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NEVADA ATTORNEY GENERAL REACHES \$100 MILLION SETTLEMENT WITH ABBOTT LABORATORIES

*Largest Consumer Protection Prescription Drug Settlement Over Illegal Marketing of
Depakote*

Carson City, NV – Nevada Attorney General Catherine Cortez Masto today joined 44 other states and the District of Columbia in announcing a \$100 million settlement with Abbott Laboratories over allegations of illegal off-label marketing of its Depakote drug.

As part of this settlement, Nevada will receive nearly \$1.4 million to benefit consumer protection efforts. As a result of the states' investigation, the Illinois-based Abbott will be restricted from marketing the drug for off-label uses not approved by the U.S. Food and Drug Administration, and has agreed to significantly change how it markets Depakote.

"Pharmaceutical companies must promote and market drug appropriately," said Masto. "This settlement was reached because I felt Nevada consumers had not been adequately protected."

The agreement marks the largest consumer protection-based pharmaceutical settlement ever reached.

In a complaint filed today along with the settlement agreement, the states alleged Abbott engaged in unfair and deceptive practices when it marketed Depakote for off-label uses. Depakote is approved for treatment of seizure disorders, mania associated with bipolar disorder and prophylaxis of migraines, but the attorneys general alleged Abbott marketed the drug for treating unapproved uses, including schizophrenia, agitated dementia and autism.

Under the settlement, Abbott Laboratories is:

- Prohibited from making false or misleading claims about Depakote,
- Prohibited from promoting Depakote for off-label uses, and
- Required to ensure financial incentives on sales do not promote off-label uses of Depakote.

In addition, for a five-year period Abbott must:

- Limit the creation and use of responses to requests by physicians for non-promotional information about off-label uses of Depakote,
- Limit dissemination of reprints of clinical studies relating to off-label uses of Depakote,
- Limit use of grants and Continuing Medical Education,
- Disclose payments to physicians, and
- Register and disclose clinical trials.

Attorneys General of the District of Columbia and the following states participated in today's settlement: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia and Wisconsin.

Senior Deputy Attorney General JoAnn Gibbs, of the Attorney General's Bureau of Consumer Protection, represented Nevada in the settlement.

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