

Wyeth Settles Lawsuit Over Prempro on Eve of Trial (Update2)

By Sophia Pearson and Jef Feeley - July 16, 2007 11:38 EDT

July 16 (Bloomberg) -- [Wyeth](#), the biggest U.S. maker of birth-control pills, settled a lawsuit by a terminally ill woman who blamed the company's Prempro menopause drug for her breast cancer, just before trial was set to begin.

Superior [Court Judge Bryan D. Garruto](#) in New Brunswick, New Jersey, issued an order on the settlement today, hours before a trial was scheduled to begin in the case of Ellen Deutsch. Terms of the agreement are confidential and sealed, Wyeth spokesman [Chris Garland](#) said in an e-mailed statement.

"The Deutsch case has been resolved to the mutual satisfaction of both parties," Garland said.

The case is the third slated to go to trial over the drugs that has settled. Wyeth, based in Madison, New Jersey, faces about 5,200 suits over the medications, according to a May filing with the U.S. Securities and Exchange Commission. The hormone-therapy drugs came under fire after a 2002 [study](#) found that users had an increased rate of breast cancer.

Deutsch's attorney [Esther Berezofsky](#) didn't immediately return a phone message seeking comment.

The case was to be the first to come to trial in New Jersey, where Garruto is overseeing dozens of hormone-therapy suits filed in state court. Deutsch used Premarin from February 1995 to July 1996, and Prempro from August 1996 to April 2002, to treat her hot flashes and other symptoms of menopause. She alleged Wyeth violated state law by failing to adequately warn her about the cancer risk of the drugs.

NIH Study

Annual sales of Wyeth's hormone-replacement drugs once topped \$2 billion, making them the company's best-selling products, before the Women's Health Initiative study, sponsored by the U.S. National Institutes of Health, suggested that women on the therapy had a 24 percent higher risk of breast cancer.

Prempro is still on the market. Wyeth's lawyers insist the company conducted extensive safety tests on the drugs and warned of the risks through prescription labels and information sheets.

Wyeth spokesman Garland said in March that the company recognized the possible link between hormone therapy and cancer long before the WHI study and noted it on warning labels.

Sales of Wyeth's menopause drugs totaled more than \$1 billion last year, the company said in January.

[Shares](#) of Wyeth rose 17 cents to \$57 in New York Stock Exchange composite trading as of 11:30 a.m. They have risen 12 percent this year, valuing the company at \$76.7 billion.

The case is: Deutsch v. Wyeth, L-0998-06 MT, New Jersey Superior Court (New Brunswick).

To contact the reporters on this story: [Sophia Pearson](#) in New Brunswick, New Jersey, at Spe arson3@bloomberg.net; [Jef Feeley](#) in Wilmington, Delaware, at jfeeley@bloomberg.net

To contact the editor responsible for this story: [Patrick Oster](#) at poster@bloomberg.net.

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