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VIOXX LEGAL ACTION GOES AHEAD

The Australian law firm investigating legal action on behalf of hundreds of Australians affected by the arthritis drug Vioxx says an overnight US jury decision in favour of the manufacturer Merck is irrelevant to Australian cases.

Slater & Gordon has been approached by more than 1000 former Vioxx users of whom nearly 400 suffered heart attacks or strokes.

In August, a Texas court awarded damages to the widow of a man who suffered a fatal heart attack in May 2001 after taking Vioxx. Overnight a New Jersey jury rejected a claim by a man who suffered a mild heart attack in August 2001 after taking Vioxx intermittently for two months.

Slater & Gordon special counsel Richard Meeran says the law firm has made its own assessment and the Australian class action will proceed.

"A clear warning signal from Merck's own VIGOR study in mid 2000 indicated that taking Vioxx increased the risk of heart attacks by about five-fold in comparison with another anti-arthritic drug," Mr Meeran said.

"This led to the Australian Therapeutic Goods Administration & US Food & Goods Administration recommending that warnings should be given about the cardiovascular risk.

"Yet Merck failed to warn doctors or patients until April 2002, and even then the warnings given were somewhat ambiguous," he said.

"This delay denied doctors and their patients the right to consider whether or not Vioxx should be taken in view of the cardiovascular risks.

"In the process, many lives must have been lost."

In Australia 250,000-300,000 people were taking Vioxx. It is possible that thousands have suffered adverse effects from the drug.

In the United States 20 million people have been prescribed the drug with estimates that Merck faces more than 6000 legal claims and a possible damages bill of up to \$US18 billion.

Vioxx is a COX-2 inhibitor, a class of drugs that reduce pain and inflammation without causing the stomach upset and ulcers which are side effects of some other painkillers. Vioxx was withdrawn from Australian shelves in October last year. Other arthritis treatments are not under question.

- Slater & Gordon previously represented thousands of Australian women who were the first in the world to receive compensation from US breast implant manufacturers including Dow Corning.

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