

DePuy - Ireland - ADR Process

Claimant completes and submits Form B with prescribed documents to McCann FitzGerald

The claim may qualify for ADR Process if:

- Index surgery took place in Ireland; and
- The revision took place more than 180 days after the index surgery; and
- The revision surgery took place less than 10 years following the index surgery; and
- Claimant has Injuries Board authorisation; and
- Claim is not statute barred; and
- Revision was not necessitated exclusively by:
 - Dislocation;
 - Trauma;
 - Infection;
 - Fracture of the femoral neck; or
 - Any issue related to the femoral stem

Is the Claim ready to enter the Process?

- Claim is sufficiently pleaded/particularised?
- Complete relevant medical records?

Obtain any necessary further information from Claimant's solicitor

McCann FitzGerald endorses Form B and returns it to the Claimant's solicitor

Claimant's solicitor sends the endorsed Form B to the Evaluator together with (copying McCann FitzGerald):

- A complete set of pleadings;
- A complete set of relevant medical records; and
- Schedule of special damages with supporting documentation.

And, if desired, other documents:

- Condition and prognosis report(s)
- Concise witness statement(s)
- Concise written submissions

McCann FitzGerald sends to the Evaluator (copying Claimant's solicitor) concise written submission and reports(s), if desired

Submission of additional report or reports or concise submissions

Evaluator writes to both sides stating s/he is ready to commence the evaluation within 14 days

Notice the Evaluator intends to commence evaluation within 14 days and nothing further is submitted

Evaluator writes to both sides with Form C containing the Evaluation amount (*45 days to accept*)

Send signed Form D
CASE CONCLUDED

If Accepted

If Rejected

CASE CONTINUES