

From: Nathalie Leitch
Sent: Wednesday, March 17, 2010 5:37 AM
To: Terri Nataline
Subject: RE: Kadian Alparma news

Attorney-Client

Nathalie Leitch
Director, Specialty Rx Products



Actavis
60 Columbia Rd. Bldg B t +1 973-889-6968 @ NLeitch@actavis.com
Morristown, NJ 07960 United States w www.actavis.com
Internal VoIP number t 125 6968

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From: Terri Nataline
Sent: Wednesday, March 17, 2010 8:35 AM
To: Terrence Fullem; Doug Boothe; John LaRocca; Lisa Graver
Cc: Nathalie Leitch
Subject: Re: Kadian Alparma news

Attorney-Client

From: Terrence Fullem
To: Doug Boothe; Terri Nataline; John LaRocca; Lisa Graver
Cc: Nathalie Leitch
Sent: Wed Mar 17 08:29:29 2010
Subject: Fw: Kadian Alparma news

Attorney-Client

From: Killion, Mark
To: Nathalie Leitch; Terrence Fullem; Shepherd, Michael
Sent: Wed Mar 17 08:14:46 2010
Subject: FW: Kadian Alparma news
FYI on some news with King. Looks like most of the Embeda profits are going to pay for something else now.

Mark

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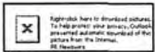
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EXHIBIT
P-02433_00001

ALLERGAN_MDL_01418920

P-02433 _ 00001

From: Ritchie Sontag [mailto:ritchiesontag@sbcglobal.net]
Sent: Tuesday, March 16, 2010 8:13 PM
To: Killion, Mark
Subject: Kadian AlphaPharma news

AlphaPharma to Pay \$42.5 Million to Resolve False Claims Act Allegations in Connection With Promotion of Drug Kadian



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2 hrs 57 mins ago

WASHINGTON, March 16 –

WASHINGTON, March 16 /PRNewswire-USNewswire/ -- American pharmaceutical manufacturer AlphaPharma Inc. has agreed to pay \$42.5 million to resolve False Claims Act allegations in connection with the marketing of the morphine-based drug, Kadian, the Justice Department announced today. The settlement resolves allegations that, between January 1, 2000 and December 29, 2008, AlphaPharma paid health care providers to induce them to promote or prescribe Kadian, and made misrepresentations about the safety and efficacy of the drug, which

is used to treat chronic moderate to severe pain. Alpharma is now a wholly-owned subsidiary of Bristol, Tenn.-based King Pharmaceuticals Inc.

Under the agreement announced today, the proceeds from the settlement will be split between the federal government and various states, with the United States receiving roughly \$33.6 million to resolve the federal claims and the states receiving approximately \$8.9 million to settle their respective claims.

"Illegal marketing of pharmaceutical drugs jeopardizes the public's confidence in our health care system," said Tony West, Assistant Attorney General for the Civil Division of the Department of Justice. "All consumers have the right to know that their health care provider's judgment about drugs they should take has not been undermined by misinformation or kickbacks from pharmaceutical manufacturers."

The settlement resolves a lawsuit brought by a whistleblower, Debra Parks, in 2006 under the *qui tam* or whistleblower provisions of the False Claims Act, which permit private citizens with knowledge of fraud against the government to bring a lawsuit on behalf of the United States and to share in any recovery. Under the civil settlement announced today, Ms. Parks will receive \$5.33 million out of the federal share of the recovery.

"Health care decisions must be based solely upon what is best for the individual patient and not on which pharmaceutical company is paying the doctor the biggest kickback," said Rod J. Rosenstein, U.S. Attorney for the District of Maryland.

Assistant Attorney General West and U.S. Attorney Rosenstein noted that today's settlement is the result of collaboration between the Justice Department's Civil Division and the U.S. Attorney's Office for the District of Maryland, with assistance from the National Association of Medicaid Fraud Control Units; the Department of Health and Human Services, Office of Inspector General; the Defense Criminal Investigative Service; the Office of Personnel Management, Office of Inspector General; and the Federal Bureau of Investigation.

This settlement is part of the government's emphasis on combating health care fraud. One of the most powerful tools in that effort is the False Claims Act, which the Justice Department has used to recover approximately \$2.2 billion since January 2009 in cases involving fraud against federal health care programs. The Justice Department's total recoveries in False Claims Act cases since January 2009 have topped \$3 billion.

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