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## Pfizer Loses Prempro Ruling, Must Pay \$10.4 Million

By Jef Feeley - Jul 21, 2012

[Pfizer \(PFE\)](#) Inc. must pay \$10.4 million in damages to a woman who blamed the company's [Prempro](#) menopause drug for her breast cancer, an appeals court said.

Jurors properly awarded Audrey Singleton, who sued Pfizer's Wyeth unit over Prempro, compensatory and punitive damages for the company's marketing of the drug, the [Pennsylvania Superior Court](#) ruled yesterday. Singleton's lawyers alleged that Wyeth hid the drug's health risks and a jury awarded her damages on those claims in 2010.

"Wyeth's concerted effort to misdirect physicians from the dangers of Prempro illustrates the consciousness that its conduct was not at all reasonable," the three-judge panel said in upholding the jury's findings.

The ruling comes as Pfizer officials are working to settle lawsuits over the menopause drugs. The drugmaker has settled about 60 percent of cases over the medicines and paid out \$896 million, executives said in a May filing with the U.S. Securities and Exchange Commission. The company has set aside an additional \$330 million to resolve the remaining cases.

More than 6 million women took Prempro and related menopause drugs to treat symptoms including hot flashes and mood swings before a 2002 study highlighted their links to cancer. At one point, Pfizer and its units faced more than 10,000 lawsuits over the medications.

### Many Patients

Until 1995, many patients combined Premarin, Wyeth's estrogen-based drug, with progestin-laden Provera, made by Pfizer's Pharmacia & Upjohn unit. Wyeth combined the two hormones in [Prempro](#). The drugs are still on the market.

Chris Loder, a spokesman for the company, said "the evidence in this case does not support the plaintiff's claims," and that the company is "evaluating its next steps."

Esther Berezofsky, one of Singleton's lawyers, said she was pleased the intermediate appellate court backed the jury's finding that Wyeth officials misled patients and doctors about Prempro's risks.

"The court affirmed that the evidence established Wyeth's conscious and deliberate disregard for the cancer risk associated with Prempro," Berezofsky said in an e-mailed statement.

Singleton, a mother of three from [Alabama](#), began taking Prempro in August 1997, according to court filings. The results of a mammogram at that time were normal, her lawyers said during the trial. She stopped taking the drug in January 2004 after her [breast cancer](#) diagnosis.

## 2010 Verdict

She sued Wyeth, later acquired by Pfizer, in state court in Pennsylvania where the company has extensive operations. A Philadelphia jury awarded her \$3.4 million in compensatory damages and \$6 million in punitive damages in February 2010. The [judge](#) in the case later added almost \$1 million in interest to the verdict.

The appellate panel found Singleton's lawyers presented enough evidence that Wyeth officials downplayed or hid Prempro's health risks to justify the compensatory award.

Jurors also properly weighed whether Wyeth should be held liable for punitive damages and reasonably concluded "Wyeth's actions were not justifiable," the judges said in a 30-page decision.

"There is nothing in the record that illustrates the \$6 million punitive damages award was grossly excessively as to shock our sense of justice," the panel wrote.

The case is Singleton v. Wyeth Inc., 050102885, Court of Common Pleas, Philadelphia County, [Pennsylvania](#) (Philadelphia).

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