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TENNESSEE ATTORNEY GENERAL SUES OPIOID MAKER ENDO PHARMACEUTICALS

Nashville- Attorney General Herbert H. Slatery III today sued Endo Pharmaceuticals and Endo Health Solutions Inc. (Endo) for making unlawful and false claims about the safety and benefits of its opioid products.

The State's lawsuit, filed in Knoxville, alleges Endo violated the Tennessee Consumer Protection Act and contributed to a devastating public health crisis in Tennessee.

"Our Office has conducted an extensive investigation into Endo's unlawful marketing practices which included targeting vulnerable populations like the elderly," said Tennessee Attorney General Herbert H. Slatery III. "Endo has repeatedly refused to take responsibility for its unconscionable conduct, which is why we are taking this action."

The allegations in the State's 180-page complaint detail how Endo deceptively marketed its opioid products as being less addictive and more effective than others on the market. It did this despite evidence to the contrary, including the FDA's explicit rejection of Endo's claim that Opana ER was resistant to abuse as well as overwhelming evidence that Opana ER was being abused throughout Tennessee.

The Complaint alleges that Endo also knew the dangers of its opioid products, including increased risks of respiratory depression and death in elderly patients, and failed to clearly disclose those risks while it specifically targeted patients in that age group.

The State also has reason to believe Endo used the recommendations and educational materials of third-party groups like the American Pain Foundation without disclosing that Endo was by far the biggest donor to the Foundation and provided more than half of its total funding. Endo provided significant funding to other third-party groups and subsequently relied on material generated by those groups without disclosing the financial relationship.

The Attorney General requested the complaint be filed under a temporary seal because Endo claims the information produced during the State's investigation is confidential. The order sealed by the judge allows the seal to expire in 10 days unless Endo acts to extend it.

The Attorney General believes the complaint should be made available to the public in its entirety and efforts to keep it confidential will only prolong and diminish Endo's accountability for its conduct.

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