

Doug Peterson

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Nebraska Joins 43 Attorneys General in Antitrust Lawsuit Against Teva Pharmaceuticals, 19 Other Generic Drug Manufacturers, 15 Individuals in Conspiracy to Fix Prices and Allocate Markets for More Than 100 Different Generic Drugs

Second Lawsuit Filed in Ongoing, Expanding Investigation

Lincoln - Attorney General Doug Peterson joined 43 attorneys general led by Connecticut Attorney General William Tong in announcing a lawsuit against Teva Pharmaceuticals and 19 of the nation's largest generic drug manufacturers alleging a broad conspiracy to artificially inflate and manipulate prices, reduce competition and unreasonably restrain trade for more than 100 different generic drugs. Through a systematic campaign, these manufacturers conspired with each other to fix prices, rig bids and allocate markets. The drugs at issue account for billions of dollars of sales in the United States, and the alleged schemes increased prices affecting the health insurance market, taxpayer-funded healthcare programs like Medicare and Medicaid, and the everyday citizen who must pay artificially-inflated prices for their prescription drugs. The drugs span all types, including tablets, capsules, suspensions, creams, gels, ointments, and classes, including statins, ace inhibitors, beta blockers, antibiotics, anti-depressants, contraceptives, non-steroidal anti-inflammatory drugs,

and treat a range of diseases and conditions from basic infections to diabetes, cancer, epilepsy, multiple sclerosis, HIV, ADHD, and more. In some instances, the coordinated price increases were over 1,000 percent.

The lawsuit, filed in U.S. District Court for the District of Connecticut, also names 15 individual senior executive defendants at the heart of the conspiracy who were responsible for sales, marketing, pricing, and operations. The complaint lays out an interconnected web that sowed the seeds for their illegal agreements through industry dinners, “girls’ nights out,” lunches, cocktail parties, golf outings, and frequent communication via telephone calls, emails and text messages. Throughout the complaint, defendants use terms like “fair share,” “playing nice in the sandbox,” and “responsible competitor” to describe how they unlawfully discouraged competition, raised prices and enforced an ingrained culture of collusion.

The complaint is the second to be filed in an ongoing, expanding investigation and seeks damages, civil penalties and actions by the court to restore competition to the generic drug market. The first complaint, still pending in U.S. District Court in the Eastern District of Pennsylvania, was filed in 2016 and now includes 18 corporate defendants, two individual defendants, and 15 generic drugs. Two former executives from Heritage Pharmaceuticals, Jeffery Glazer and Jason Malek, have entered into settlement agreements and are cooperating with the attorneys general working group in that case.

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Please click the link to find the complaint: <https://bit.ly/2E2FwRY>
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