PRESS RELEASE

Grant & Eisenhofer

Grant & Eisenhofer Brings Mass Tort Lawsuits against Drugmaker Gilead over HIV Medications Containing TDF, Suits Move Forward in California State Court

California courts allow personal injury actions to proceed against Gilead; suits allege that company knowingly withheld HIV treatment drug that was safer and more effective than drug that Gilead had on the market, solely to increase company profits; plaintiffs represented by experienced California trial counsel and G&E director Elizabeth ("Beth") Graham

OAKLAND, CALIF. (July 8, 2019) – Personal injury lawsuits on behalf of hundreds of patients against drugmaker Gilead Sciences, Inc., are moving forward in numerous California State Courts, having been cleared by state and federal judges. The plaintiffs allege that the Foster City, Calif.-based company withheld from sale for more than a decade a medication for HIV treatment that Gilead knew was safer and more effective than the drug the company promoted on the market during that period.

The most recent suit, *Timothy Williams, et al. v. Gilead Sciences, Inc., et al*., was filed today in San Diego County. The complaint calls the lawsuits "a straightforward case of a corporation's greed… to maximize profits" from its already-available medication.

The lawsuits are brought by leading plaintiffs' law firm Grant & Eisenhofer P.A., and are headed towards coordination and trials following the defeat of motions by Gilead to dismiss the claims. Grant & Eisenhofer is lead counsel in the petition now pending before the California Judicial Council in San Francisco, to coordinate all state court cases filed by injured plaintiffs from across the country in a single California state court.

G&E director **Elizabeth Graham**, who leads Grant & Eisenhofer's complex pharmaceutical and medical device litigation practice, and Grant & Eisenhofer associate **Adam Gomez**, are representing hundreds of plaintiffs in the actions against Gilead.

The plaintiffs are patients who were prescribed Gilead's HIV medications containing tenofovir disoproxil fumarate (TDF) antiviral medications, namely Viread, Truvada, Atripla, Complera or Stribild, which are prescribed to reduce the risk of sexually transmitted HIV-1. Taken as part of antiretroviral therapy, these medications work to prevent the HIV-1 virus from replicating within the body, thus reducing transmission rate and benefitting an infected person's immune system.

Gilead manufactured and sold TDF-based therapies beginning in 2001, and had exclusive license to synthesize any tenofovir-based compound since the mid-1990s. The plaintiffs' complaint alleges that in 2000 – before TDF was FDA-approved – Gilead developed another form of tenofovir called TAF, which it knew to be less toxic to kidneys, bones, and teeth. (Both forms are known as prodrugs, which are inactive compounds that are synthesized within the patient's body to produce the actual drug.) The plaintiffs contend that data submitted in 2000 by the company in a patent application revealed that Gilead knew TAF was substantially less toxic than TDF — yet Gilead shelved the TAF project in 2004 to maximize profits on the existing TDF patent. The complaint states that ten years later, in 2014, near the end of the TDF patent, Gilead strategically applied for FDA approval for TAF and, in November 2015, brought it to market for the first time.

"This case is a shocking example of corporate greed," said Ms. Graham. "Gilead owed its consumer patients the safest possible drug, but opted to withhold that drug from the market in the name of profit."

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She continued, "When Gilead introduced TAF in 2015, it touted it as a 'new' prodrug formulation that was much safer for patients, but there was nothing new about TAF. It was the same drug kept on the shelf in development since at least 2000. Thus hundreds of thousands of HIV-infected patients and patients taking TDF prophylactically were exposed to a more toxic form of the drug for over a decade."

Ms. Graham heads one of the country's leading litigation practices on behalf of individuals who have suffered injury from medical devices and defective pharmaceutical products. A seasoned litigator, Ms. Graham has been involved in the leadership of numerous complex drug cases nationwide and has practiced before California courts for the past 30 years.

Gilead TDF Litigation and Contacting Grant & Eisenhofer

Those who believe they may have been injured by Gilead TDF antiviral medications, Viread, Truvada, Atripla, Complera and/or Stribild, can seek additional details at the following toll-free number: 888-984-7988 or visit **masstortreport.com**.

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