



SIMMONS HANLY CONROY
A NATIONAL LAW FIRM

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SIMMONS HANLY CONROY FILES LAWSUIT ON BEHALF OF OSWEGO COUNTY AGAINST DRUG COMPANIES OVER OPIOIDS EPIDEMIC AND ADDICTION

Oswego County Joins the Fight Against Manufacturers of Prescription Opioid Painkillers

Oswego County, NY (January 4, 2018) – Simmons Hanly Conroy, one of the nation's largest law firms focused on consumer protection and mass tort actions, today filed a lawsuit on behalf of Oswego County, New York, against pharmaceutical companies and physicians over the aggressive and fraudulent marketing of prescription opioid painkillers that has led to a drug epidemic in the county and throughout the nation.

The county seeks relief in the complaint that includes compensatory and punitive damages, for the millions of dollars it spends each year to combat the public nuisance created by the drug companies' deceptive marketing campaign that misrepresents the safety and efficacy of long-term opioid use.

The defendants in the lawsuit are: Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals, Inc.; Insys Therapeutics, Inc.; Dr. Russell Portenoy; Dr. Perry Fine; Dr. Scott Fishman; and Dr. Lynn Webster.

Today's filing follows similar action taken by Simmons on behalf of 8 other counties in New York last year. The lawsuits, which were initially filed in each counties' state supreme court, will be consolidated to state supreme court in Suffolk County Supreme Court and heard by State Supreme Court Justice Jerry Garguilo.

"Oswego County is the latest in an expanding list of New York counties to conclude that drug companies must be held responsible for their fraudulent and deceptive role in causing the worst drug epidemic the country has ever seen," **said Simmons Hanly Conroy Shareholder Paul Hanly**, lead counsel for the county in this case. "The defendants have manufactured, promoted and marketed opioids by omitting critical information that has long been known about the drugs' addictive qualities and other risks associated with their prolonged use."

"Today's action builds upon the important work of addressing the opioid crisis in New York," **said Richard C. Mitchell**, Oswego County Attorney. "Oswego County, like many others across the state, has suffered great losses due to the defendants' recklessness and negligence about the long-term effects of

opioid use. Together, with Simmons Hanly Conroy, we will work to hold the defendants responsible for their actions.”

According to the complaint, at least 67 Oswego County residents died from opioid-related overdose fatalities between 2009 and 2014. In 2014 alone, there were 245 opioid-related emergency department admissions in Oswego County, a 113% increase since 2010, and 380 inpatient hospital admissions for the same reason. More than 700 Oswego County residents were admitted to chemical dependence treatment programs in 2015. Officials reported a total of 118 naloxone administration events, though actual numbers of administration events may be higher.

Apart from the toll on human life, the crisis has financially strained the services the counties provide its residents and employees. Human services, social services, court services, law enforcement services, the office of the coroner/medical examiner and health services, including hospital, emergency and ambulatory services, have all been severely impacted by the crisis. For example, as a direct and foreseeable consequence of the defendants’ egregious conduct, the counties have paid, and continue to pay, millions of dollars for health care costs stemming from prescription opioid dependency. These costs include unnecessary and excessive opioid prescriptions, substance abuse treatment services, ambulatory services, emergency department services, and inpatient hospital services, among others. The defendants’ conduct also caused the counties to incur substantial economic, administrative and social costs relating to opioid addiction and abuse, including criminal justice costs, victimization costs, child protective services costs, lost productivity costs, and education and prevention program costs, among others.

The lawsuit alleges the defendants sought to create a false perception in the minds of physicians, patients, health care providers and health care payors that using opioids to treat chronic pain was safe for most patients and that the drugs’ benefits outweighed the risks. This was allegedly perpetrated through a civil conspiracy involving a coordinated, sophisticated and highly deceptive (unbranded to evade the extensive regulatory framework governing branded communications) promotion and marketing campaign that began in the late 1990s, became more aggressive around 2006, and is ongoing. Specifically, the complaint details how the defendants allegedly poured significant financial resources into generating articles, continuing medical education courses and other “educational” materials, conducting sales visits to doctors, and supporting a network of professional societies and advocacy groups – all of which were successful in the intended purpose of creating a new and phony “consensus” supporting the long-term use of opioids.

The Oswego County lawsuit follows similar, ongoing action in New York filed by Simmons Hanly Conroy on behalf of counties across the state. In addition to Oswego County, Simmons has also filed similar lawsuits in Broome, Dutchess, Erie, Orange, Schenectady, Seneca, Suffolk, and Sullivan.

About Simmons Hanly Conroy, LLC

Simmons Hanly Conroy LLC is one of the nation’s largest mass tort law firms. Primary areas of litigation include asbestos and mesothelioma, pharmaceutical, consumer protection, environmental, sexual abuse litigation and personal injury. The firm’s attorneys have been appointed to leadership in numerous national multidistrict litigations, including Vioxx, Yaz, Toyota Unintended Acceleration and DePuy Pinnacle. The firm also represents small and mid-size corporations, inventors and entrepreneurs in matters involving business litigation. Offices are located in Alton, Ill., Chicago, Los Angeles, New York City, San Francisco and St. Louis. Read more at www.simmonsfirm.com.