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**PRESS RELEASE**

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The United States, and the States of California, The District Of Columbia, Florida, Hawaii, Illinois, Louisiana, The Commonwealth Of Massachusetts, Nevada, Tennessee, Texas, The Commonwealth Of Virginia, Georgia, Indiana, Michigan, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Rhode Island, and Wisconsin, announced today that Forest Laboratories, Inc. and its subsidiary Forest Pharmaceuticals, Inc. ("Forest"), will pay approximately \$313,000,000 to settle criminal and civil charges that the company marketed the anti-depressant drugs Celexa and Lexapro for unapproved pediatric use and paid kickbacks to induce physicians to prescribe the drugs. The company's illegal promotional practices surrounding these two antidepressant drugs caused thousands of false and fraudulent claims to be submitted to federal and state health care programs. As part of the settlement, a guilty plea to criminal information will be entered and Forest will pay \$149,000,000 to settle the civil claims.

Today's settlement arises from whistleblower complaints filed against Forest under the *qui tam* provisions of the federal and state False Claims Acts alleging off-label promotion of the drugs and various forms of illegal remuneration to doctors, including cash payments disguised as grants or consulting fees, preceptorships, speaking fees, and expensive meals and lavish entertainment and other valuable goods and services, all in violation of the federal anti-kickback act. The United States and several States intervened in these cases in 2009 and have now reached this settlement.

One of the whistleblowers, Relator Christopher Gobble, a former Forest sales representative, filed suit against the company in March 2003. *See* D. Mass. Civil Action No. 03-10395-NMG. His Complaint and amendments allege in detail how Forest conducted its nationwide off-label and kickback campaigns, and how he was fired after complaining to his supervisors about the marketing of the drugs to pediatricians and paying doctors for speaker programs, and providing doctors who prescribe Celexa or Lexapro with other perks such as golf outings. The Food and Drug Administration required warnings to be placed on anti-depressants such as Celexa and Lexapro after evidence showed a higher risk of suicide, suicidal ideation, and other problems particularly when such drugs were taken by children and adolescents.

Mr. Gobble and his attorneys praised the dedication and teamwork of the federal and state attorneys and investigative agents in bringing his case to a successful conclusion. Attorney Marlan B. Wilbanks recognized the dedication that Assistant United States Attorney Gregg Shapiro and Department of Justice Attorney Sanjay Bhambhani brought to the case. "It has been

a long journey for Mr. Gobble since we first filed this case for him in March 2003. As a result of his actions and willingness to come forward with the facts of this case, the taxpayers of the United States will benefit greatly. In these economic times, it is critically important that Government dollars be protected fiercely from fraudulent practices. The False Claims Act remains the single most effective tool that we have to combat fraud and deter illegal conduct which would be damaging to the federal and state taxpayers of the United States.” Mr. Gobble shares this appreciation for the Government attorneys and investigators. “I had no idea when I was fired from my sales representative job in June of 2002 that the next 8 years of my life would be so challenging. I lost my dream job and the chance to work in the pharmaceutical business when I became a whistleblower. The uncertainty of my case and financial problems caused by my firing has been very difficult for me and my family. However, through the hard work of my attorneys and the dedication of the Government attorneys and investigators, I finally feel like this very important chapter in my life is coming to a successful close. I am also very happy that so much money is going back to the U.S. Treasury and the states who are involved in this case. Drug companies should not pay kickbacks to referring doctors or market drugs for off-label purposes to children. I hope that my efforts will play some small role in deterring drug companies from continuing these practices in the future.”

For further information, please contact Marlan Wilbanks at [mbw@wilbanks-bridgeslaw.com](mailto:mbw@wilbanks-bridgeslaw.com), (404) 842-1075, Ext. 123 or (404) 786-4548 or Suzanne Durrell at [Suzanne.durrell@verizon.net](mailto:Suzanne.durrell@verizon.net) or by phone at (617) 333-9681 or (617) 371-1072 Mr. Gobble’s Complaint, the Complaint of the United States and other information regarding this case may be found on the websites of Attorney Durrell ([www.DurrellLaw.com](http://www.DurrellLaw.com)) and Attorney Wilbanks ([www.wilbanks-bridgeslaw.com](http://www.wilbanks-bridgeslaw.com)), as well as on the website of Taxpayers Against Fraud ([www.taf.org](http://www.taf.org)). Information on the False Claims Act and related areas of interest may also be found on these websites. Attorneys Philip Marsteller and Robert M. Thomas also assisted in the representation of Christopher Gobble.