

FOSAMAX: What You Need to Know About It

Fosamax: What You Need to Know About It

When people are prescribed medicine by their doctors, they want to be reassured that the medicine will be successful. Fosamax is a drug that is prescribed for those with osteoporosis, and was designed to make bones stronger.

Unfortunately, Fosamax had the opposite effect on some patients using the drug. People using the drug suffered random broken bones. One person vividly remembers hearing her thigh bone snap as she was shopping.

Other people developed jawbone deterioration problems. Other side effects of using Fosamax include irregular heartbeat, esophagus irritation, and severe joint, bone, and muscle pain as well as eye problems including scleritis and uveitis.

Fosamax

Since being approved by the U.S. Food and Drug Administration (FDA) in 1995, doctors have written more than 22.4 million prescriptions for Fosamax. Fosamax is made by Merck & Co., Inc., one of the largest pharmaceutical companies in the world, with headquarters in New Jersey.

It was discovered in December 2012 that Merck knew about some of Fosamax's serious side effects as early as 2004.

FDA Warnings About Fosamax

In August 2004, the FDA confirmed that Fosamax had a strong connection to osteonecrosis of the jaw, also known as Dead Jaw Syndrome. The FDA ordered warning labels for Fosamax.

The FDA discovered another safety concern in 2007. It discovered that Fosamax increased the risk of atrial fibrillation, or irregular heartbeats. However, no drug label change was ordered.

A year later, the FDA linked Fosamax to severe bone, joint, and muscle pain.

Another warning came from the FDA in October 2010 after the American Society for Bone and Mineral Research sent a report to the FDA about the links between people using Fosamax and abnormal thighbone fractures. The FDA ordered Merck to include this warning on the label too.

Even after the FDA warnings, Merck denied the findings, and was slow in responding to requests to place warnings on the medication labels. It sometimes took them a year to comply.

Do You Need an Attorney?

If you or someone you know is using or used Fosamax, and suffered broken bones as a result, you should consider contacting an attorney.

At Hupy and Abraham, S.C., we pride ourselves on being honest and straightforward with our clients and potential clients. It does not benefit anyone to pursue litigation when a case is not strong.

When manufacturers put an inferior product on the market, they should be held responsible for it. And, if that product was not tested adequately, they should also be held responsible. It is also very important to secure evidence that the manufacturers knew about the product's serious risks, but did not share the information with the public or warn consumers.

The single best way to know if you need an attorney is to speak with one. Share the details of your case, bring any evidence you have, and simply tell your story. A compassionate and concerned lawyer from Hupy and Abraham, S.C., will listen carefully and respectfully to the facts of your possible case, answer your questions, and help you to understand your legal options.

Getting Compensation for Using Fosamax

Why should you file a lawsuit after using the drug Fosamax? A serious diagnosis and medical issue can result in enormous losses, both financial and otherwise. If someone else, such as a manufacturer, is responsible for your health condition, that firm is also responsible for the costs your health condition incurs.

Specifically, you may be entitled to the following types of damages if you have been harmed by Fosamax:

- **Economic damages.** These damages include the actual money lost by defective products. Economic damages include medical costs, lost wages, lost future income, and lost earning power.

- **Non-economic damages.** A serious medical condition caused by a defective product can greatly affect your life, your abilities, and your happiness. A liable manufacturer may owe you compensation for pain and suffering, mental anguish, permanent disabilities, loss of companionship, loss of consortium, or reduced quality of life.
- **Punitive damages.** If a company has been grossly negligent or if it is determined that the company has committed an egregious wrong, it may be asked to pay the victims additional money—both as punishment and as a deterrent. The amount awarded for punitive damages varies widely.

In short, damages are meant to accomplish two major goals: to compensate victims and their families for what they have lost, and to prevent similar incidents from happening in the future. By filing a lawsuit, you are not only making sure that you receive what you are lawfully owed, you are also making sure that others do not suffer in the way that you have.

What Should You Do If You Have Been Harmed by Fosamax?

When you suffer an injury in a traffic accident that is someone else's fault, the steps you take to get better and pursue compensation are relatively straightforward. If you believe that you have been harmed by a potentially defective product, the path to justice can be much less clear.

While all harmful products are different, you should do a few things if you believe you are the victim of a dangerous product:

- **Get the medical assistance that you need.** Nothing is more important than your health. If you believe a product is causing you health problems, illnesses, or adverse events, you should report your symptoms to a medical professional immediately and voice your concern that your health condition may be tied to that product. Not only will getting medical assistance considerably improve your chances of recovery and remission, it will also document your health issues in the event that you would like to file a lawsuit.
- **Don't hesitate to get a second opinion.** We cannot state this enough: your health is the most precious thing that you have. If your doctor is not convinced that the product is affecting your health, or if your doctor is not taking your health concerns seriously, seek a second opinion.
- **Be compliant.** It is difficult to get compensation for illnesses and medical costs if you do not follow treatment plans and doctors' orders. It is also difficult to get well if you are not listening to your treating medical professionals.

- **Keep notes and records.** Take notes when you visit the doctor. Get copies of your medical records. Keep a diary of symptoms, illnesses, and health observations. Keep track of medical expenses and other monetary losses related to the harmful product. All of the information you collect could be important to your possible lawsuit.
- **Talk to an attorney—or two—about your case.** Far too many harmful product victims second-guess themselves or delay telling their stories. They do not realize that many drug injury attorneys offer free, private consultations or that a knowledgeable lawyer can analyze the evidence in their case and explain their legal options.

Hiring an Attorney? Ten Questions to Ask During Your Consultation

Even if you have decided that you want to learn more about your possible case, it can be difficult to know who to turn to, who to trust, and who will be your optimal partner and advocate. It is important to understand that not all attorneys have specific experience with harmful products. In addition, it is important to understand that different attorneys offer different experiences—and at different costs. Below, we have listed ten questions that you should ask potential lawyers before agreeing to work with them on your case.

1. Do you have experience handling defective product cases, especially the product Fosamax?
2. How do you conduct medical research related to cases like mine?
3. Do you utilize medical experts? If so, what are their credentials?
4. What do you believe are the most important aspects of a defective product lawsuit?
5. Can you share past defective product case results with me?
6. What are the strengths and weaknesses of my case?
7. What are my legal rights and what are my options for action?
8. Who in your office will handle my case? How will I contact you during my case?
9. What are your feelings on settling as opposed to going to court?
10. How do you bill your clients? What can I expect to pay if I win? What can I expect to pay if I lose?

Don't forget: it is not just experience and expertise that matter. In some cases, a lawyer's personality simply will not complement yours or you may not work well with certain attorneys. If you do not feel comfortable with the attorney you are speaking with, or if you do not feel confident partnering with him or her, consider talking to someone else before making your decision.

How Hupy and Abraham, S.C., P.C. Can Help

At Hupy and Abraham, S.C., we are dedicated to helping those who have been harmed by defective products and are committed to seeking justice for these victims and their families. We offer confidential, complimentary case evaluations to anyone who has been affected by a dangerous product. Take the first step by contacting us today and we will take care of the rest.

There are five ways to contact us:

- Call us toll-free at 1-800-800-5678.
- Visit our website at www.hupy.com.
- Fill out the electronic quick-contact form located on our website.
- Chat in real time with a real person by using the live chat option on our website.
- Stop by one of our offices, with eleven different locations in Wisconsin, Illinois, and Iowa.

About Hupy and Abraham, S.C.

Founded in 1969 in Milwaukee, Wisconsin, personal injury law firm Hupy and Abraham, S.C., has a proven record of success with large settlements in serious cases, collecting \$100s of millions for 1,000s of satisfied clients. The firm has a long-established reputation of providing sound legal representation to accident victims, securing fair compensation for its clients, and giving back to the community.

The law firm, which has offices located in Iowa, Illinois and Wisconsin, handles personal injury cases including car accidents, motorcycle accidents, wrongful death, and pharmaceutical and medical device class actions.

The firm's seventeen experienced attorneys are committed to going above and beyond the call of duty for their clients by tirelessly representing them to the best of their ability while being involved in the local community—from raising funds for local charities to participating in safety and accident prevention initiatives. In 2012, the firm donated more than \$200,000 to over 100 community organizations.

Hupy and Abraham, S.C., has received top ratings from *a number of national and local professional organizations for many years and was voted Best Personal Injury Lawyers by the readers of the Shepherd Express in 2011 and 2012 and named Best Personal Injury Law Firm by voters in the WISN A-List poll in 2012.*

To learn more about Hupy and Abraham, S.C., visit their website at www.hupy.com.