

## Roche Ordered to Pay \$18 Million to Former Accutane Users

By Jef Feeley - Jun 29, 2012

[Roche Holding AG \(ROG\)](#) must pay a total of \$18 million in damages to two former users of its Accutane acne drug who blamed the medicine for their bowel disease, a New Jersey jury ruled.

Jurors in state court in Atlantic City deliberated about six hours today before that finding officials of Basel, Switzerland-based Roche failed to properly warn Kathleen Rossitto and Riley Wilkinson that Accutane could cause inflammatory bowel disease. Rossitto and Wilkinson were each awarded \$9 million in compensatory damages. At the same time, the panel rejected claims by two other former users of the drug.

“We are pleased that the jury found on behalf of Kathleen Rossitto and Riley Wilkinson and provided a measure of justice for the horrible injuries inflicted upon them by Roche’s drug,” David Buchanan, a New Jersey-based lawyer for the two plaintiffs, said in a telephone interview.

About 16 million people have taken Accutane, once Roche’s [second-biggest selling](#) drug, since it went on the market in 1982, according to plaintiffs’ lawyers. Roche, the world’s biggest maker of cancer drugs, pulled its brand-name version of Accutane off the market in 2009 after juries awarded millions of dollars in damages over bowel-disease claims.

Roche officials said they were pleased the jurors rejected claims by Rebecca Reynolds and Jason Young that Roche was responsible for their injuries. The company will appeal the awards to Rossitto and Wilkinson, they said.

‘Acted Appropriately’

“The company believes that the evidence at trial demonstrated that Accutane did not cause this disease and that Roche acted appropriately in providing information to the medical, scientific and regulatory communities,” Chris Vancheri, a U.S.-based spokesman for Roche, said in an e-mailed statement.

The verdicts come about a week after European regulators said Roche systematically failed to evaluate reports of safety issues involving its products to determine whether they should be passed on to health authorities.

The European Medicines Agency said June 21 that it found no evidence patients were harmed by the deficiencies in Roche’s drug-safety reporting. Still, regulators found about 80,000 reports involving medicines marketed in the U.S. that hadn’t been evaluated to determine whether they should be given to the EU as suspected adverse reactions.

Cases Lost

Roche has now lost nine of the 13 suits brought by former Accutane users that have gone to trial since juries began weighing the cases in April 2007, Buchanan said.

Appeals courts have thrown out some of the verdicts, including a 2007 award of \$7 million to a Florida man who blamed the drug for his inflammatory bowel disease. In 2010, an [Atlantic City](#) jury ordered Roche to pay \$25.1 million to a man who attributed his inflammatory bowel disease to Accutane. That case was a retrial of an earlier verdict overturned by appellate judges.

In August 2011, a New Jersey appeals court also overturned a \$10.5 million Accutane verdict on an evidentiary issue.

Roche Holding rose 70 centimes (74 cents) to 163.60 Swiss francs in trading in [Switzerland](#) today. The shares have climbed almost 3 percent this year.

The case is **Kathleen Rossitto v. Hoffmann-La Roche Inc.**, ATL-1-7481-10-MT, New Jersey Superior Court, Atlantic County (Atlantic City).

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