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FOR IMMEDIATE RELEASE

March 1, 2017

AG STEVEN T. MARSHALL JOINS WITH 39 OTHER AGS IN FEDERAL GENERIC DRUG ANTITRUST LAWSUIT

States file amended complaint in lawsuit against six generic drug companies, now alleging new violations of state antitrust and consumer protection laws

(MONTGOMERY)— Attorney General Steven T. Marshall announced today that Alabama has joined a federal antitrust lawsuit alleging that six generic drug-makers entered into illegal conspiracies in order to unreasonably restrain trade, artificially inflate and manipulate prices and reduce competition in the United States for two generic drugs.

This amended complaint increases from 20 to 40 the number of plaintiff states in the lawsuit, which was initially filed in December 2016. The amended complaint also adds claims of alleged violations of state antitrust laws – in addition to the alleged violations of federal antitrust laws – in each of the 40 states, as well as state consumer protection laws in most of the states, against the defendant generic companies Heritage Pharmaceuticals, Inc., Aurobindo Pharma USA, Inc., Citron Pharma, LLC, Mayne Pharma (USA), Inc., Mylan Pharmaceuticals, Inc. and Teva Pharmaceuticals USA, Inc.

“On behalf of the consumers of Alabama, we are joining this fight against illegal practices that artificially raise the prices of certain prescription drugs,” said Attorney General Marshall. “The high cost of medications is already a burden that many can ill afford to pay. As Attorney General, I pledge my vigilance and commitment to stop illegal and inappropriate actions by pharmaceutical companies that make this problem worse.”

In July 2014, the state of Connecticut initiated an investigation of the reasons behind suspicious price increases of certain generic pharmaceuticals. The investigation, which is still ongoing as to a number of additional generic drugs, generic drug companies and key executives, uncovered evidence of a well-coordinated and long-running conspiracy to fix prices and allocate markets for doxycycline hyclate delayed release, an antibiotic, and glyburide, an oral diabetes medication.

The complaint further alleges that the defendants routinely coordinated their schemes through direct interaction with their competitors at industry trade shows, customer conferences and other events, as well as through direct email, phone and text message communications. The alleged anticompetitive conduct – including efforts to fix and maintain prices, allocate markets and otherwise thwart competition – caused significant, harmful and continuing effects in the country’s healthcare system, the states allege.

The lawsuit was filed under seal in the U.S. District Court for the District of Connecticut. Portions of the complaint are redacted in order to avoid compromising the ongoing investigation.

In addition to Alabama, states participating in the lawsuit are Connecticut, Arizona, California, Colorado, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington and Wisconsin.

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