

# TULSA WORLD

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## \$11.55 million awarded in lawsuit linked to diabetes drug

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A Tulsa County jury on Monday awarded \$11.55 million in damages to a widow who maintained that a prescription drug was linked to her diabetic husband's death. Jurors awarded \$1.55 million in actual damages and \$10 million in punitive damages to Mary Rose Wakefield of Owasso.

The verdicts against Warner-Lambert Co. -- now Pfizer Inc. -- concluded a three-week trial in District Judge Sharron Bubenik's courtroom.

Warner-Lambert manufactured and marketed the prescription drug Rezulin through its Parke-Davis division, prior to Warner-Lambert's being acquired by Pfizer in June 2000.

Michael H. Wakefield, 41, was given Rezulin by his physician for treatment of his diabetes in February 1999. Wakefield was admitted to a hospital March 8, complaining of nausea and vomiting. He had symptoms consistent with a drug-induced liver injury, and his condition worsened until he died March 15, 1999.

Mary Rose Wakefield's attorneys -- Zoe Littlepage of Houston, Rainey Booth of Pensacola, Fla., and Renee

Williams of Tulsa -- maintained that Warner-Lambert was a struggling drug company that needed a "blockbuster" seller and ignored safety considerations in rushing Rezulin to market in search of big profits.

Rezulin was distributed in the United States between March 1997 and March 2000 and initially

was hailed for its benefits in helping diabetic patients control blood-sugar levels.

But the Food and Drug Administration requested that Warner-Lambert remove Rezulin from the market after the FDA decided that the risks of serious side effects or death that occurred with its usage were not present in two drugs the agency approved in 1999. Those drugs had comparable benefits without the same risks, according to news reports.

Warner-Lambert maintained that Rezulin did not cause or contribute to Wakefield's death and denied allegations that it had misrepresented the risks of its usage.

Treating physicians and an autopsy determined that his death was caused by an adverse reaction to an antibiotic called Rocephin -- not manufactured by Warner-Lambert or Pfizer -- which induced a fatal blood disorder known as "hemolytic anemia," the defense contended. Wakefield "had the equivalent of a forest fire raging inside his bloodstream," defense lawyer Pierce O'Donnell of Los Angeles said. The antibiotic had a "freakish reaction in his body."

But the plaintiff's lawyers said Rocephin alone would not have resulted in the death and that Rezulin could have been

responsible for the blood disorder as well as a fatal liver dysfunction.

Littlepage said there is evidence that Warner-Lambert knew about "serious liver events" associated with Rezulin but provided inadequate warnings and sought to "mislead, misrepresent and minimize."

Jurors deliberated 10 hours on Friday and Monday before 10 of the 12 panelists agreed to award \$1.55 million in actual damages.

In its verdict, the jury indicated that it found "clear and convincing evidence" that Warner-Lambert had acted intentionally in reckless disregard of the rights of others and with malice, and those findings prompted Bubenik to instruct jurors on the issue of punitive damages.

The jury deliberated for another hour Monday before nine members -- the minimum needed to concur on a civil verdict -- decided on the \$10 million award.

Pfizer Inc. quickly announced that it will appeal. In a press release, Pfizer contended that relevant evidence was excluded from the jury and that other evidence was allowed that lacked sound scientific basis or came from witnesses who testified outside their areas of expertise.

Lawsuits involving thousands of Rezulin users have been filed in state and federal courts across the country.