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Philly jury hands Johnson & Johnson \$8 billion verdict in Risperdal case over male breast growth

by by Christian Hetrick

Johnson & Johnson must pay \$8 billion in punitive damages to a man who claimed the company failed to warn that boys using its antipsychotic drug Risperdal could grow breasts, a Philadelphia jury said Tuesday.

In handing down an unusually large punitive damages award, the Philadelphia Common Pleas Court jury agreed that Janssen Pharmaceuticals, a Johnson & Johnson subsidiary, engaged in a "pervasive nationwide effort to illegally market Risperdal and downplay its very serious risks on a systemic level."

The case was brought by Nicholas Murray, a Maryland resident who "developed female breast tissue" after taking Risperdal, according to court records. In 2015, Murray had won \$680,000 in compensatory damages over his claims.

Tuesday's verdict came in the first Risperdal trial in which a jury assessed whether to award punitive damages and how much. Thousands of Risperdal cases remain pending in the Philadelphia court system, according to the Philadelphia law firm Kline & Specter, one of the firms that represented Murray.

Johnson & Johnson called the \$8 billion award a "clear violation of due process" and said it would "immediately" appeal the verdict. The company said it was confident the award would

portionate with the initial compensatory identity," they wrote in court filings. award."

in New Brunswick, N.J., the latest legal **Kline** and Jason Itkin, of Arnold & setback comes at a time when the company is already battling hefty verdicts and settlements in cases over the nation's opioid crisis, vaginal mesh implants that allegedly injured women, and baby powder allegedly tainted with Johnson & Johnson and Janssen chose asbestos.

Professor Carl Tobias, of the University of Richmond School of Law, told Reuters that he expects the punitive damages to be lowered on appeal, but said the verdict could be a sign that Johnson & Johnson will face more large damages awards in other Risperdal cases.

schizophrenia and bipolar disorder, a company," the firm said. small market, The Inquirer previously reported. But the drugmaker worked ag- Johnson & Johnson had \$15.3 billion in gressively to expand its use, making net earnings in 2018. Risperdal a \$3 billion-a-year drug by targeting seniors with dementia, and children with behavioral disorders and autism. Critics said many of those uses were not warranted.

Murray's lawyers argued that the drug's warning label failed to adequately warn of the risk for gynecomastia — the development of female breast tissue in young boys. Murray's condition is "severe, humiliating, often painful, and causes severe psychological disturbances during a critical period of the

overturned, calling it "grossly dispro- formation of self-image and gender

"Johnson and Johnson is a company For Johnson & Johnson, headquartered which has lost its way," attorneys Tom Itkin, said in a joint statement. "This jury, as have other juries in other litigations, once again imposed punitive damages on a corporation that valued profits over safety and profits over patients. billions over children."

> Johnson & Johnson said the drug's label "clearly and appropriately outlined the risks associated with the medicine."

"This decision is inconsistent with multiple determinations outside of Philadelphia regarding the adequacy of the Risperdal labeling, the medicine's effi-Risperdal was originally approved for cacy, and findings in support of the