



PAL News

The Prescription Access Litigation Project
A Community Catalyst Initiative

PAL Focus Shifting to Drug Industry's Marketing Behavior

As PAL approaches its third year, its litigation target is expanding beyond cases that focus on anti-trust violations and abuse of patent law to challenge other ways that the drug industry acts illegally to maximize pharmaceutical profits at the expense of the consumer.

In its two newest lawsuits—against the makers of Bextra, and the makers of Neurontin—PAL has turned its attention to drug industry marketing. PAL has found that advertising and promotion are now the industry's most powerful tools for steering consumers and physicians into relying on newer, more expensive medicines—even when older, cheaper drugs may be more effective, and PAL is now targeting these practices.

The industry spent nearly \$16 billion on marketing in the year 2000 alone, and now spends significantly more to promote drugs than it spends on drug research and development. Direct-to-

Consumer advertising—which was the focus of PAL's Claritin litigation—is only the most visible of these practices. Far more insidious is how the industry evades FDA regulation and promotes its drugs to physicians directly, particularly for off-label use, despite express prohibition by federal regulation. One of our lawsuits shows how even physician kickbacks—which are clearly illegal—have been woven into the fabric of these below-the-radar marketing strategies.

Then there are the sales practices that may be legal in some states but still contribute greatly to bloated U.S. drug prices. This includes detailing—or the use of sales representatives who go directly into doctors' offices to preach the virtues of their company's drug. Still legal, "freebies" are another such tool. They include free drug samples, and other free paraphernalia, like pens, clocks and, of course, free lunches, all of which help win favor with patients and doctors.

PAL's two most recent lawsuits (see p. 2, Case Updates, for details) shine a spotlight on the industry's illegal marketing practices. PAL sued Pharmacia for illegally promoting the off-label use of its pain drug, Bextra. The company eluded the FDA's ban on advertising off-label use by paying for research, and then getting journals to publish their purchased research as "independently-written" academic articles. Such research was clearly not scientifically objective. A company partly owned by a major advertising firm was hired by Pharmacia to perform these "studies" to promote Bextra as an acute pain treatment, which is not an FDA-approved use.

PAL focuses on that same corruption

PROFILE:

Everett Kuiper

Racine, Wisconsin



It seems like everywhere that 64 year old Everett Kuiper looks, he can find someone who, like him, has been prescribed the drug Neurontin. Everett takes it because it relieves the chronic pain and neuropathy he experiences as symptoms of *achondroplasia* (dwarfism), but the drug is also being marketed to treat about a dozen other illnesses.

After twenty-five years of working as a lab technician, Everett developed spinal stenosis which made it impossible for him to continue to working at that job in a busy orthodontist's office. As a result, he now lives on a fixed income and has Social Security disability insurance, which does not include prescription drug coverage.

"My doctors have prescribed ten medications that I need to manage my symptoms and enjoy my garden and part-time position as Music Director at my local church. Neurontin is the most expensive drug I take, and that makes it the hardest to pay for!" he says.

Up until recently, Everett was paying \$550 every month for prescription drugs. "It's hard to make ends meet. I'm hoping that the day doesn't come that my refrigerator breaks down. With my fixed income, my greatest concerns are unexpected costs like those."

Everett has done everything he can to find ways to lower the cost to him for prescription drugs. "I've even appealed to the drug companies directly to receive free drugs. Some drug companies have pro-



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of the scientific research and publication process in its case against Pfizer and Parke-Davis, the makers of Neurontin. The drug only has FDA approval for epilepsy, but the company wanted to also promote it for other uses, like migraines, restless leg syndrome, and psychiatric uses, including anxiety and depression.

To market the drug for those uses, Parke-Davis put together a controlled research and publication “strategy,” conferences and consultations touted as “medical education meetings” where doctors were paid to participate, and/or to speak favorably about the drug, and numerous other kinds of financial inducements to physicians. Some were specifically paid for the volume of Neurontin prescriptions they wrote. PAL’s lawsuit alleges that the companies’ multi-pronged marketing strategy clearly broke FDA’s ban on promoting off-label use of drugs.

These cases represent the new thrust of PAL’s litigation effort, as it continues to examine this and other strategies the drug industry uses to preserve its stranglehold on the prescription drug market. The overall goal of PAL’s work remains the same: changing the conduct of the pharmaceutical industry to bring down the cost of prescription drugs for the U.S. health care consumer.

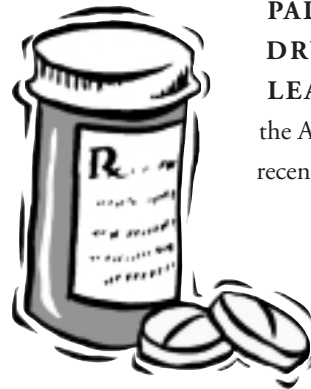
PROFILE

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grams for people like me, but others, like the maker of Neurontin, don’t.”

Everett is a member of Wisconsin Citizen Action, which is a PAL coalition group. He says, “I agree with the ideology of the class action litigation. I believe that if enough common people band together, we might be able to influence the consciences of these drug company executives. We could get them to stop hiding behind the argument that the costs for drugs are so high because of research for and development of new drugs. After all, what use is a miracle drug, if people who need miracles can’t afford it?”

PAL STAFFING UPDATE: **Kim Shellenberger** has taken on a critical, new role with PAL. She is heading up PAL efforts to launch the project’s Health Care Justice Trust Fund, which has been created to accept *cy pres* funds from PAL case settlements. Grants from the Fund will go to organizations working to expand access to quality health care. Longtime Community Catalyst attorney **Renee Markus-Hodin**, who has worked with advocates throughout the country in her years with the Community Health Assets Project (CHAP) team, has replaced Kim as the new Associate Director of PAL, working alongside Project Director **Ahaviah Glaser**.



PAL ACKNOWLEDGED AS DRUG INDUSTRY LITIGATION LEADER:

The December 2002 issue of the American Bar Association’s **ABA Journal** recently devoted a cover story to the litigation battle against the drug industry’s illegal marketing and patent practices. PAL was a primary focus of the article, which noted that PAL’s prescription drug litigation is uniquely consumer-driven.

PAL GROUPS MEET FOR UPDATE AND EXCHANGE OF ACTION STEPS:

PAL and Community Catalyst staff, along with AARP and NHeLP staff, got together over dinner with advocates from a number of PAL member groups at the recent Families USA conference in D.C. In addition to getting a case update from PAL Director **Ahaviah Glaser** and AARP attorneys **Sarah Locke** and **Bruce Viguery**, advocates got an overview of the Health Care Justice Trust Fund from Community Catalyst President **Kate Villers**.

New Jersey Citizens Action director **Bridget DeVane** spoke about a the creation of a “drug industry code of ethics” which USAction has proposed. **Mike Burgess** of New York Statewide Senior Action, reported on the move by Statewide and other groups to organize a boycott of GlaxoSmithKline products, for its threat to halt sales to Canadian pharmacies that sell lower-priced drugs to US residents, an effort that has recently drawn a lot of press coverage.

New Litigation Filed November 2002 through February 2003

Bextra®

Bextra is prescription painkiller/anti-inflammatory drug used for treatment of osteoarthritis, rheumatoid arthritis and primary dysmenorrhea. In December 2002, PAL attorneys filed suit in California Superior Court for the County of Los Angeles on behalf of Congress of California Seniors against Pharmacia and Pfizer asserting illegal and fraudulent actions to promote Bextra for "off-label use." The complaint alleges that in order to gain greater market share in the market for pain relief drugs, Pharmacia and Pfizer developed Bextra, which could then be sold in conjunction with Celebrex, one of the companies' most successful drugs. The companies sought approval from the FDA in order to use Bextra for treatment of several conditions. Although the FDA approved Bextra for certain conditions, it specifically rejected Bextra for treatment of acute pain in adults, citing safety and efficacy concerns.

The complaint alleges that in order to make an end-run around the FDA, the defendants hired a company — a subsidiary of one of the world's largest advertising companies — to conduct a study designed to promote the drug for treatment of acute pain in adults. The study, which claimed that Bextra is effective in the treatment of acute pain, was published in the May 2002 edition of the American Dental Association journal. Dentists who read this article were persuaded to use Bextra for treating acute pain in adults. Nonetheless, three doctors who reviewed the study for the New York Times found it to be unpersuasive and insignificant. The defendants further augmented sales of Bextra for acute pain management by sending detailers to dentists. Sales of the drug rose so significantly that Pharmacia highlighted Bextra in its October

22, 2002 earnings report. The case was subsequently removed to federal court and plaintiffs moved for remand back to state court. A hearing on that motion is scheduled for March 2003.

Neurontin® Off-Label Promotions

Neurontin, the brand name for gabapentin, is a prescription drug used for the treatment of epilepsy. In February 2003, PAL filed suit against Pfizer and Parke-Davis alleging that they illegally and fraudulently marketed Neurontin for uses that have not been approved by the Food and Drug Administration (FDA). Specifically, the lawsuit alleges that the pharmaceutical companies circumvented FDA regulations requiring them to get approval for any new uses of a drug by engaging in a marketing scheme to promote the drug for "off-label use." The marketing scheme included making payments to doctors to place their names on articles paid for by the companies (and not written by the doctors) to promote the off-label use of the drug, to listen to presentations about the off-label uses of the drug (framed as "consultations" by the doctors) and to reward those who actively prescribed the drug. As a result of this broad-ranging marketing scheme, sales of Neurontin grew to \$1.8 billion in 2000, 80% of which is off-label use. The case has been removed by defendants to federal district court.

Update on Previously Filed Litigation

Adalat®

Background: Adalat (nifedipine) is a prescription drug used to treat hypertension and other cardiac conditions. In July 2002 PAL attorneys filed suit in federal court on behalf of individuals and consumer advocacy groups against Elan and Biovail, two generic drug manufacturers. The complaint alleges that consumers of the 30mg and 60mg dosages of both the generic and brand name form of Adalat have been hurt by the collusion of Elan and Biovail to divide the market for the 30mg and 60mg between them in violation of federal and state antitrust laws. Elan and Biovail are the only companies with U.S. FDA approval to market generic equivalents of Adalat®, but, instead of competing with one another in these two markets, Elan and Biovail have agreed that only Elan would market the 30mg generic dose of Adalat® while only Biovail would market the 60mg generic dose. Under this illegal agreement, Biovail paid Elan approximately \$45 million and in return Elan shared its profits with Biovail.

Update: In December 2002, defendants filed a motion to consolidate the cases, including PAL's, into a Multi District Litigation (MDL). The Judicial Panel on Multi-District Litigation has not yet scheduled a hearing on this motion.

Augmentin®

Background: Augmentin is a brand name for the drug amoxicillin/clavulanate potassium and is used in the treatment of lower respiratory, middle ear, sinus, skin, and urinary tract infections. It has been manufactured and

sold by Glaxosmithkline and Smithkline Beecham (GSK), since 1984. It is an extremely profitable prescription drug reportedly earning \$2.05 billion in annual sales worldwide in 2001. In June 2002, PAL filed litigation on Augmentin alleging that GSK illegally extended its monopoly on Augmentin by applying for patents that duplicated the original patent ("double patenting") and by submitting those patents to the FDA, thereby keeping other companies from developing generic versions of Augmentin.

Update: In August 2002, a joint case management order (CMO) was filed. A hearing on the joint CMO as well as the defendant's motion to dismiss will be held in March 2003.

Average Wholesale Price

Background: In December 2001, PAL filed a lawsuit in federal court in Massachusetts on behalf of fourteen consumer groups against numerous drug companies for manipulating the "average wholesale price" (AWP). This lawsuit alleges that there is an industry-wide scheme to defraud the U.S. health care consumer by charging inflated prices for critically-needed medications. Specifically, the lawsuit charges that since 1993 the companies have engaged in "a pattern and practice" of selling drugs to physicians at prices well below the reimbursement cost charged to Medicare. In May 2002, PAL's lawsuit was consolidated with cases around the country and transferred to Judge Saris in the U.S. District Court in Massachusetts. On September 6, 2002 Plaintiffs' filed a Master Consolidated Class Action Complaint detailing spe-

cific allegations against each of approximately twenty defendants.

Update: In January 2003, the Court held a hearing on motions to dismiss that were filed by most of the Defendants. A decision is expected by April 2003. In the meantime, discovery in the case is proceeding, with PAL attorneys reviewing hundreds of boxes of documents.

BuSpar®

Background: BuSpar is an anti-anxiety drug widely prescribed to the elderly and people with chronic illnesses. In April 2001, PAL filed 6 lawsuits against Bristol-Myers Squibb Co. alleging that the company has employed illegal tactics to artificially maintain a monopoly on the manufacturing, distribution and sales of BuSpar. The BuSpar litigation was consolidated in federal court in the Southern District of New York before Judge Koeltl. In February 2002, Judge Koeltl issued an opinion denying the defendant's motion to dismiss the case and allowing the case

to proceed. The Koeltl opinion included strong language indicating that pharmaceutical companies may not file invalid secondary patents to extend their patent monopoly on a drug without fear of legal attack.

Update: In January 2003, Bristol-Myers Squibb issued a press release stating that it had reached tentative settlement on the BuSpar case. Although final settlement has since been reached with the direct purchasers of the drug, settlement discussion are still ongoing between BMS and the indirect purchasers (which include PAL plaintiffs) regarding issues of monetary damages as well as injunctive relief.

Cipro®

Background: Cipro is the best selling antibiotic in the world and has been for eight consecutive years. In October 2001, PAL joined federal litigation against Bayer, the maker of Cipro, Barr Laboratories, and two other generic drug companies. The lawsuit alleges that Bayer Corporation has unlawfully agreed to pay three of its competitors – Barr Laboratories, Rugby, and Hoechst-Marion Roussel – a total of \$200 million to date to get them to abandon their efforts to bring



The Star-Ledger

Activists Shift Focus to Drug Marketing

Latest suit says Pfizer unit ducked federal regulations

Wednesday, February 05, 2003

BY DAVID SCHWAB
Star-Ledger Staff

Consumer activists say they are adopting a different tactic in their legal battles with the nation's biggest drug makers over the high price of prescription medicines.

cheaper generic versions of Cipro to the market, thereby manipulating both the price and supply of the drug. The Cipro litigation has been consolidated in the Eastern District of New York. Defendants have filed a motion to dismiss.

Update: A hearing on defendants' motion to dismiss was held in December 2002. We are awaiting a decision on their motion. In a related case in California state court, plaintiffs survived a demurrer (California's version of a motion to dismiss) this fall. In the meantime, discovery is ongoing and PAL lawyers are gathering and reviewing documentation to support the allegations of the suit.

Claritin®

Background: Claritin is both America's most widely prescribed and its most widely advertised allergy drug. In 2000, Claritin was the seventh-ranked prescription drug, with sales of approximately \$1.7 billion. On August 9, 2001 PAL filed a class action lawsuit in New Jersey state court alleging that Schering-Plough has

engaged in a campaign of misrepresentation that has artificially increased the demand and price for the drug, a drug that Schering-Plough's own studies have shown to be effective for only 50% of its users.

Update: In June 2002, the court issued its decision granting Defendant's motion to dismiss. PAL attorneys filed a notice of appeal and in, September 2002, filed the appellate brief. The case has been fully briefed, but no oral argument has been set for a hearing on the appeal.

Imodium®

Background: Imodium (loperamide) is an over-the-counter drug widely used to treat diarrhea. It is manufactured by McNeil-PCC, Inc. the makers of such drugs as Tylenol and Motrin. In the early nineties, just as the original patent on loperamide was set to expire, McNeil added an anti-flatulence agent, simethicone, to Imodium, naming the new formula Imodium Advanced. McNeil got four patents relating to this addition of

simethicone. In July 2002, in response to a court decision that the four patents were indeed invalid, PAL filed suit against McNeil. The lawsuit alleges that the drug company illegally manipulated the patent system to prevent generic competition with Imodium Advanced from entering the market. The complaint alleges that McNeil did this in part by requesting patents for discoveries that were already common knowledge, or otherwise not theirs to patent.

Update: In August 2002, the U.S. District Court for the Eastern District of Pennsylvania consolidated the various cases into one case and stayed the litigation until a decision by the federal circuit court in the underlying patent litigation appeal. That appeal has not yet been resolved. In the meantime, PAL attorneys are negotiating with defendants for the production of documents previously produced in the underlying patent litigation.

K-Dur®

Background: K-Dur is the fourth most frequently prescribed drug for the elderly. It is a potassium supplement that is often prescribed in conjunction with high blood pressure medication. In June 2001, PAL filed seven lawsuits in state and federal court alleging that that Schering-Plough Corp., Upsher-Smith Laboratories, and American Home Products Corp. illegally agreed to keep a generic version of K-Dur off the market, thereby depriving consumers of a lesser-expensive generic version of the drug. PAL's K-Dur cases have been consolidated with other cases from around the country in the U.S. District Court in New Jersey before Judge Greenaway. In the consolidated case, PAL's attorneys have been appointed to two of four lead counsel positions on behalf of all indirect purchasers of K-Dur.

Update: In November 2002, a hearing was held on the motion to dismiss filed by the defendants. We await a decision on this motion. We also await a decision on our motion to remand many of the

AP Associated Press

Consumer group sues Pharmacia over drug promotion

12/24/02

NEW YORK (AP) - A consumer group sued Pharmacia Corp. over its promotion of the pain drug Bextra, alleging that the pharmaceutical company is circumventing federal marketing regulations.

The Congress of California Seniors filed the suit in California Superior Court in Los Angeles on Monday, alleging that Peapack, N.J.-based Pharmacia is illegally promoting the off-label use of Bextra.

Doctors may prescribe drugs in any way they see fit, but drug companies can only market their products for indications approved by the U.S. Food and Drug Administration. Drug companies can share research and journal articles with doctors that discuss unapproved uses, but can't actively suggest the physicians incorporate those uses in their practices.

cases back to state court. In the meantime, PAL attorneys continue to review documents in the case.

Lupron®

Background: Lupron is a prescription drug that is manufactured, marketed, and sold by Abbott Laboratories, Takeda Chemical Industries, and TAP Pharmaceuticals (a wholly owned joint venture of Abbott and Takeda) as a treatment for prostate cancer. In September 2001, PAL filed a class action lawsuit in federal court in Illinois alleging that the Defendants created and implemented a fraudulent marketing and sales scheme to substantially increase the sale of Lupron and reap unlawful profits at the expense of Medicare patients. The following month (October 2001) TAP pharmaceuticals agreed to settle a criminal case brought against it by the federal government, pleading guilty and agreeing to pay \$875 million. This was the largest health care fraud settlement in history. PAL's lawsuit was consolidated with others in the U.S. District Court, District of Massachusetts before Judge Stearns.

Update: In January 2003, the Court ruled on one defendant's (Takeda's) motion to dismiss for lack of personal jurisdiction. This motion was denied in part and granted in part. Ultimately, the case against Takeda survived the motion and will remain before Judge Stearns. Plaintiffs still await the Court's ruling on motions to dismiss based upon substantive grounds. In the meantime, plaintiffs have moved ahead and after reviewing hundreds of boxes of documents have begun to schedule depositions.

Neurontin®

Background: Neurontin is a widely prescribed anti-convulsant for the treatment of epilepsy. Neurontin has been extremely profitable for both Warner-Lambert and its parent company Pfizer, generating in excess of \$1.3 billion in worldwide rev-

enues in 2000. In April 2002, PAL filed a federal class action lawsuit alleging that Warner and Pfizer listed illegitimate secondary patents on Neurontin in order to keep more affordable generic versions off the market. The lawsuit also alleges that the companies filed baseless patent infringement lawsuits against potential generic competitors. As a result of these actions, consumers who take Neurontin have never had the opportunity to buy lower cost generic versions of Neurontin and have been paying an artificially inflated price for the drug. In June 2002, PAL's lawsuit was consolidated with other cases around the country before Judge Lifland in the U.S. District Court in New Jersey.

Update: In October 2002, Judge Lifland ordered a stay of action in the case defendants filed a motion to stay the case until motions for summary judgment in the underlying patent actions are decided. Since that time, the case has been stayed. In the meantime, the Court ordered the production of all underlying documents in the patent cases to plaintiffs' attorneys. The case was recently transferred from Judge Lifland to Judge Falk and a status conference is scheduled for March 6, 2003.

Relafen®

Background: Relafen is a widely-used anti-inflammatory drug. In February 2002, PAL filed a lawsuit in federal court in Massachusetts against GlaxoSmithKline Corporation and its predecessors (collectively "Glaxo") alleging that Glaxo fraudulently obtained a patent on Relafen in order to prevent a generic version of Relafen from coming to market. Internal documents from Glaxo reflect that Glaxo knew that a patent should not be issued. Three generic drug manufacturers later filed applications for a generic Relafen, certifying that the Relafen patent was invalid and unenforceable. In response, Glaxo sued the generic manufacturers. In a non-jury trial on the suit, Federal District Court Judge Lindsay ruled in favor of the generic manufacturers finding that Glaxo

made material misrepresentations to the Patent Office and that the Relafen patent was invalid and unenforceable. As a result of Glaxo's conduct, consumers have been forced to pay an artificially inflated price for Relafen for several years while a lesser expensive generic version of the drug was kept off the market.

Update: Glaxo lost its appeal of Judge Lindsay's decision when the Federal Circuit Court of Appeals also declared the Relafen patent invalid this summer. At a status conference held in December 2002, the stay on PAL's case was lifted and allowed to proceed and a trial date of January 2004 was set. PAL attorneys have been in negotiation with defendants concerning the production of additional discovery and are preparing to seek certification of the class by the end of March 2003.

Remicade®

Background: Remicade is an expensive prescription drug used in treating Crohn's disease and moderate to severe rheumatoid arthritis. Remicade is manufactured and marketed by Centocor, Inc., a wholly owned subsidiary of Johnson and Johnson, Inc. In April 2002, PAL filed a lawsuit in state court in New Jersey alleging that Centocor and Johnson & Johnson illegally profited by overcharging Medicare and Medicare patients who take Remicade through gross overstatement of the Average Wholesale Price (AWP). The complaint further alleges that Centocor has given providers discounts that reduce the actual amount that they pay for the drug while simultaneously encouraging those providers to charge Medicare and patients for the full price based on the AWP and pocket the difference.

Update: This PAL lawsuit, which was filed in April 2002 in New Jersey, has been consolidated with the Average Wholesale Price litigation before Judge Saris in U.S. District Court in Massachusetts.

Tamoxifen

Background: Tamoxifen is the most commonly prescribed drug to treat women with breast cancer. In May 2001 PAL filed 8 lawsuits in state and federal courts against AstraZeneca, maker of Tamoxifen, and Barr Laboratories, sole distributor of a generic form of Tamoxifen. The lawsuits allege that AstraZeneca and Barr have illegally colluded to keep the price of Tamoxifen high. PAL's Tamoxifen cases were consolidated with other cases from around the country in the United States District Court for the Eastern District of New York before Judge Glasser.

Update: On September 27, 2002, Judge Glasser held a hearing on the defendants' motion to dismiss. We are awaiting a decision on their motion.

Wellbutrin®

Background: Wellbutrin is a drug used to treat depression. While the main ingredient of Wellbutrin has been off-patent for several years, its extended-release formula, Wellbutrin SR, is not. In July, 2002, PAL filed suit against GlaxoSmithKline, maker of Wellbutrin® and Wellbutrin SR. The lawsuits allege that Glaxo filed baseless patent lawsuits against generic drug companies in order to delay the manufacture and sale of generic versions of Wellbutrin SR. The result of this misuse of the patent system is that people suffering from depression were forced to pay higher prices for extended-release versions of a medication vital to their mental health. In 2001, worldwide sales of Wellbutrin generated revenues of over \$ 1.1 billion dollars for drug companies GlaxoSmithKline and SmithKline Beecham.

Update: A schedule for this case is being developed between the parties. In December 2002, Glaxo filed a motion to dismiss. PAL attorneys responded to that motion. The motion is fully briefed and the parties are awaiting a hearing date.

Prescription Access Litigation Project (PAL)

The Prescription Access Litigation (PAL) participants agree to work in a collaborative effort: (a) to achieve our shared mission of creating substantial economic value for consumers in order to remedy past unlawful practices of pharmaceutical companies; and (b) to achieve meaningful change in the way the pharmaceutical industry does business in order to increase access to affordable prescription and other drugs.

PAL Participants:

Arizona

Arizona Citizen Action
Senior Disabled Arizona Protest

California

California PIRG
Congress of California Seniors
Gray Panthers of Sacramento
Legal Assistance to the Elderly
San Francisco Senior Action Network

Colorado

Colorado PIRG
Colorado Progressive Coalition

Connecticut

Connecticut Citizen Action Group

District of Columbia

Nonprofit Clinic Consortium

Florida

Florida Alliance for Retired Americans
Human Services Coalition of Miami Dade County

Idaho

Idaho Community Action Network
Living Independence Network Corporation (Idaho)

Illinois

Campaign for Better Health Care
Citizen Action Illinois

Indiana

United Senior Action of Indiana

Kansas

Kansas Association for the Medically Underserved

Maine

Consumers for Affordable Health Care
Maine People's Alliance

Maryland

Maryland Citizens' Health Initiative

Massachusetts

Health Care For All
Health Law Advocates
Lynn Health Task Force
Massachusetts Breast Cancer Coalition
Massachusetts PIRG
Massachusetts Senior Action Council
Women's Health Institute (Massachusetts)

Michigan

Public Interest Research Group in Michigan

Minnesota

Minnesota COACT
Minnesota Senior Federation

Mississippi

Mississippi Human Services Coalition

Nebraska

Nebraska Appleseed

New Hampshire

New Hampshire Citizens Alliance

New Jersey

New Jersey Citizen Action
New Jersey PIRG
Public Interest Law Center of New Jersey

New Mexico

Health Action New Mexico
Senior Citizens' Law Office

New York

Brooklyn-wide Interagency Council of the Aging
CAIRE
Citizen Action of New York
JPAC for Older Adults
Gay Men's Health Crisis
Ithaca Breast Cancer Alliance
Long Island Coalition for a National Health Plan
Long Island Progressive Coalition
Metro New York Health Care for All Campaign
New York Statewide Senior Action Council
Rockland County Senior Health Care Coalition
Utica Citizens in Action

North Carolina

North Carolina Fair Share
North Carolina Health Access Coalition
North Carolina PIRG

Ohio

Universal Health Care Action Network
of Ohio

Oregon

Oregon Consumers League
Oregon Health Action Campaign
Oregon State Public Interest Research
Group
SEIU Local 503
SEIU Local 49

Pennsylvania

Action Alliance
Citizens for Consumer Justice
Consumer Health Coalition
Mon Valley Unemployed Committee
PennPIRG
Pennsylvania Alliance for Retired
Americans

Rhode Island

Health Care Organizing Project
Ocean State Action

South Carolina

South Carolina Appleseed Legal
Justice Center

Tennessee

Tennessee Health Care Campaign

Texas

Texas Alliance for Human Needs

Utah

Utah Issues

Vermont

Vermont PIRG

Virginia

Virginia Poverty Law Center

Washington

Washington Citizen Action
Washington PIRG

West Virginia

West Virginia Citizen Action Group

Wisconsin

Wisconsin Citizen Action

National organizations

AIDS Action (Washington D.C.)
Alliance for Retired Americans
American Federation of State County
and Municipal Employees
Association for Health Center-Affiliated
Health Plans
Boston Women's Health Book Collective
Community Catalyst

Medicare Rights Center
National Health Law Program, Inc.
USAction

PAL Participating law firms

The PAL plaintiffs are being represented
by the following four firms:

Hagens Berman

Lieff, Cabraser, Heimann &
Bernstein, LLP

Milberg Weiss Bershad Hynes &
Lerach LLP

The David Danis Law Firm, P.C.

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