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Vioxx claims mount

Windsor firm says
it has 'solid cases'
against drugmaker

BY KELLY PATRICK
STARSTAFF REPORTER

A Windsor law firm is working toward filing hundreds of lawsuits on behalf of Canadians who suffered heart attacks or strokes while taking the controversial arthritis drug Vioxx.

Greg Monforton, a personal injury lawyer with Greg Monforton & Partners, said Tuesday five lawyers at his office are sifting through more than 3,000 inquiries from Vioxx users — roughly 15 to 20 of whom are from the Windsor area.

"I'd estimate we have three to five solid cases locally," said Monforton. He said he expects to begin filing individual civil claims against pharmaceutical giant Merck and Co., the maker of Vioxx, in six months to a year.

"This is proving to be the largest case for a pharmaceutical product in history," he said.

"There have been some big ones, like with the diet drug Fen-Phen, but this is something of a totally different scale."

Merck voluntarily yanked Vioxx from pharmacy shelves worldwide last Sept. 30 after its own four-year clinical trial found the medication doubled the risk of heart attack and stroke after 18 months.

The popular anti-inflammatory arthritis drug's 2003 Canadian sales were estimated at \$200 million and it was the 10th-most prescribed drug in the country before the recall.

Since last fall at least five Canadian class-action suits have been filed against Merck in New Brunswick, Ontario, Quebec, British Columbia and Saskatchewan.

Monforton, who has practised in Windsor since 1981, hasn't asked for class-action status for his clients. At this point he plans to deal with each case individually.

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Vioxx cases

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He anticipates Merck will defend itself by asserting pre-existing medical conditions, not Vioxx, caused complainants' strokes or heart attacks.

"We are prepared to do this patient by patient, case by case," said Monforton.

He's not, however, planning to do it alone. His firm is working with roughly half a dozen others across to Canada on Vioxx cases.

"It's becoming clearer every day this this was preventable," said Monforton, adding his research leads him to believe Merck was aware Vioxx posed a risk to patients almost three years before the recall.

— with files from Star News Services

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