

Have you taken Vioxx?

If so, you may be entitled to compensation

Vioxx (Rofecoxib), the most prescribed drug in Canada for the treatment of arthritis, was approved in Canada in 1999 for the treatment of arthritis, osteoarthritis, menstrual pain and management of acute pain in adults.

Merck Frosst Pharmaceutical Group, the manufacturer and its subsidiaries, withdrew Vioxx from the market on September 30, 2004, as a result of clinical studies that found increased risks of heart attack and stroke, as well as serious side effects on the kidney and cardiovascular system.

On October 27, 2004 Barry Spalding, a New Brunswick law firm with offices in Saint John and Moncton, filed a class action in New Brunswick against Merck Frosst Pharmaceutical Group. The claim was instituted on behalf of New Brunswickers who were prescribed Vioxx and subsequently suffered adverse health complications.

The Statement of Claim alleges that the Merck companies were negligent in the manufacturing, distribution, and promotion of Vioxx, that they knew, or ought to have known, that the use of Vioxx was associated with a significant risk of serious cardiovascular complications and, that Merck failed to advise physicians, the plaintiff or the consuming public of this risk.

A class action is a lawsuit in which the claims of many people who have common but not identical interests are decided in a single court proceeding brought by one or more affected parties who act as representatives of the class.

A class action:

- avoids multiple individual lawsuits.
- allows the court to resolve their claims in a reasonable, efficient and cost-effective way.
- increases access to justice by eliminating economic barriers which would prevent these affected people from normally pursuing a civil suit for damages.
- ensures that those New Brunswickers with similar claims are treated fairly.

If you, or a relative, have been taking Vioxx on a regular basis and have suffered adverse cardiovascular complications, you are entitled to participate in this class action and you may be entitled to compensation. The range of suspected drug complications includes: heart attack, cardiac arrests, cardiac collapse, stroke, high blood pressure, TIAs, congestive heart failure, tachycardia (racing heart), chest pain, and breathing problems. In some of the suspected drug reactions, death subsequently occurred.

Lawyers at Barry Spalding are prepared to review the matter with you at no initial expense or obligation. If you would like further information regarding the opportunity to participate in this action, contact Barry Spalding toll-free at 1 888 743-4226. For more information, go to www.barryspalding.com

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