Vioxx appeal to go before New Jersey court

July 25 2006

The New Jersey Supreme Court reportedly has agreed to hear Merck & Co.'s appeal of the class certification of a Vioxx lawsuit.

The Wall Street Journal, quoting a Merck spokesman, reported the suit, brought by a union and several other third-party payers, seeks reimbursement for up to $9.6 billion of Vioxx purchases.

The lawsuit was certified as a class action petition last July and later upheld by a state appellate court. Whitehouse Station, N.J.-based Merck then appealed to the state Supreme Court.

Vioxx was taken off the market in September 2004 after a study linked the painkiller to an increased risk of heart attack and stroke. Since then more than 14,000 lawsuits have been filed against the company, the report said.

Under New Jersey's rigorous consumer laws, awards in such cases can be tripled, the Journal said.

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