



**PHARMACEUTICALS EXPORT PROMOTION COUNCIL**

(Set up by Ministry of Commerce & Industry, Govt., of India)

Date: 25<sup>th</sup> March, 2012

**Federal judge sets dates for first two trials against Pfizer over Chantix stop-smoking drug**

A federal judge in north Alabama has set dates for the first two trials to be held in thousands of civil lawsuits filed nationwide against pharmaceutical manufacturer Pfizer Inc. over Chantix, a drug to help people stop smoking.

The two lawsuits also are part of a pool of eight selected by U.S. District Judge Inge Johnson to be bellwether -- or test -- cases in the litigation. Johnson is to preside over those first trials.

Johnson, in a recent order, set the first case for trial on Oct. 22 in a lawsuit originally filed by Duluth, Minn., resident Judy Ann Whitely against Pfizer for the wrongful death of her husband. Mark Alan Whitely began using Chantix on Nov. 20, 2007, and he committed suicide.

As with many of the lawsuits that were filed using a standard form for the Chantix litigation, the Whitely suit does not give any details of Mark Alan Whitely's suicide, whether he had any other problems, or the date of his death. Efforts to reach the attorneys in Minnesota for Whitely were unsuccessful last week.

The next case is set for Jan. 22, 2013. In that case, a representative of the estate of Sandra Corey, of Jacksonville, Ore., is suing Pfizer for wrongful death. That lawsuit claims that Corey began using Chantix on Oct. 2, 2007, and that the drug caused depression and suicide by gunshot on July 24, 2008.

If both the Whitely and Corey cases are tried as scheduled, the third case would be one filed in 2009 by a Demopolis man, Billy Bedsole Jr., who claims he suffered insomnia, severe anxiety, severe depression, erratic behavior, suicidal ideation and hospitalization after taking Chantix.

If the first two cases are settled, dismissed or resolved, then the Bedsole case would be the first case tried, according to Johnson's order.

While the first two cases slated to be tried in the Chantix litigation deal with completed suicides, the vast majority of the cases deal with claims that Chantix caused various other problems.

So far, 2,498 Chantix cases have been filed against Pfizer from across the country, according to the Birmingham-based Cory Watson Crowder & DeGaris law firm, which is the lead plaintiff firm in the cases. There are 68 additional cases pending in New York state courts, according to that law firm.

The multidistrict litigation process aims to consolidate civil lawsuits with similar claims under judges who will oversee trial preparation to eliminate duplication and inconsistent rulings, and save money for plaintiffs, defendants and the courts.

The United States Judicial Panel on Multidistrict Litigation in late 2009 assigned the Chantix cases to

*H.O.: 101, Aditya Trade Centre, Ameerpet, Hyderabad – 500038*

Tel: 040-23735462/23735466, Fax: 91-40-23735464

Email: [info@pharmexcil.com](mailto:info@pharmexcil.com)



Johnson.

Judges in multidistrict litigation often will select bellwether cases that represent common theories or claims among the entire group of lawsuits. The idea is that having the results of those test cases may help the plaintiffs and defendants decide whether to settle or continue pursuing the other cases.

"We look forward to these trials and expect them to confirm once and for all that the Pfizer drug Chantix caused thousands of injuries and deaths," said Kristian Rasmussen, an attorney with Cory Watson Crowder & DeGaris, in an email response to questions from The Birmingham News.

"This litigation is about what happened to people who wanted to make their lives longer by quitting smoking. We don't dispute that smoking is bad, and our clients thought smoking was bad too; that's why they turned to Chantix in the effort to quit," Rasmussen said. "They thought they were taking a safe medication that would help them stop smoking and live longer. Unfortunately, they committed suicide, and we expect the evidence to show Chantix caused it."

Pfizer denies the allegations in the lawsuits and says the drug can help people kick a potentially deadly habit.

"Pfizer stands by Chantix, which is an effective treatment option for adult smokers who want to quit, and has been approved in 100 countries and prescribed to 15 million smokers, including 8 million in the United States," according to a statement released in response to questions from The Birmingham News.

"With the selection of these initial cases for the trial pool, the plaintiffs in those cases now must move beyond their general allegations and attempt to prove that the medicine was responsible for the alleged injuries in each case, which Pfizer denies. Pfizer remains confident in the strong science demonstrating the safety and efficacy of Chantix.

"To date, Chantix has been studied in more than 80,000 smokers, including 30 randomized controlled clinical trials," according to the Pfizer statement. "None of these studies have found reliable scientific evidence that Chantix causes the neuropsychiatric events alleged in these lawsuits."

Source: [blog.al.com](http://blog.al.com)

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Email: [info@pharmexcil.com](mailto:info@pharmexcil.com)