

# If You Purchased Neurontin or Gabapentin (generic) for Non-FDA Approved Uses

## A Class Action Lawsuit May Affect Your Legal Rights

A class action lawsuit involving the promotion of Neurontin and gabapentin for unapproved uses is pending in the Court of Common Pleas of Philadelphia County, PA. The case is called *Clark v. Pfizer* No. 1819 June Term 2004.

### What is this Lawsuit About?

The Plaintiffs claim that the manufacturers of Neurontin fraudulently promoted its use to treat conditions not approved by the FDA. They claim that there was, and is, no scientifically adequate proof that Neurontin or gabapentin can effectively treat these unapproved conditions. The Plaintiffs seek a refund of all money paid by those who purchased Neurontin or gabapentin for these unapproved uses.

The Defendants, Warner-Lambert, LLC and Pfizer, Inc., claim that Neurontin has been proven effective for any condition for which it was promoted, deny that they fraudulently promoted Neurontin, and are contesting Plaintiffs' claims. The court has not yet decided whether the Plaintiffs or the Defendants are right. The Plaintiffs representing the Class will have to prove their claims in court.

### Who is in the Class?

The Class includes:

All persons who purchased Neurontin, or its generic equivalent, gabapentin, in the Commonwealth of Pennsylvania from 1995 to the present, for personal, family, or household purposes *other than*:

- Adjunctive treatment of partial seizures associated with epilepsy, or
- The management of post-herpetic neuralgia (nerve pain associated with "shingles").

*The Class only includes people who were Pennsylvania residents as of November 1, 2007.*

### What are My Rights?

**Stay in the Class** – If you wish to stay in the Class, you do not have to do anything. By remaining a Class Member, you agree to be bound by any judgment in the case.

If a refund is ordered, you may be entitled to a refund of any money you personally spent on Neurontin or gabapentin. If you participate, you may need to prove you (a) were prescribed Neurontin or gabapentin for anything other than

partial treatment of epileptic seizures or post-shingles pain, and (b) paid some or all of the cost of the drug. Keep any records you have pertaining to Neurontin or gabapentin.

**Exclude Yourself from the Class** – If you do not want to be a member of the Class, you must send a letter to Neurontin Class Action, P.O. Box 2122, Jenkintown, PA 19046 signed by you and **postmarked no later than March 1, 2008**. Your letter should say that you do not want to be a member of this Class. It must include your name, address and telephone number. If you exclude yourself, you will not be part of this case.

### Who Represents Me?

The Court has approved attorneys (listed below) to represent the Class ("Class Counsel"). As a Class Member, you do not have to pay them. If Class Counsel obtains a judgment or settlement, they will seek payment from that recovery. If you want to pursue your claim individually, you may hire your own attorney.

### How Do I Get Additional Information?

The Pleadings and other records in this lawsuit may be examined and copies obtained at any time during regular business hours at the office of the Prothonotary located at City Hall, Philadelphia, PA, or by requesting a copy in writing addressed to "Class Counsel" at the address below. Certain documents are sealed and can only be released with an order of the Court.

Class Counsel: Sacks & Weston  
114 Old York Road  
Jenkintown, PA 19046  
(215) 925-8200

You may contact Class Counsel if you have any questions about this notice or the lawsuit. Please visit [www.PaNeurontinClassAction.com](http://www.PaNeurontinClassAction.com) for information on the litigation.

**Please do not telephone the Court. All inquiries should be directed to Class Counsel.**

By Order Of: The Honorable Mark I. Bernstein  
Judge of the Court of Common Pleas  
Philadelphia County

Dated: October 22, 2007