



OFFICE OF THE ATTORNEY GENERAL

Catherine Cortez Masto, *Attorney General*

555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
Telephone - (702) 486-3420
Fax - (702) 486-3283
Web - <http://ag.state.nv.us>

FOR IMMEDIATE RELEASE

DATE: December 12, 2012

CONTACT: Jennifer López

jlopez@ag.nv.gov / 702-486-3782

ATTORNEY GENERAL MASTO AND 32 ATTORNEYS GENERAL NATIONWIDE REACH A \$42.9 MILLION SETTLEMENT WITH PFIZER INC REGARDING THE DRUGS ZYVOX® AND LYRICA®

Las Vegas, NV – Nevada Attorney General Catherine Cortez Masto announced today that she and 32 other Attorneys General reached a \$42.9 million settlement with Pfizer Inc to resolve allegations that Pfizer Inc unlawfully promoted its drugs, Zyvox® and Lyrica®. The settlement will bring \$775,000 to Nevada that will go to the state's general fund.

The Attorneys General allege that Pfizer Inc engaged in deceptive practices in its promotion of Zyvox® by making misleading and unsubstantiated superiority claims that broadened the indications for Zyvox®, an antibacterial agent approved to treat certain types of infections, including, among other approved indications, nosocomial pneumonia caused by methicillin-resistant *Staphylococcus aureus* ("MRSA") and complicated skin and skin structure infections due to MRSA. Moreover, the Attorneys General allege that Pfizer Inc engaged in deceptive practices in promoting Lyrica® for off-label uses.

"The health and safety of Nevadans is obviously at risk when pharmaceutical companies misrepresent the products they make available," said Masto. "Through this agreement, my fellow Attorneys General and I are protecting Nevadans and others around the country by ensuring that this drug is not promoted for off-label uses."

As part of the settlement (formally known as a consent judgment), Pfizer Inc agreed to reform how it markets and promotes Zyvox® and Lyrica®. Under the consent judgment, Pfizer Inc shall not:

- Make any false, misleading, or deceptive claims when comparing the efficacy or safety of Zyvox® to vancomycin;
- Promote any Pfizer product for off-label uses;
- Fail to design financial incentives that ensure that its marketing personnel are not motivated to engage in the improper marketing of Zyvox® or Lyrica®; or

- Fail to notify its sales force promptly of any warning letter received from the FDA that affects sales representatives in the promotion of Pfizer products.

Chief Multistate Counsel JoAnn Gibbs represented Nevada in this matter.

The investigation was led by the Attorney General of Texas with an Executive Committee consisting of the Attorneys General of Arizona, Illinois, Maryland, New Jersey, Pennsylvania, and South Carolina. Also participating in the settlement are Alabama, Arkansas, California, Colorado, Delaware, the District of Columbia, Florida, Hawaii, Idaho, Indiana, Kansas, Kentucky, Michigan, Montana, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Rhode Island, South Dakota, Tennessee, Vermont, Washington, Virginia, and Wisconsin.

###