

## Wyeth loses Prempro trial, to pay \$1.5 million

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A Wyeth facility is seen in a 2002 file photo. A state jury in Philadelphia on Monday found Wyeth's hormone replacement therapy (HRT) Prempro was responsible for an Arkansas woman's breast cancer and ordered the U.S. drugmaker to pay \$1.5 million in compensatory damages, a court official said.

(Reuters) - A state jury in Philadelphia on Monday found Wyeth's hormone replacement therapy (HRT) Prempro was responsible for an Arkansas woman's breast cancer and ordered the U.S. drugmaker to pay \$1.5 million in compensatory damages, a court official said.

The jury found that Wyeth was negligent in failing to provide adequate warnings about the breast cancer risk associated with Prempro.

The jury is expected to return, possibly as soon as Tuesday, to decide punitive damages after also finding that Wyeth's conduct was "malicious, wanton, willful or oppressive or showed reckless indifference to the interest of others" in its failure to provide proper warnings about its HRT drugs, taken by millions of women to treat symptoms of menopause.

Wyeth is facing about 5,000 product liability lawsuits involving its hormone replacement drugs.

"Wyeth protected their bottom dollar instead of protecting the patients," **Zoe Littlepage, attorney for plaintiff Mary Daniel**, said in a statement

Daniel, 60, of Hot Springs, Arkansas, began taking Prempro in late 1999, and was diagnosed with breast cancer in July 2001. She underwent two surgeries as well as chemotherapy and radiotherapy for the cancer.

Seven of eight jurors who agreed to the verdict, as required by Pennsylvania law, awarded \$1 million to Daniel and \$500,000 to her husband. They deliberated for two days following the three-week trial.

During the trial before Judge Myrna Field of the Philadelphia Court of Common Pleas, attorneys for Daniel argued that Wyeth was negligent in the testing, manufacture and [marketing](#) of Prempro.

**Littlepage** said Wyeth knew for decades of the cancer risk associated with post-menopausal drugs but failed to conduct studies to quantify the risk.

Attorneys for Wyeth argued that the company clearly warned users that there was a slightly increased risk of breast cancer from taking Prempro, which was first marketed in 1995 and is still on the market today.

A Wyeth spokesman declined to comment on the verdict.

This was the third Prempro lawsuit to reach a jury verdict. The first, heard in Arkansas last summer, resulted in a win for Wyeth. The drugmaker lost a Prempro trial in Philadelphia last October, but that verdict was thrown out by the judge amid allegations of juror misconduct. That case will be retried.

(Additional reporting by Ransdell Pierson)

<http://www.reuters.com/article/2007/01/29/us-wyeth-prempro-verdict-idUSN2929344620070129>