,703 for physical impairment that, in reasonable probability, he will sustain in the future;
- \$144,000 for medical care expenses in the past; and
- \$144,000 for medical care expenses that, in reasonable probability, he will sustain in the future.

This Court also renders judgment for Richard Klusmann for exemplary damages in the amount of \$1,326,000 against Defendant DePuy Orthopaedics, Inc., and \$1,326,000 against Defendant Johnson & Johnson. Although the jury awarded \$40,000,000 in exemplary damages from Defendant DePuy Orthopaedics, Inc. and \$80,000,000 in exemplary damages from Defendant Johnson & Johnson, Texas law limits the amount a plaintiff may recover in exemplary damages. *See* Tex. Civ. Prac. & Rem. Code § 41.008(b).

The Court further renders judgment for Plaintiff Susan Klusmann against Defendant DePuy Orthopaedics, Inc., and Defendant Johnson & Johnson, jointly and severally, in the amounts described below:

- \$621,405 for the loss of household services sustained in the past;
- \$621,405 for the loss of household services that, in reasonable probability, she will sustain in the future;
- \$621,405 for the loss of consortium sustained in the past; and

- \$621,405 for the loss of consortium that, in reasonable probability, she will sustain in the future.

Post-judgment interest shall accrue at the applicable allowable rate.

Any relief not expressly granted herein is DENIED. This is a FINAL JUDGMENT with respect to all claims and parties.

SO ORDERED.

Signed July 5th, 2016.



ED KINKEADE
UNITED STATES DISTRICT JUDGE