BROWN CHIARI LLP

December 2011 Newsletter

NEWS

Drug and Medical Device Cases Being Investigated

For our final newsletter of the year, we thought we would take the opportunity to remind our readers of the various drug and medical device cases we are currently handling. We list below the product name along with a brief description of the issues involved.

Actos® This drug has been widely prescribed for persons suffering from Type II Diabetes. Earlier this year, a clinical study conducted by the French National Health Insurance Plan showed that Actos® used for over 12 months carried an increased risk of bladder cancer. Also, the risk of short-term treatment causing bladder cancer could not yet be excluded. Both France and Germany withdrew Actos® products form the market based on this study, and in the U.S., the FDA ordered warnings for all Actos® (pioglitazone) containing drugs.

Fosamax® Fosamax® (Alendronate) is used to treat and prevent osteoporosis in women who have undergone menopause and to treat osteoporosis in men. While it was intended to increase bone mass and slow bone loss so as to prevent fractures, recent research has shown that long-term use of Fosamax® (5 years or more) greatly increases a person's risk of suffering an atypical femur fracture. The term atypical means that usually such fractures would only be associated with a significant traumatic event like a car accident or violent fall. In October 2010, the FDA issued an alert to doctors about the possibility of bone problems related to this class of drugs.

DePuy Hips DePuy Orthopedics, a division of Johnson & Johnson, recalled its ASR™ hip replacements in August 2010. The products had a surprisingly high rate of failure, and many people were required to undergo a second surgery to first remove the ASR™ hip and replace it with another device. In August of 2010, after numerous complaints, DePuy finally released studies that showed 13% of patients with the ASR™ hip implant required it to be removed due to failure. DePuy issued directives to hospitals and doctors to immediately stop implanting the device and return them to the company once explanted. Other studies have shown that the failure rate can significantly increase over time, subjecting thousands of patients to additional surgery in the future.