



CHESTER COUNTY DISTRICT ATTORNEY'S OFFICE

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PRESS RELEASE

Chester County District Attorney's Office Sues Opioid Manufacturers and Distributors

The Chester County District Attorney's Office recently filed a civil lawsuit under the Pennsylvania Unfair Trade Practices and Consumer Protection Law ("UTPCPL") against opioid manufacturers and distributors seeking an injunction to end their deceptive business practices behind the opioid crisis and obtain relief for people and institutions who have suffered as a result of that epidemic. Chester County is the ninth of Pennsylvania's 67 counties to file a UTPCPL lawsuit.

The manufacturer defendants named in the lawsuit are:

- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- Cephalon, Inc.; Teva Pharmaceuticals USA, Inc.
- Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc.
- Allergan PLC; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc.
- Mallinckrodt PLC; SpecGX LLC
- Janssen Pharmaceuticals, Inc.; Johnson & Johnson

The distributor defendants named in the lawsuit are:

- McKesson Corporation
- Cardinal Health, Inc.
- AmerisourceBergen Drug Corporation.

Chester County District Attorney Deb Ryan said, “The loss and devastation resulting from addiction has plagued our community for years. We will hold the pharmaceutical manufacturers and distributors named in this lawsuit accountable for the irreparable damage their greed has caused to our residents and our institutions. It is unconscionable that their bottom line was more important to them than the impact their actions had on families and society.”

The allegations from the civil suit are:

Starting in the mid-1990s, pharmaceutical firms used marketing to misrepresent the harmful effects of long-term opioid use in the treatment of chronic pain to doctors and patients. As a result, abuse of prescription opioids, heroin and fentanyl skyrocketed around the country. Between 1999 and 2017, in Pennsylvania alone, an estimated 26,300 people died from opioids, more than from car accidents and murders combined.

According to data from the DEA, over 101 million prescription opioids were shipped to Chester County between 2006 and 2014. With a population of 525,000 residents, that was enough, during this eight-year period, to supply every person in Chester County with dozens of opioid pills.

Subsequently, Chester County’s deaths from opioids more than doubled between 2015, when there were 68 deaths, and 2017 when overdose deaths topped 144. In 2019, 104 deaths were attributed to opioids; 51 deaths were recorded in 2020 from January to May.

“The District Attorney’s Office has the unique power to take public enforcement action against any individual or business that engages in deceptive practices in connection with consumer transactions – in this instance, the pharmaceutical firms who manufactured, marketed and distributed opioids. This ability allows the District Attorney to pursue a suit on behalf of individuals, businesses and government entities in Chester County affected by the opioid crisis.” Ryan stated.

Chester County is seeking three forms of relief under a public enforcement action:

1. A permanent injunction against opioid manufacturers and distributors from engaging in further deceptive practices.

2. The restoration of all money the defendants obtained in the county as a result of the excessive opioid sales.
3. Civil penalties of up to \$3,000 per violation.

In contrast to related nuisance or tort lawsuits – filed by many states, cities, towns and counties against opioid manufacturers – a public enforcement action from a district attorney’s office offers a better opportunity to control further harm (through an ongoing injunction) and allows for broader damages (based on fraudulently obtained profits) to be awarded. Further, a public enforcement action offers local control over how those damages are distributed.

The law firm of Ahmad Zaffrese LLC is representing the Chester County District Attorney’s Office in this lawsuit.

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Approved for release:
Deborah Ryan
District Attorney