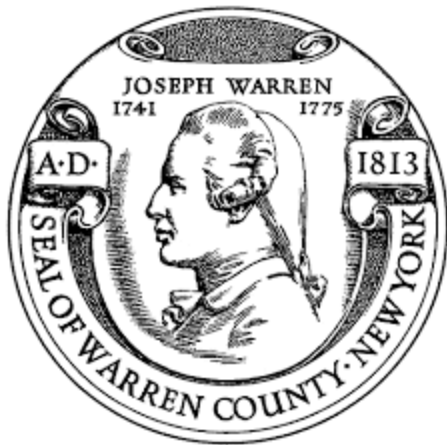


Warren County files lawsuit against opioid makers

By Don Lehman



QUEENSBURY — Warren County has filed a lawsuit against companies and people its lawyers blame for the opioid addiction epidemic, claiming that the county and local businesses have paid millions of dollars to counteract the crisis and that the county should be compensated.

The 260-page lawsuit was filed last month in state Supreme Court in Warren County, naming 26 companies involved with the manufacture, distribution and marketing of prescription painkillers as well as four physicians who were on their payrolls as the drugs were developed.

Some of the biggest pharmaceutical companies in the world, including Purdue Pharma, Johnson & Johnson and Cephalon Inc., were named, but none of the defendants are based locally.

The lawsuit does not cite specific losses for the county, but argues that the county paid for drugs that it shouldn't have through Medicaid, and those drugs had wide-ranging addiction consequences, including criminal

activity. The national medical industry alone has lost an estimated \$72.5 billion to treat opioid addiction, according to the lawsuit.

The increased use of opioid painkillers like Oxycontin, Fentanyl, hydrocodone and oxycodone has been blamed for heroin addiction, as pain-pill users moved to the illicit opioids when they couldn't get, or afford, pills. The lawsuit claims heroin use doubled between 2007 and 2012 nationally, and overdose deaths rose accordingly.

“Increased opioid use has fueled an illegal secondary market for narcotics and the criminals who support it,” the lawsuit reads.

The lawsuit claims there was “deceptive” marketing that ignored reports of deaths and addiction as the number of opioid drug prescriptions rose by more than 50 percent between 2000 and 2009, while use of over-the-counter medication declined.

“Opioid prescriptions increased even as the percentage of patients visiting doctors for pain remained constant,” the lawsuit states.

The lawsuit cites seven claims of actions, including deceptive marketing, false advertising, public nuisance, fraud, unjust enrichment, negligence and a violation of state Social Services law by concealing facts about opioids.

No court date had been set, and the electronic court file did not show the case assigned yet to a specific judge.

The companies and doctors linked to the opioid painkiller industry have been sued around the country in recent years. The New York City law

firm the county hired, Napoli Shkolnik PLLC, told county supervisors last fall that it has won settlements in other parts of the country.

The law firm will get 25 percent of whatever settlement it can negotiate, and will not get paid if it doesn't win.

Some county supervisors were reluctant to file the lawsuit, questioning what affect it will have on addiction issues. But proponents say the settlement can be used to help agencies that are interacting with addicts, including those involved in rehabilitation.

Saratoga County filed a similar lawsuit last fall, while Washington County supervisors have been mulling litigation as well.

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