

Plaintiff attorneys to get \$16.6 million in Paxil suit

Drug maker settles class-action claim

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Plaintiff attorneys stand to get about \$16.6 million out of a \$63.8 million settlement a judge preliminarily has approved in a Madison County class-action lawsuit involving Paxil and Paxil CR, drugs used to treat depression and anxiety.

The lawsuit claimed GlaxoSmithKline promoted the drugs for prescription to children and adolescents while withholding negative information about the drugs' safety and effectiveness. Members of the class include all U.S. residents who bought the drugs for their children. The lawsuit claims consumers paid too much for the drugs, not that anyone was physically harmed.

Consumers who have records of their purchases can get full refunds for their expenditures. Consumers who do not have records can get \$15.

However, the actual payments to consumers will depend on the amount of claims made. Claims will be paid on a pro-rata basis, meaning that if there is not enough money to pay all the claims, consumers will get only a portion of the amount they could have otherwise received.

Fees for the plaintiff attorneys will be deducted from the settlement fund, then the remainder will be available for payments to consumers.

The plaintiff attorneys are Stephen Tillery of Korein Tillery LLC in Fairview Heights and Stephen Swedlow of Swedlow & Associates in Chicago.

Associate Judge Ralph Mendelsohn, who has granted preliminary approval to the settlement, will hold a hearing March 9 on whether the settlement is fair and whether the plaintiff attorneys are entitled to the fee they are requesting: 26 percent of the \$63.8 million settlement fund.

In the settlement, GlaxoSmithKline states that it denies every allegation in the lawsuit but wants to settle to avoid the costs inherent in protracted litigation.

Additional information about the proposed settlement is available at www.paxilpediatricsettlement.com.