



G-LAW

A
Publication
for the Clients
and Friends of
GoldenbergLaw,
PLLC

"Promoting Safety Through Accountability"

Spring 2016

ABILIFY and COMPULSIVE GAMBLING IS A DRUG COMPANY GAMBLING WITH YOUR HEALTH? p. 4



VERDICTS AND SETTLEMENTS
PINNACLE HIP IMPLANTS
TALCUM POWDER
p. 6

800 LaSalle Avenue
Suite 2150
Minneapolis, MN 55402

GOLDENBERGLAW
Products Liability & Personal Injury Attorneys
PLLC



Phone: 612-333-4662
Toll Free: 1-855-333-4662



A message from

STUART GOLDENBERG

What is going on at Johnson & Johnson?

What do the following products have in common: Tylenol, Prolift/TVT-O Transvaginal Mesh, Risperdal, Depuy ASR Hips, Motrin, Pinnacle Hips, Ethicon Power Morcellator, Xarelto, Invokana, and Baby Powder containing talc? The answer is that these are all products made by Johnson & Johnson (J & J). All these products caused horrible injuries or deaths. All of these products have been involved in extensive litigation.

Juries around the country and the U.S. government have found that J & J misled doctors and misrepresented the safety of a number of these products to consumers. In the past few years alone, J & J has been hit with a number of large verdicts and settlements: a \$72 million and a \$55 million verdict in baby powder/ovarian cancer cases (see p.6); a \$502 million verdict in the Pinnacle Hip litigation (see p.6); \$2.2 billion in criminal and civil fines for the improper marketing of the drug Risperdal; and J & J has paid more than \$2.5 billion to resolve the DePuy ASR Hip litigation.

One would suspect that misleading consumers, misrepresenting safety, and failing to warn of life-threatening dangers connected to their products would affect J & J's stock and bottom line—right? Wrong. Johnson & Johnson stock has risen 16.4% in the last year. Its net earnings in 2015 were more than \$15.4 billion dollars. J & J just surprised Wall Street by reporting first quarter earnings exceeding expectations.

So what is going on at Johnson & Johnson? The answer is record-breaking profits without caring about customer safety. Most people don't associate a baby shampoo company with also being the world's largest medical device manufacturer and one of the largest drug companies in the world. In short, J & J is "big pharma."

We are now litigating with J & J on Pinnacle Hips, Xarelto, and Baby Powder (Talc) cases. We are just finishing the settlements on ASR hips. Regarding these four products alone, there are thousands of people claiming severe injuries or deaths because clients and their doctors were misled about the safety of these products. It has been estimated that there are approximately 2,000 women per year dying from ovarian cancer related to J & J baby powder containing talc.*

The culture of J & J is broken. They are consistently putting profits over the safety of their customers. Our system of justice is designed to deter and penalize egregious conduct with the award of punitive damages. In 2016, the Baby Powder and Pinnacle juries punished J & J for "its wanton disregard for health and safety" by awarding \$62 million, \$50 million, and \$360 million in punitive damages. There are many more trials scheduled in the next two years involving injuries from Baby Powder, Pinnacle Hips, Morcellator, Mesh, Risperdal and Xarelto. Let's hope J & J finally gets the message.

Stay in the Loop with GoldenbergLaw

Facebook: facebook.com/GoldenbergLaw

Twitter: @Goldenberg_Law

LinkedIn: linkedin.com/company/goldenberg-law-llc

Blog: www.goldenberglaw.com/blog



* Myron Levin, Talc-Ovarian Cancer Link Sparks Growing Legal Battle, FairWarning (Apr. 29, 2015), <http://www.fairwarning.org/2015/04/talc-and-ovarian-cancer/>.

DANGEROUS DRUGS AND DEVICES

GoldenbergLaw is currently investigating claims involving these products and has 30 years of experience handling dangerous drug and device cases. Contact us at (612) 436-5026 or 1-855-333-4662.

ABILIFY

A widely prescribed antipsychotic medication approved for treatment of schizophrenia, bipolar disorder, and depression - linked to compulsive gambling behaviors.



BAIR HUGGER

A warming blanket used during surgeries that can spread contaminated air over open wounds - linked to deep joint infections and need for revision surgery.



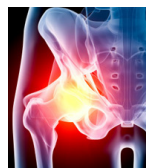
TALCUM POWDER/BABY POWDER

Talc-based powder used for many purposes - linked to ovarian cancer when used for female hygiene in genital area.



METAL-ON-METAL HIPS

Models include DePuy ASR, DePuy Pinnacle, Zimmer Durom Cup, and others - linked to implant loosening, pain, high metal levels in blood, and need for revision surgery.



BENICAR

Blood pressure medication - linked to severe intestinal problems that cause chronic diarrhea, dehydration, and weight loss.



ZIMMER PERSONA KNEE

A knee device system that has been recalled by the manufacturer - has been known to loosen and cause bone damage when uncemented.



INFERIOR VENA CAVA FILTER

Blood clot filters placed in the large vein leading to the heart - shown to migrate or fracture after a period of time and can puncture parts of the vein or other internal organs.



TESTOSTERONE THERAPY DRUGS

Male hormone drugs - linked to increased risk of heart attack, blood clots, stroke, or death.



MEDTRONIC PARADIGM PUMP

Insulin pump - linked to defects resulting in over or under delivery of insulin, serious illness, and/or death.



GRANUFLO/NATURALYTE

Dialysate solutions - linked to metabolic alkalosis, cardiopulmonary arrest, sudden cardiac death, and other cardiac-related events.



STRYKER REJUVENATE/ABG II HIP STEM

Modular hip stems - linked to corrosion at stem/neck juncture leading to elevated metal levels in bloodstream, necrosis, and revision surgery.



XARELTO

A blood thinner medication that has been linked to uncontrollable bleeding.



ABILIFY

Could this popular antipsychotic be the potential link to the gambling problem you never saw coming?

and

CO



What is Abilify (aripiprazole)?

Abilify is an antipsychotic used for treatment of schizophrenia, bipolar disorder, and depression. It is manufactured and commercialized by Otsuka Pharmaceutical and Bristol-Myers Squibb.



What are the risks?

Compulsive gambling is a potentially dangerous, unwarned side effect of Abilify. It may start with visiting a casino, buying lottery tickets, or playing online gambling games. This can lead to daily compulsive gambling where savings accounts and 401(k)s are drained, insurmountable loans are taken out, and the trust of family and friends is shattered. Most of those afflicted by compulsive gambling have never experienced these problems before taking Abilify. Once Abilify use is discontinued, the gambling urges often will disappear in a short period of time.



Compulsive Gambling Warnings in Europe and Canada

In October 2012, Europe demanded an additional warning be added to Abilify. The demand was a result of the European Medicines Agency report showing a positive link between aripiprazole and possible pathological gambling.¹ Health Canada conducted its own review of Abilify in November 2015, also finding a link between aripiprazole usage and a possible risk of pathological gambling.²



IMPULSIVE GAMBLING

Failure to Warn

Despite this knowledge, in the United States, Otsuka and Bristol-Meyers Squibb have failed to provide a warning about Abilify and possible pathological gambling.



FDA Warning

On May 3, 2016 the FDA required that a warning be added to the Abilify label directing patients and caregivers to monitor experiences of uncontrollable behavior while taking Abilify. The warning also specifies that doctors must notify patients of these additional risks and specifically ask patients about any new or increasing urges while they are being treated with Abilify.

If you believe Abilify may be the trigger to your sudden uncontrollable gambling and you lost over \$30,000, **please call us at 877-544-1757**. We want to help.

SOURCES AND REFERENCES

European Medicines Agency, Abilify: Procedural Steps Taken and Scientific Information After the Authorisation (Feb. 24, 2016), http://www.ema.europa.eu/docs/en_GB/document_library/EPAR_-_Procedural_steps_taken_and_scientific_information_after_authorisation/human/000471/WC500020172.pdf.

Health Canada, Safety Information for Antipsychotic Drug Abilify and Risk of Certain Impulse-Control Behaviours (Nov. 2, 2015), <http://www.hc-sc.gc.ca/dhp-mps/medeff/reviews-examens/abilify-eng.php>.

"I want to let people know that they are not alone in their struggle. If you were taking Abilify and found yourself unable to control urges to gamble while taking the medication, we may be able to help."



Marlene Goldenberg
Associate Attorney





NOTABLE VERDICTS

Metal-on-Metal Hip Implants - DePuy Pinnacle

In the recent MDL bellwether trial regarding DePuy Pinnacle metal-on-metal hip implants, a Northern Texas jury awarded five plaintiffs \$502 million in compensatory and punitive damages against both DePuy and Johnson & Johnson (DePuy's parent company). The jury found that the Pinnacle metal-on-metal design was defective, the company did not provide adequate warnings, and Johnson & Johnson aided and abetted in fraudulent misrepresentations of the product.¹ Plaintiffs in this litigation



have endured severe pain, disability, inflammation, bone erosion, tissue loss, and metallosis—a form of metal poisoning linked to metal-on-metal hip implant failure requiring surgical revisions. Metal-on metal hip recipients can develop metallosis when eroding debris from the defective implant accumulates on soft tissue.² The metal debris then has the potential to become absorbed into the body, causing metal poisoning.³

Talcum Powder

On February 26, 2016, a jury in St. Louis, Missouri, awarded \$72 million to the family of Jackie Fox. The jury decided that J & J's talc-based products caused ovarian cancer when used for feminine hygiene purposes. The plaintiffs presented studies showing that consistent usage of talcum powder for "genital dusting" increases a woman's chances of developing ovarian cancer by 30%.

On May 2, 2016, another jury in St. Louis awarded \$55 million to Gloria Ristesund—a South Dakota woman who had had used Johnson & Johnson Baby Powder for feminine hygiene on a daily basis for more than 40 years.



SOURCES AND REFERENCES

- 1 The Lanier Law Firm, Dallas Jury Awards Over \$500 Million Against Johnson and Johnson Unit in Bellwether Hip Implant Trial, http://www.lanierlawfirm.com/law_firm_news/dallas-jury-awards-nearly-500-million-against-jaj-unit-in-bellwether-hip-implant-trial.htm.
- 2 James W. Pritchett, Metallosis of the Resurfaced Hip, http://www.pritchettorthopedics.com/articles/pritchett_metallosis_of_the_hip.pdf (last visited May 2, 2016).
- 3 *Id.*

NEWS AROUND GOLDENBERGLAW

Get to know...

Megan Odom

Megan has been with GoldenbergLaw since August 2011 and currently works as the firm's Law Clerk. Most of her time is spent immersed in legal research and writing along with helping prepare cases for settlement and trial. In addition to her work at the firm, Megan attends Mitchell Hamline School of Law in St. Paul, MN. She expects to graduate with her J.D. in May of 2017.

Megan's Favorite Things

Place to visit?	Colorado
Way to stay active?	Running
Netflix show?	Breaking Bad
Weekend activity?	Exploring new restaurants



What's the best thing about spring in Minnesota?
Being able to spend time outside!

If you could spend a weekend doing anything you wanted with no limitations, what would you do?
I would want to escape the city and head to a cabin up north. It would be great to spend time reading for fun, which is something I don't get to do much during school! I'd also try to squeeze in some hiking, kayaking, and plenty of naps.

Who do you admire and why?
I admire my parents – they have taught me the importance of education and the value of family. And I can't forget Supreme Court Justice Ruth Bader Ginsburg, along with countless other female attorneys who have paved the way for women in the legal profession.

GOLDENBERGLAW

Products Liability & Personal Injury Attorneys

PLLC



800 LaSalle Avenue
Suite 2150
Minneapolis, MN 55402

Contact:

www.goldenberglaw.com

Phone: 612-333-4662

Toll Free: 855-333-4662

Fax: 612-367-8107

Areas of Expertise

Products Liability

Personal Injury

Auto and Truck Accidents

Worker's Compensation

Medical Malpractice

Wrongful Death

Construction Accidents

Structural Collapses

Gas Explosions

Dangerous Drugs

Defective Medical Devices

Toxic Tort

Catastrophic Injury

Insurance Disputes