

0 Comments

new

Watchlist Relevance

LEARN MORE

Want to see how this story relates to your watchlist?

Just add items to create a watchlist now:

Enter any symbol or company name Add
 Share or Cancel

Already have a watchlist? Log In

Feb. 14, 2013, 8:16 a.m. EST

Institutional Investors Recover \$688 Million From Merck and Schering-Plough in Securities Fraud Litigation

Stories You Might Like

- eBay gains on weak Cyber Monday for tech stocks
- Shopping online this holiday? Be vigilant
- Treasury yields jump on strong manufacturing data

NEW YORK, NY, Feb 14, 2013 (Marketwire via COMTEX) -- The Court-appointed Lead Plaintiffs in the coordinated securities class actions pending against Merck & Co. Inc. ("Merck"), Schering-Plough Corporation ("Schering"), Merck/Schering-Plough Pharmaceuticals, certain of the Companies' directors and officers, and the underwriters of a 2007 Schering stock offering today announced that they have reached settlements on behalf of investors totaling \$688 million subject to Court approval. The actions relate to a clinical trial called "ENHANCE" involving the anti-cholesterol drugs Zetia and Vytorin. The actions, currently pending in the U.S. District Court for the District of New Jersey before Judge Dennis M. Cavanaugh, are In re Schering-Plough Corporation/ENHANCE Securities Litigation, Master File No. 08-397, which settled for \$473 million; and In re Merck & Co., Inc. Vytorin/Zetia Securities Litigation, Master File No. 08-2177, which settled for \$215 million. The combined \$688 million in settlements is the second largest securities class action settlement in the Third Circuit, among the top 25 securities class action settlements of all time, and among the ten largest recoveries in a securities class action not involving a restatement.

The settlements were reached after almost five years of protracted litigation led by Bernstein Litowitz Berger & Grossmann LLP ("BLB&G") and co-counsel, and only after the District Court granted Plaintiffs' motions for class certification and denied Defendants' motions for summary judgment and the Third Circuit denied Defendants' Rule 23(f) appeals of the District Court's decisions granting class certification. Trial was scheduled to begin on March 4, 2013.

BLB&G is Court-appointed Co-Lead Counsel representing Arkansas Teacher Retirement System, Public Employees' Retirement System of Mississippi, and Louisiana Municipal Police Employees' Retirement System on behalf of the Class in the Schering-Plough action, and Co-Lead Counsel representing Jacksonville Police and Fire Pension Fund and General Retirement System of the City of Detroit on behalf of the Class in the Merck case.

The Massachusetts Pension Reserves Investment Management Board served as Co-Lead Plaintiff in the Schering action represented by Labaton Sucharow LLP. Stichting Pensioenfonds ABP and International Fund Management, S.A. Luxemburg served as Co-Lead Plaintiff in the Merck action represented by the law firm of Grant & Eisenhofer P.A.

Pilgrim Mediation Group served as mediators in the actions.

Background These two actions stem from claims that Merck and Schering (which merged in November 2009) artificially inflated their securities by concealing material information and making false and misleading statements regarding the blockbuster anti-cholesterol drugs Zetia and Vytorin. Namely, Lead Plaintiffs alleged that even though the Defendants knew that a clinical trial of Vytorin, called "ENHANCE," demonstrated that Vytorin (a combination of Zetia and a generic statin medication) was no more effective than the cheaper, generic statin drug at reducing artery thickness, the Companies nonetheless championed the "benefits" of the drugs, attracting billions of dollars of capital in the process. Yielding to public pressure to release the results of the ENHANCE trial, Lead Plaintiffs allege that the companies reluctantly announced that the cholesterol drugs showed "no statistically significant difference" in plaque buildup, and that news of these negative results and their related consequences caused sharp declines in the value of the companies' securities, resulting in significant losses to investors.


For more information on these actions, please visit www.blbglaw.com.

FOR FURTHER INFORMATION PLEASE CONTACT: Contact: Alexander Cox Marketing and Communications Director Bernstein Litowitz Berger & Grossmann LLP 1285 Avenue of the Americas New York, NY 10019


T: 212-554-1423 alex@blbglaw.com

SOURCE: Bernstein Litowitz Berger & Grossmann LLP


Most Popular

1.  10 THINGS
10 things your boss won't tell you

2.  UBS cuts 2014 forecast for gold and silver


 INDICATIONS
Dow set to open below 16,000; Apple rises

4.  Six stocks on the move

 DAVID WEIDNER'S WRITING ON THE WALL
Bitcoin fever is a fool's gold rush

Breaking Insight

 CHUCK JAFFE
7 problems with mutual funds

 CHUCK JAFFE
Investors excited about the market at the wrong time

 THE TECHNICAL INDICATOR
Charting a slow-motion 'break' atop Nasdaq 4,000

 CHUCK JAFFE
The mutual fund business is not fair

Find a Broker

Copyright © 2013 Marketwatch. All rights reserved. Home News Viewer Markets Investing Trading Deck Personal Finance Retirement Economy Politics Center Sports Health or Key Words Alerts

0 Comments

Latest News View All

This story has 0 Comments
 Watchlist Relevance
 Be the first to comment
 LEARN MORE

10:13a The number of banks is shrinking, Jamie Dimon in his own words and other morning reads
 10:13a Stock market live blog: Dow 16K at risk as Apple, car sales in focus

Want to see how this story relates to your watchlist?

DOW	-48.65	NASDAQ	+2.20	S&P 500	-2.54
15,960.12	-0.30%	4,047.46	+0.05%	1,798.36	-0.14%

Just add items to create a watchlist now

Enter symbol or com

or Cancel Already have a watchlist? Log In

Strength in Numbers



JEFF REEVES
The case for a rally
 Commentary: Putting the idea of a Santa Claus rally and January effect to the test.
 • Want to retire early? Punish yourself now

Suggested Stories

- ISM manufacturing index hits more than 2-year high
- November Auto Sales Expected to Rise, but Inventories Rising Faster
- EBay outperforms Amazon on Cyber Monday
- An investment strategy that always works
- This backdrop is what bull markets are made of
- Europe stocks post modest Nov. rise: Spain fumbles

Content from our Sponsors

- What's this?
- 4 Stupid Investment Mistakes Nearly Everyone Makes** (etrade.com)
- How We Prepare for a Potential U.S. Debt Default** (OppenheimerFunds Blog)
- Are high-net-worth investors expecting the worst? New report explains what keeps investors up at night.** (FA Mag)
- Have Money Under Your Mattress? It's Costing You More Than You Think** (BlackRock)
- How Most People Miss Their Chance to Be Wealthy** (Moneyning.com)
- How Much Do You Need to Retire? [Infographic]** (MoneyNing)

Video »



Wal-Mart, Target See Strong Holiday Sales, and More



The U.S. Role in Policing Asia



Focus on Funds: Gold, Not So Precious



Rating Your Marriage on a Scale From 1-10

Content From Sponsors



Individual investors have 'alternative' options
 CNBC



How 4 wind farms are elevating Brazil's renewable energy portfolio
 Goldman Sachs



Who Is 'Better Than Buffett' and 'Richer Than Soros'?
 Eagle Daily Investor

Story Conversation Commenting FAQs »

0 comments
 1 PERSON LISTENING

+ Follow

Powered by Livefyre

Featured Stories