

State of Alaska
Department of Law

Gregg D. Renkes
Attorney General
P.O. Box 110300
Juneau, Alaska 99811
NEWS RELEASE



Contact: Ed Sniffen

907-269-5100
FAX: 907-465-2075
www.law.state.ak.us

FOR IMMEDIATE RELEASE: July 24, 2003

**Cancer Patients Who Purchased Taxol[®] Or Generic Paclitaxel (Including Onxol[®]),
From 1999-2003, To Benefit From Major Lawsuit Settlement**
*Court Approves Program to Alert Cancer Patients of \$12.5 Million
Reimbursement Fund Availability*

(Juneau, AK) Cancer patients who purchased Taxol[®] or paclitaxel (including Onxol[®]), a chemotherapy drug for ovarian, breast and other cancers, during the period January 1999 through February 2003 may be eligible to receive significant reimbursement for alleged illegal overcharges by Bristol-Myers Squibb Company, according to a court-approved consumer notification program launched by state attorneys general earlier this month.

The reimbursement program is a direct result of an approximately \$62.5 million settlement of an antitrust suit brought by the attorneys general of all 50 states, the U.S. territories and the District of Columbia. The suit alleged that manufacturer Bristol-Myers Squibb used fraudulent means to delay the entry of lower-priced generic versions of Taxol[®], thereby illegally inflating the cost of chemotherapy for thousands of patients. Consumers nationwide will be notified about the reimbursement program by mail and advertising and through partnerships with cancer support and education organizations.

“These refunds, coupled with the supply of free Taxol[®] provided to the states, provide a certain measure of restitution to consumers who may have been overcharged in the past,” said Gregg Renkes, Attorney General of Alaska. “Every Taxol[®] or paclitaxel user, or family member of a Taxol[®] user, should call or go to the website to learn more about their rights under this settlement,” Renkes said.

It is estimated that as many as 400,000 cancer patients could be affected by the case. The settlement provides approximately \$12.5 million to reimburse them, or the legal representative for a deceased Taxol[®]/paclitaxel user, some portion of what they paid for the drug or to reimburse insured patients for out-of-pocket costs not paid for by insurers. Individual consumers could see claims in the range of \$400 - \$2,600. Additionally, approximately \$7.5 million worth of Taxol[®] will be provided to the states for compassionate care treatment of lower income cancer patients.

Claims must be postmarked by November 14, 2003. Claim forms and complete information can be obtained at www.taxolsettlement.com or by calling 1-800-659-7609.

Taxol[®] is Bristol-Myers Squibb's brand name for the cancer drug paclitaxel (also marketed as Onxol[®]), used primarily to treat breast and ovarian cancers, along with certain lung cancers and Kaposi's Sarcoma.

Breast cancer is the second most common cancer among women, with more than 211,000 new diagnoses each year. Ovarian cancer is the sixth most common cancer among women, with more than 25,000 new cases each year.

Patients who paid for part or all of their treatments with Taxol[®] or its generic equivalents from January 1, 1999 through February 28, 2003, are members of the proposed settlement group and can file a claim for recovery. Affected consumers who do not wish to participate in the proposed settlement must exclude themselves in writing by October 1, 2003, or they will be bound by the rulings of the court in this case. More information can be found at the www.taxolsettlement.com or by calling 1-800-659-7609.

###