

WisDOJ: AG Kaul announces Wisconsin, four other states, file lawsuits against Purdue Pharma

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Complaint Alleges Deceptive Conduct that Contributed to the Opioid Epidemic

MADISON, Wis. – Wisconsin Attorney General Josh Kaul announced today the filing of a lawsuit against Purdue Pharma L.P., Purdue Pharma Inc., and Richard S. Sackler, Purdue's former co-chairman and president, for alleged misconduct in marketing and sales of opioids that contributed to the opioid epidemic. Five states — Iowa, Kansas, Maryland, West Virginia and Wisconsin — filed separate lawsuits Thursday.

“The opioid epidemic has shattered lives and strained communities across the state and the country,” said Attorney General Kaul. “Today, we filed suit against Purdue Pharma L.P., Purdue Pharma Inc., and Richard Sackler, alleging that they misled the public and medical professionals about both the benefits of and the dangers posed by OxyContin and other opioids, and that the opioid epidemic is partly attributable to their conduct.”

Wisconsin's lawsuit, filed in Dane County Circuit Court, seeks a permanent injunction, abatement of the public nuisance, and civil penalties. It alleges that Purdue Pharma L.P., Purdue Pharma Inc., and Richard S. Sackler, repeatedly made false and deceptive claims regarding opioids, including OxyContin.

Alleged in the complaint:

Purdue Pharma's deceptive and false marketing created a shift in the understanding of the effectiveness and danger of opioids. The complaint alleges, “[i]n order to combat the concerns about opioids being abused, Purdue deployed an aggressive

marketing campaign that sought to increase sales of OxyContin, while changing the accepted norms about opioid prescribing.”

The complaint alleges, “[i]n 2007, Purdue Frederick (and individual executives) pled guilty to a federal felony based on its marketing practices.” It also alleges, “Purdue Frederick specifically admitted that its supervisors and employees, ‘with the intent to defraud or mislead, marketed and promoted OxyContin as less addictive, less subject to abuse and diversion, and less likely to cause tolerance and withdrawal than other medications.’”

The complaint alleges that, after the 2007 settlement, Purdue continued to engage in false, deceptive, and misleading marketing practices, depending on Key Opinion Leaders, Front Groups, sales representatives and “patient advocacy” websites, in order to downplay the risks associated with OxyContin and other opioids. Those risks, as outlined in the complaint, include the risk of addiction, the ease of preventing addiction, the benefits of Purdue’s opioids relative to other opioids or pain relievers, the efficacy of opioids, the ability to control the effects of withdrawal, and the risk to senior citizens.

The complaint alleges that Purdue and Richard S. Sackler were fully aware of the potential profits of OxyContin. At the OxyContin launch party, Richard S. Sackler is alleged to have said, “the launch of OxyContin Tablets will be followed by a blizzard of prescriptions that will bury the competition. The prescription blizzard will be so deep, dense, and white...”

The consequences of the opioid epidemic for Wisconsin have been disastrous. As outlined in the complaint:

- “In 2017, more people died in Wisconsin from an opioid overdose than from motor vehicle accidents, suicide, or firearms.”
- In 2017 alone, “Wisconsin lost 916 of its citizens to the opioid epidemic.”
- “The rate of babies born addicted to opioids and other addictive drugs in Wisconsin has quadrupled between 2006 and 2015...”
- “Between 1999 and 2015, the volume of prescription opioids per capita in Wisconsin rose 425 percent...”
- “...between 1999 and 2015, Wisconsin has lost 45,200 workers due to opioids,” and “cost the State approximately \$37 billion in real economic output.”

<https://www.doj.state.wi.us/news-releases/ag-kaul-announces-wisconsin-four-other-s>

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