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Motion Filed to Consolidate Yasmin/YAZ Litigation in Toledo, Ohio

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LANCASTER, Pa., July 24 /PRNewswire-USNewswire/ -- Three leading law firms representing 23 of the 32 filed cases around the country have filed a joint motion asking that the Yasmin/YAZ product liability litigation be consolidated and transferred to Chief Judge James G. Carr of the United States District Court for the Northern District of Ohio. The motion was filed today, July 24, 2009, before the Judicial Panel on Multidistrict Litigation in Washington, D.C.

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The three law firms represent Plaintiffs from across the country who have suffered injuries, including deep vein thrombosis, pulmonary embolism, heart attack, stroke, kidney failure, seizures, gall bladder injuries, and death after using the birth control pills Yasmin/YAZ and Ocella. The three firms and their lead lawyers handling this litigation are Dianne Nast and Daniel Gallucci of RodaNast, Lancaster, Pennsylvania; Janet Abaray and Michael Burg of Burg Simpson Eldredge Hersh & Jardine, Cincinnati, Ohio and Englewood, Colorado; and David Zoll, Michelle Kranz and Pamela Borgess, Zoll Kranz & Borgess, Toledo, Ohio.

The Defendants in the cases are Bayer Pharmaceuticals Corporation and other Bayer related companies. The FDA issued warning letters to Berlex Laboratories, the predecessor manufacturer to Bayer, in 2003, ordering the Defendants to immediately discontinue a television advertisement that promoted Yasmin's fourth generation progestin, drospirenone, by stating, "Ask about Yasmin, and the difference a little chemistry can make." The FDA objected and stated "FDA is not aware of substantial evidence or clinical experience demonstrating that Yasmin is superior to other COC's [combination oral contraceptives] or that the drospirenone in Yasmin is clinically beneficial. *On the contrary, FDA is aware of the added clinical risks associated with drospirenone.*"

The FDA issued a second warning letter to Bayer on October 3, 2008, for another advertisement, this time concerning YAZ. The FDA determined that the advertisement was misleading because it failed to disclose that "YAZ has additional risks because it contains the progestin, drospirenone . . ."

Copies of the papers and other information are available as follows:

- Janet G. Abaray (513) 852-5600 jabaray@burgsimpson.com
- Daniel N. Gallucci (717) 892-3000 dgallucci@rodanast.com
- David W. Zoll (419) 841-9623 david@toledolaw.com

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