

Dept. of Justice: Attorney General Kaul announces \$102.5 million settlement with suboxone maker for alleged illegal monopoly tactics

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MADISON, Wis. – Wisconsin Attorney General Josh Kaul announced that 42 states, led by Wisconsin Department of Justice, have negotiated a nationwide \$102.5 million [settlement](#) with the maker of Suboxone, Indivior Inc. Wisconsin will receive about \$7.5 million from the settlement.

“I’m proud that Wisconsin DOJ led this significant multistate effort and is bringing this case to a successful conclusion,” said Attorney General Kaul. “However long it takes, we will continue to hold companies accountable for alleged anticompetitive activities.”

In 2016 the States filed a complaint against Indivior Inc. alleging that they used illegal means to switch the Suboxone market from tablets to film while attempting to destroy the market for tablets, in order to preserve its drug monopoly. Trial had been set for September 2023.

The agreement, which will be submitted to the court in the Eastern District of Pennsylvania for approval, requires Indivior to pay the states \$102.5 million. Indivior is also required to comply with negotiated injunctive terms that include disclosures to the States of all citizen petitions to the FDA, introduction of new products, or if there is a change in corporate control, which will help the States ensure that Indivior refrains from engaging in the same kind of conduct alleged in the complaint.

Wisconsin’s Assistant Attorney General for Antitrust, Gwendolyn Lindsay Cooley, is

the lead attorney for the forty-two States, including Alabama, Alaska, Arkansas, California, Colorado, District of Columbia, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia.

Because, under Wis. Stat § 133.17(1), the Wisconsin Department of Justice has the same authority that district attorneys have when prosecuting antitrust violations, the requirements of 2017 Wisconsin Act 369 do not apply.