



## State of Idaho Office of Attorney General Lawrence Wasden

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### Idaho Collects \$64,000 in Antitrust Settlement with TriCor Makers

(Boise) – The State of Idaho will be reimbursed \$64,637.74 that the state paid in overcharges for the cholesterol drug TriCor, Attorney General Lawrence Wasden said today. Wasden joined 25 attorneys general in a \$22.5 million settlement with Abbott Laboratories, Fournier Industrie et Sante and Laboratories Fournier, S.A. The settlement resolves antitrust claims involving TriCor and provides reimbursement for government purchases of the drug.

In their lawsuit, the attorneys general alleged that Abbott and Fournier blocked competition to the sale of TriCor. The suit, filed in U.S. District Court in Delaware, alleged that the companies thwarted generic competition to TriCor using a variety of strategies, including a practice called “product hopping.” Under this practice, the companies made various clinically insignificant changes in the dosage and form of TriCor, abandoned the promotion of and removed older versions of TriCor from the market, and manipulated the drug codes used to facilitate generic substitution.

The states also alleged that Abbott and Fournier engaged in sham litigation regarding patents the companies knew were invalid, unenforceable, or inequitably obtained for the purpose of preventing or delaying generic competition. Idaho and other government entities paid higher prices for TriCor because the companies’ conduct blocked the lower-priced therapeutically equivalent generic versions of TriCor from the market.

“Idaho spends millions each year on prescription drugs for Medicaid and Idaho taxpayers bear the cost,” Attorney General Wasden said. “When those costs are inflated by unlawful anti-competitive practices, as we have seen in several cases involving major drug companies, we owe it to the taxpayers to recover their money and stop the unlawful activity.”

Abbott and Fournier also agreed not to undertake various steps to preclude generic drug manufacturers from seeking FDA approval of a generic version of the latest version of TriCor. The settlement will also reimburse the participating attorneys general for fees and costs.

TriCor is used to reduce high levels of triglycerides and cholesterol. It accounted for over \$1 billion of Abbott’s sales last year.

Consumer claims and private third party payer claims were previously resolved through a private class action settlement.

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