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Shreveport and Arklatex counties join lawsuit against opioid industry

Jan 5, 2018



CLASS ACTION LAWSUIT OPIOID INDUSTRY

91 AMERICANS DIE FROM OPIOID
OVERDOSE EACH DAY

STOP THE FLOODING OF PILLS
INTO COMMUNITIES

COMPENSATION FOR MONEY LOST
FIGHTING THE EPIDEMIC

CHANGE DECEPTIVE MARKETING
TACTICS

CLARITY ON HOW ADDICTIVE
OPIOIDS CAN BE



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SHREVEPORT, La. - Bowie and Harrison Counties in Texas, Miller County in Arkansas, and the city of Shreveport have all joined a class action lawsuit of more than 200 cities and counties. The hope is to reduce the abuse of opioid painkillers. They are suing the makers and distributors of the drugs.

"This is not a new thing. The opioid problem has been around for quite some time, but it's now reached epidemic proportions," said Hunter Shkolnik of Napoli Shkolnik PLLC.

In December, Shreveport City Council approved the final passage of a resolution authorizing a retainer agreement with Napoli Shkolnik, PLLC and Kenneth M. Carter, APLC. They will serve as joint outside legal counsel in the opioid lawsuit.

The Centers for Disease Control and Prevention estimates that each day, 91 Americans die from overdosing on opioids. So this lawsuit has two goals: governments want to try to stop the flooding of these pills into communities, and they also want to seek compensation to help plaintiffs recoup money lost fighting the epidemic. Many of the lawsuits also hope to force drugmakers to change their marketing tactics, which they argue are deceptive, believing drug makers need to make it abundantly clear just how addictive the pills can be.

In a separate lawsuit 41 states have banded together and have served five major opioid manufacturers with subpoenas. The states are seeking information about how these companies marketed and sold prescription opioids. The coalition is also demanding documents and information related to distribution practices from three drug distributors. The attorney generals of these states are hoping to learn whether these companies may have marketed or distributed their products illegally. +

Texas and Louisiana are apart of that lawsuit, however Arkansas Attorney General Leslie Rutledge is sitting out this suit. According to the Arkansas Times, Rutledge did send a letter to health insurers urging them to consider alternatives to opioids for pain treatment. She's also touted a program to educate kids about the dangers of drug abuse.

Arkansas AG Spokesman Judd Deere released this statement:

Attorney General Rutledge is committed to tackling the prescription drug abuse epidemic that is spreading across Arkansas with an all-of-the-above approach that includes education, prevention and treatment and could certainly include litigation.

These plaintiffs are targeting manufacturers accused of setting up fake marketing fronts. Napoli Shkolnik Law Firm said organizations were set up to look like medical boards or medical societies. The lawsuit also says the "defendants also made sure that favorable articles were disseminated and cited widely in the medical literature, even where references distorted the significance or meaning of the underlying study. Most notably, a 1980 reference in the well-respected new england journal of medicine." It was written by Jane Porter and Dr. Hershel Jick. It also claimed the new opioids were not addictive.

"And what they did was they used these organizations to pump out papers to suggest pain is a disease. Any kind of pain should be treated with opioids, and everybody jumped on the bandwagon," said Shkolnik.

Manufacturers eventually stopped the distributions and only made the pills, but the distributors continued to move pills into neighborhoods at high rates. Attorney Shkolnik said the distributors received money for doing it from manufacturers.

Most of the companies cited in this lawsuit have released various statements expressing their cooperation with litigation and support of efforts to find solutions to this prevalent problem. But the lawsuit blames these groups for this widespread problem.

The U.S. Centers for Disease Control and Prevention said the number of fatal drug overdoses in 2016 was expected to top more than 64,000. Many of those deaths involve an opioid, either a legally prescribed narcotic or an illicit drug like heroin or fentanyl.

The National Institute on Drug Abuse estimates that 80% of people who enter treatment for a heroin addiction took their first opioid legally from a prescription.

States have tried to crack down on the problem, primarily with prescription drug monitoring databases. But if addicts can't get prescription painkillers, the lawsuit states that some resort to illegal drugs. The opioid crisis is now reaching epidemic levels.

In October of 2017, President Donald Trump declared the opioid epidemic a public health emergency, but no additional funding has been made available for states and localities to deal with it. In the meantime, while state and local governments fight these battles in court, drug overdose deaths are still climbing. A STAT investigation found that opioids could kill as many as 500,000 Americans in the next decade.

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