



Attorney General Jon Bruning

NEWS RELEASE

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Attorney General Bruning Announces \$62 Million Settlement Between 32 States and Eli Lilly

Note: A sound bite on this topic is available at: <http://www.ago.ne.gov>

(Lincoln, Neb.) Attorney General Jon Bruning announced that Nebraska received \$1,072,719 as part of a settlement totaling \$62 million with drug company Eli Lilly. The settlement involves 32 states and the District of Columbia.

The settlement arose from alleged improper marketing of the antipsychotic drug Zyprexa. It's the largest multi-state consumer protection-based pharmaceutical settlement.

Attorney General Bruning along with other states alleged that Eli Lilly used unfair and deceptive practices when marketing Zyprexa for off-label uses and didn't disclose the drug's potential side effects to health care providers.

"We're pleased to have recovered more than a million dollars for Nebraska taxpayers," said Bruning. "This is a big win for our state."

Eli Lilly aggressively marketed Zyprexa for a number of off-label uses, including for use in children and for treatment of elderly patients suffering from dementia. Eli Lilly has agreed to change how it markets this drug and to stop promoting uses that aren't approved by the U.S. Food and Drug Administration (FDA).

Zyprexa is the brand name for the prescription drug olanzapine, first marketed for adults with schizophrenia. Since then, FDA approved Zyprexa for the treatment of bipolar disorder. While it may reduce symptoms, it also has dangerous side effects. Zyprexa has been associated with a high risk of weight gain, hyperglycemia, and diabetes. While a physician is allowed to prescribe drugs for off-label uses, the law prohibits pharmaceutical manufacturers from marketing their products for off-label uses.

The settlement between Eli Lilly and the Attorneys General says that for the next six years, Eli Lilly will make a number of changes in how it markets the product including: not making any false or misleading claims regarding Zyprexa, providing accurate responses to requests for off-label information from health care providers, and requiring its medical staff rather than marketing staff to have ultimate responsibility for developing and approving the medical content for all medical letters about the drug.

Assistant Attorney General Leslie Levy handled the case.

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