

Attorney General's Report To The Legislature  
Concerning The New Jersey False Claims Act  
Pursuant To N.J.S.A. 2A:32C-18

Calendar Year 2011

- a. The number of cases the Attorney General filed 0.
- b. The number of case private individuals filed 91, and for those no longer under seal:
- (1) The state or federal court in which those cases were filed and the number in each court:  
State 0 Federal 22
  - (2) The State program or agency involved in each case: Medicaid - 21 Other - 1
  - (3) Number of cases filed by private individuals who had previously filed a False Claims Act case: 0
- c. The amount recovered under the NJFCA in settlement;
- |                  |                        |
|------------------|------------------------|
| Damages          | \$ <u>1,142,958.88</u> |
| Penalties        | \$ <u>1,888,245.86</u> |
| Litigation Costs | \$ <u>0</u>            |

- (1) The cases where the state received a recovery:

| <u>Name</u>                    | <u>Settlement<br/>Rec. Date</u> | <u>NJ State Share<br/>(inc. relator fee)<br/>(calc)</u> | <u>Rel<br/>%</u> | <u>Relator Fee</u>  | <u>State Share Net<br/>(calc)</u> | <u>NJ Restitution</u>  |
|--------------------------------|---------------------------------|---------------------------------------------------------|------------------|---------------------|-----------------------------------|------------------------|
| Ortho-McNeil (Topomax)         | 1/4/2011                        | \$ 705,476.32                                           |                  | \$ -                | \$ 705,476.32                     | \$ 229,144.38          |
| GlaxoSmithKline-<br>PuertoRico | 1/4/2011                        | \$3,464,663.19                                          |                  | \$ -                | \$3,464,663.19                    | \$1,707,698.63         |
| Forest Labs                    | 2/3/2011                        | \$1,000,249.85                                          |                  | \$ -                | \$1,000,249.85                    | \$ 453,901.56          |
| Novartis (Trileptal)           | 1/31/2011                       | \$2,326,851.36                                          | 17               | \$ 3,294.23         | \$2,323,557.13                    | \$ 796,374.60          |
| Allergan (Botox)               | 3/14/2011                       | \$ 558,080.35                                           | 18               | \$35,292.26         | \$ 522,788.09                     | \$ 255,559.41          |
| KOS                            | 2/17/2011                       | \$ 88,617.75                                            |                  | \$ -                | \$ 88,617.75                      | \$ 50,252.17           |
| Schwarz Pharma Inc.            | 4/6/2011                        | \$1,132,872.94                                          |                  | \$ -                | \$1,132,872.94                    | \$ 803,243.69          |
| Serono Laboratories (Rebif)    | 5/19/2011                       | \$ 210,097.98                                           |                  | \$ -                | \$ 210,097.98                     | \$ 81,728.00           |
| Novo Nordisk                   | 7/20/2011                       | \$ 1,295.79                                             |                  | \$ -                | \$ 1,295.79                       | \$ 374.69              |
| Elan                           | 10/3/2011                       | \$ 961,802.59                                           |                  | \$ -                | \$ 961,802.59                     | \$ 312,699.23          |
| Eisai                          | 10/3/2011                       | \$ 111,745.96                                           | 18               | \$ 3,309.32         | \$ 108,436.64                     | \$ 53,489.72           |
| UCB, Inc. (Keppra)             | 11/4/2011                       | \$ 257,276.85                                           |                  | \$ -                | \$ 257,276.85                     | \$ 114,544.67          |
| Pfizer (Detrol)                | 12/9/2011                       | \$ 82,854.43                                            | 23               | \$ 6,431.55         | \$ 6,422.88                       | \$ 37,535.15           |
| <b>Totals</b>                  |                                 | <b>\$10,901,885.36</b>                                  |                  | <b>\$ 48,327.36</b> | <b>\$10,853,558.00</b>            | <b>\$ 4,896,545.90</b> |

- (2) The separate amounts of funds recovered for:

|                  |                        |
|------------------|------------------------|
| Damages          | \$ <u>4,896,545.90</u> |
| Penalty          | \$ <u>5,957,012.10</u> |
| Litigation Costs | \$ <u>0</u>            |

- (3) The percentage of the recovery and the amount awarded to the private person who brought the action:

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| %age of recovery | <u>Varied per action; see (1) above for specific percentages</u> |
| Amount           | \$ <u>48,327,36</u>                                              |