

MEDIA ADVISORY

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ZYPREXA CLASS ACTION CONTINUES IN CANADA

LONDON, ONTARIO – Lawyers pursuing class actions on behalf of individuals who have taken Zyprexa in Canada, said that yesterday's announcement by Eli Lilly & Company of a resolution of American claims does not effect the class actions currently underway in Canada. The settlement reached applies to U.S. residents only. Zyprexa is an "atypical" antipsychotic medication which was first approved by Health Canada for the treatment of schizophrenia in 1996. Since that time, Zyprexa has also been approved for the treatment of bipolar mania. Zyprexa was associated with a 37% increase in the risk of development of diabetes as compared to other atypical anti-psychotic medications.

Michael J. Peerless, a partner with the law firm Siskind, Cromarty, Ivey & Dowler ^{LLP} in London, Ontario, said that "The American and Canadian litigation contexts with respect to the Zyprexa litigation are somewhat different, in that in the United States, these cases were pursued on an individual basis, and there was no class settlement. It is our view that the Zyprexa litigation is perfectly suited for class treatment in Canada. Although not applicable to Canadians, the U.S. settlement is a welcome development in this litigation and it is encouraging to see that Eli Lilly recognizes their responsibility. We are optimistic that we will be able to achieve similar success for Canadians." The Canadian Zyprexa class actions have been underway for some time and are currently proceeding through the courts in British Columbia, Alberta, Quebec and Ontario, and a national class is being sought. A schedule for certification has been set in the Ontario Superior Court of Justice. There is a coalition of lawyers working across the country to ensure Canadian recipients of Zyprexa are treated fairly. Colin Stevenson of Stevensons Barristers stated that "The national team of lawyers is working very effectively together and is committed to ensuring the best possible result for the class."

Unlike in the United States litigation context, in which plaintiffs must retain individual lawyers to pursue their cases, the fact that class actions are being pursued in Canada means that Class Counsel is obligated to protect the interests of all class members regardless of whether or not they have contacted an individual lawyer.

It is too early at this stage to quantify the claims of potential class members, but it is anticipated that the amount is very significant. Any Canadians taking Zyprexa are encouraged to visit www.classaction.ca or www.classproceedings.ca.

For further information:

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