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Anxiety Sufferers, Others Taking BuSpar® May Benefit From Major Class Action Settlement

Lawsuit Says Patients Purchasing BuSpar® From 1995-2003 Paid Higher Prices Than If Generic Had Been Available; Partial Refunds May Be Available

(Juneau, AK) - Attorney General Gregg Renkes announced today a proposed multi-million dollar settlement of a nationwide antitrust class action lawsuit benefiting patients suffering from Generalized Anxiety Disorder and others who took the medication BuSpar® over the last eight years. A nationwide effort to contact BuSpar® consumers was launched today.

The lawsuit contends that Bristol-Myers Squibb, makers of BuSpar® or buspirone hydrochloride, engaged in fraudulent conduct and conspired with a potential competitor to prevent the entry of generic competitors and illegally maintain its monopoly in the U.S. over the sale of the drugs. Defendants have denied any wrongdoing or liability.

"Our goal in pursuing this case has always been to make sure consumers can benefit from the substantial cost savings that generic versions of the same drug can provide," said Attorney General Gregg Renkes. "We urge consumers who may have been affected to learn more about their rights under this settlement."

BuSpar® is a brand-name prescription medication used to treat patients suffering from Generalized Anxiety Disorder (GAD). According to the National Institute of Mental Health, approximately 4 million Americans nationwide suffer from GAD each year. BuSpar® is also used to treat other anxiety disorders, as well as Alzheimer's Disease.

The settlement provides approximately \$41.7 million to reimburse consumers some portion of alleged overcharges they may have incurred from purchasing BuSpar® or buspirone HCl. Reimbursements will be made only for purchases from January 1, 1998 through January 31, 2003. For the uninsured, reimbursement could include compensation for a portion of the out-of-pocket expense of purchasing BuSpar®. Proof of purchase or other documented history of pharmaceutical purchases will need to be provided in order to file a claim.

Claims must be filed by October 10, 2003. Affected BuSpar® consumers who do not wish to participate in the settlement, must exclude themselves in writing by October 10, 2003. Claim forms and complete information can be obtained at www.busparsettlement.com or by calling 1-800-678-9587.

Generic alternatives would make a significant difference in the cost of GAD treatment for many consumers. According to a 1998 report from the Congressional Budget Office, the average

generic prescription price can be less than half of the brand name price. In 2000, the average price of a brand name pharmaceutical was \$65.29 and the average generic was \$19.33, according to IMS Health. For insured claimants, reimbursement may include some portion of co-payments, which are often higher for brand-name drugs than for generic alternatives.

For additional information, consumers should call 1-800-678-9587 or visit www.busparsettlement.com.

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