

# DIABETES MEDICATIONS, BLADDER CANCER AND DEFECTIVE DRUG LAWSUITS: **WHAT YOU NEED TO KNOW ABOUT ACTOS**

*Important FREE Report For Actos Patients  
Who Have Developed Bladder Cancer  
in Iowa, Illinois or Wisconsin*



# **Diabetes Medications, Bladder Cancer and Defective Drug Lawsuits: What You Need to Know About Actos**

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Why do we take medication? It's simple: we want to improve our health and improve the overall quality of our lives. But although the reasons that we take medicine are straightforward, treatment with prescription drugs in our modern world can be extremely complicated—and, at times, the outcome can harm rather than heal. A patient that takes a drug to combat one medical condition may find himself battling an entirely new condition, directly or indirectly caused by the remedy.

## Defective Prescription Drugs in America

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In the United States, we have a number of safeguards against defective prescription drugs, misleading drug manufacturer advertising, and harmful drug side effects. But while these defenses keep our medicine cabinets relatively safe, each year hundreds of thousands of reports are made concerning the adverse affect of drugs, and hundreds of warnings are issued by the Food and Drug Administration (FDA) regarding potentially dangerous drugs and medical devices.

The bottom line? You can never assume that the prescription drugs you are taking are safe; the medications you are taking absolutely have the potential to cause serious complications.

If you or a loved one has suffered harm because of a defective drug, it is imperative that you understand why the defective drug was still on the market and why you weren't warned about the possible risks of taking the medication. If the drug maker or another entity was responsible for the harm that came to you, you could deserve compensation.

## Actos: An All Too Common Story of a Defective Drug

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As defective drug attorneys, the Actos storyline that has unfolded over the past 14 years is all too familiar to us:

- A medical breakthrough leads to the development of a new drug to treat type 2 diabetes.
- The drug is touted as a safer alternative to other drugs currently on the market.
- The drug passes clinical trials and is approved by the FDA.

- The drug company that developed the drug profits billions as the drug is prescribed to millions around the world.
- Reports of serious side effects quickly follow the public release of the drug.
- Post-market studies show that the drug isn't as safe as it was once thought.
- Thousands of patients taking the drug suffer serious health problems that change their lives forever.
- Thousands of lawsuits are filed across the country, claiming that the drug company knew that they were putting people in danger—but didn't adequately warn them.

Prescription drugs save lives, prolong lives, and simply make lives better. But we have a responsibility to keep dangerous and defective prescription drugs off pharmacy shelves and out of medicine cabinets. When the pharmaceutical companies, clinical trials, and the federal government fail to stop a dangerous drug from entering the market, those injured by the drug and their attorneys are responsible for speaking up, proving liability, and stopping others from being harmed.

If you or a family member has been harmed by Actos or another prescription diabetes drug, speak up by talking to an experienced and compassionate attorney at Hupy and Abraham. Read on to learn more about the litigation surrounding Actos and its adverse effects, and then contact us today to get the rest of your questions answered: 1-800-800-5678.

### *Actos: History and How It Helps*

Actos, which is more widely known as Pioglitazone, is a prescription drug that is used to control glucose levels in adults with type 2 diabetes. It is manufactured by Takeda Pharmaceuticals Company, a Japan-based drug maker that largely relies on the popular diabetes drug for revenue. Its United States subsidiary is located in Deerfield, Illinois.

Actos was approved by the FDA fourteen years ago and was introduced into the market in 1999. Within just a few years, Actos became one of the best-selling diabetes drugs in the world. By 2008, Pioglitazone was the tenth best-selling drug in America and had sales of 2.4 billion dollars.

An oral medication, Actos improves the effectiveness of the body's naturally produced insulin by increasing your cells' receptiveness to insulin. Actos should not be taken by people with type 1 diabetes, people diagnosed with heart failure, or those who have had an allergic reaction to the medicines contained in Actos.

Millions of people around the world chose to take Actos because it was safer than similar medications when it comes to cardiovascular health and patients with heart issues. However, in recent years, the drug has been linked to bladder cancer, tumors, and other serious health problems. In fact, thousands of people taking Actos have been diagnosed with bladder cancer—and at a rate double that of the general population.

### *Actos: How It Harms*

Even at the time of its initial release, the FDA and Takeda Pharmaceuticals warned patients of a number of side effects that were observed during the drug's development and clinical trials. These side effects ranged from mild to extremely serious, and include:

- Headache
- Sore throat
- Respiratory infections
- Sinus irritation and infection
- Skin rashes and itching
- Fatigue and malaise
- Low blood sugar
- Fever
- Dizziness
- Urinary tract infection
- Bone fractures
- Edema
- Congestive heart failure
- Liver failure
- Bladder tumors and bladder cancer

## Studies and Research Linking Actos and Bladder Cancer

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In the years following the drug's release in 1999, reports began flooding into the FDA concerning a strong connection between Actos and bladder cancer. In the wake of the correlation between taking the diabetes drug and bladder tumors, several post-market scientific studies were conducted. The results were shocking:

- A study conducted in France between 2006 and 2009 followed 1.5 million type 2 diabetics. They found that patients taking Actos for their medical condition were 22 percent more likely to be diagnosed with bladder cancer than those taking other drugs. Patients taking a high dose of the drug were 75 percent more likely to develop bladder cancer.
- Actos maker Takeda Pharmaceuticals also conducted a study of their drug after reports of bladder cancer began to surface. The drug company examined over 193,000 Actos takers over a time period of ten years. In just the first five years of the study, they found that after taking the drug for two years, users were 60 percent more likely to be diagnosed with bladder cancer, and were 80 percent more likely to be diagnosed with bladder cancer after taking the drug for four years.
- A Canadian study published in the *Canadian Medical Association Journal* synthesized data collected in ten other recent studies of Actos. This study, which included information from 2.6 million Actos patients and 3,643 newly diagnosed bladder cancer patients, also found a 22 percent increase in the chance of getting bladder tumors after taking the diabetes drug.
- Finally, another study conducted by Italian scientists and published by the American Diabetes Association also found a significant link between Actos use and bladder cancer, as evidenced by a spontaneous adverse event reporting system.

## FDA Warnings Regarding Actos

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In 2011, twelve years after the drug was released, the FDA finally issued a drug safety announcement regarding Actos and bladder cancer, citing some of the studies mentioned above. In the announcement, they recommended that:

- Taking Actos may increase your chances of bladder cancer.
- Patients who have bladder cancer should not take Actos.
- Those with a history of bladder cancer should use Actos with caution.

- Patients taking Actos should look for signs and symptoms of bladder cancer.
- Patients who suffer serious side effects from Actos should report them to a medical professional.
- Patients who have concerns about Actos should speak with their doctor.

The FDA has also ordered that Takeda Pharmaceuticals include new labels on the drug that state the connection between bladder cancer and taking the medication for more than one year.

Here are just a few other warnings that have been issued regarding the use of Actos:

- Actos should not be taken by patients with type 1 diabetes.
- Actos should not be taken by anyone with allergies to the individual ingredients used in the drug.
- Actos should not be taken by those who are pregnant or breastfeeding.
- When taking Actos along with other diabetes drugs, you may be in danger of low blood sugar.
- Actos tablets contain lactose and may adversely affect patients who are lactose intolerant.
- Actos may interfere with the effectiveness of a number of other prescription drugs, including chlorpropamide, gemfibrozil, glibenclamide, glyclazide, insulin, metformin, oral contraceptives, rifampicin, and tolbutamide.
- Actos could have adverse effects if not taken in the amount prescribed by your doctor.

After reviewing the research regarding Actos and bladder cancer, countries including France and Germany pulled the diabetes drug from the shelves in 2011. In the United State, however, the drug is still being prescribed and used.

### *Understanding Actos Litigation and Defective Drug Lawsuits*

As more and more diabetics were diagnosed with bladder cancer—and as more studies were published reinforcing the link between Actos and bladder cancer—many victims began asking important questions about how this could have happened to them:

- Who knew about the drug's connection and bladder cancer?

- When did they discover this dangerous defect and what was their response?
- Was the drug manufacturer negligent in warning consumers of their product's safety issues?
- Do the risks of Actos outweigh its benefits?
- Should your bladder cancer have been prevented?

It's no surprise that Actos lawsuits are being filed across the country. In some states, including Louisiana, California, and Illinois, these lawsuits have been grouped into Multidistrict Litigation (MDL) and mass torts—a move that makes the discovery process simpler and that should speed the legal process. Legal experts believe that thousands of victims suffering from bladder cancer and their families will eventually file cases claiming that Takeda Pharmaceuticals is liable for their disease and that they were not adequately warned of the prescription drug's dangerous and potentially deadly side effects.

Some of the plaintiffs in the above cases have filed lawsuits on behalf of loved ones who eventually died from bladder cancer or other illnesses that they believe were caused by the side effects of Actos.

Cases are being filed on both the state level and the federal level. It is not too late to file an Actos defective drug lawsuit against Takeda Pharmaceuticals.

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## Do You Need a Defective Drug Attorney?

At Hupy and Abraham, we pride ourselves on being honest and straightforward with our clients and potential clients. It doesn't benefit anyone to pursue litigation when a case isn't strong. In defective drug cases, it is very important that you are able to connect your adverse health conditions, such as bladder cancer, with the prescription drug you are taking. It's also very important to secure evidence that the drug company in question knew about the medication's serious risks, but did not share the information with the public or warn consumers.

The single best way to know if you need a defective drug attorney is to speak with one. Share the details of your case, bring any evidence you have, and simply tell your story. A lawyer with Actos litigation experience can examine your possible case, answer your questions, and let you know your legal options.



### *Getting Compensation For Actos-related Injuries*

Why should you file an Actos lawsuit following your bladder cancer diagnosis or other serious Actos-related health condition? A serious diagnosis and medical issue can result in enormous losses, both financial and otherwise. If someone else, such as a drug company, is responsible for your health condition, they are 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 a defective drug:

- **Economic damages.** These damages include the actual money lost by defective drug victims due to their injuries. Economic damages include medical costs, lost wages, lost future income, and lost earning power.
- **Non-economic damages.** A serious medical condition can greatly affect your life, your abilities, and your happiness. A liable drug company may owe you compensation for any pain and suffering, mental anguish, permanent disabilities, loss of companionship, loss of consortium, or lowered 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, they may be asked to pay their victims more money as a punishment and as a deterrent. The amount received for punitive damages varies widely.

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

### **Bladder Cancer Information**

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As many with the disease quickly learn, bladder cancer is an extremely serious medical condition that can be debilitating and deadly. The American Cancer Association estimates that over 72,000 people in the United States will be diagnosed with bladder cancer in 2013 and over 15,000 people will die from the disease. The five-year survival rate for Stage I bladder cancer is 88 percent. The survival rate for Stage IV bladder cancer is 15 percent.

### ***Signs and Symptoms of Bladder Cancer***

If you or a loved one is taking Actos to control type 2 diabetes, it is vital that you are aware of the signs and symptoms of bladder cancer. It is also important to note that bladder cancer is significantly more prevalent in men than in women and that Caucasians are twice as likely to be diagnosed with bladder cancer than non-whites.

If you are experiencing the following symptoms, contact your doctor:

- Blood in your urine; pink or red-tinted urine
- Blood clots in your urine
- Urgency to urinate
- Pain or burning during urination
- Frequent urination and small volume of urine
- Frequent bladder infections or urinary tract infections
- Lower abdominal pain, flank pain, or back pain
- Swelling in the lower legs
- Weight loss
- Loss of appetite
- Pelvic mass

Remember: those who take Actos have reported a number of serious complications, side effects, and adverse events other than bladder cancer, including fractured bones, kidney failure, and heart failure. Be aware of all possible side effects of this drug—and if you are injured by a side effect of this drug, question who is liable for your suffering and whether your injury should have been prevented.

### ***Bladder Cancer and Other Diabetes Drugs***

As we noted above, the connection between ingesting Actos and developing bladder cancer has been proven in a number of diligent studies conducted around the world. You should know too, however, that a recent study conducted by researchers at the Perelman School of Medicine at the University of Pennsylvania and published in the *Journal of the National Cancer Institute* found that all drugs in the thiazolidinedione family—such as the diabetes drug Avandia—may be linked to an increased risk of bladder cancer.

## What Should You Do If You Believe You Are Taking a Defective Diabetes Drug?

It can be frightening to discover that you are taking a prescription drug that is in the news for its newly discovered and potentially deadly side effects. Suddenly, a drug that you thought was improving your health and your life is revealed to be dangerous and harmful.

### *What do you do?*

Although your first instinct may be to immediately stop taking the drug—and perhaps to flush the rest of the pills down the toilet—that is a rash and possibly unsafe action. Unless otherwise instructed by the FDA or another official source, continue taking your prescribed dosage until you have talked to your doctor about your concerns. If you have noticed a worrying side effect or if you have been diagnosed with a serious health condition, speak to your doctor as soon as possible about your prescription medications and defective drug concerns.

### *Why should you continue taking a potentially dangerous drug until you speak to your doctor?*

Very simply, the benefits of the drug could still outweigh the risks. In some cases, suddenly stopping a drug can be even more dangerous than continuing to take a defective drug for a few more days or weeks. In general, always speak to your doctor when you have a health concern or when you would like to start or stop a medication. However, never assume that because your doctor prescribed a drug to you that it is safe; in some cases, a physician may not know about the possible dangers of the drug until you inform him. In other cases, not all of the side effects of a drug may be known—at least until patients like you report them.

### *What Should You Do If You Have Been Harmed By Actos?*

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 drug, the path to justice can be much less clear.

While all defective drug cases are different, there are a few things that everyone should do if they believe they are taking a dangerous prescription drug:

- **Get the medical assistance that you need.** Nothing is more important than your health. If you believe that Actos is causing 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 your prescription drug use. 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.
- **Talk to your doctor about continuing your prescription.** Again, even if you are sure that your Actos medication is causing your health problems, it may be dangerous to stop your prescription without consulting your doctor. A medical professional can gauge whether your illness is related to your medication regimen and whether the drug's health benefits outweigh the side effects.
- **Don't hesitate to get a second opinion.** We can't state this enough: your health is the most precious thing that you have. If your doctor isn't convinced that your health is being affected by your medication, or if your doctor isn't taking your health concerns seriously, seek a second opinion.
- **Be compliant.** It is difficult to get compensation for illnesses and medical costs if you don't follow treatment plans and doctors' orders. It's also difficult to get well if you aren't 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 your defective drug illness. 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 defective drug victims second-guess themselves or delay telling their stories. They do not realize that many dangerous prescription drug attorneys offer free, private consultations, or that a knowledgeable lawyer can analyze the evidence in their case and explain their legal options.

The faster you act in the wake of a diagnosis due to a defective drug like Actos, the more likely you are to receive compensation. Even though you may feel overwhelmed by your health struggles or intimidated by the pharmaceutical industry, taking action is the only way to get justice.

## Hiring An Actos Attorney? Ten Questions to Ask During Your Consultation

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Even if you have decided that you want to learn more about your possible Actos drug 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 defective drug cases or with Actos cases in particular. In addition, it is important to understand that different attorneys offer different experiences—and at different costs. Below, we've listed ten questions that you should ask potential lawyers before agreeing to work with them on your case.

1. Do you have experience handling Actos lawsuits and other defective drug lawsuits?
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 drug lawsuit?
5. Can you share past defective drug 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's not just experience and expertise that matter. In some cases, a lawyer's personality simply won't compliment yours or you may simply not work well with certain attorneys. If you don't feel comfortable with the attorney you are speaking with, or if you don't feel confident about partnering with him or her, consider talking to someone else before making your decision.

## How Hupy and Abraham Can Help

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We hope that this report has answered some of the most basic questions you have about Actos, bladder cancer, defective drugs, and prescription drug lawsuits. However, you should understand that all Actos cases are different and that the best way to understand your individual case is to speak with an experienced attorney in person about the unique details of your story.

At Hupy and Abraham, we are dedicated to helping those who have been harmed by Actos or other related diabetes drugs—and we 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 prescription drug. Take the first step by contacting us today and we will take care of the rest.

We accept most defective drug cases on a contingency basis. This means that you don't pay unless we win.

There are five ways of contacting us today:

- Call us toll-free at 1-800-800-5678.
- Visit our website at [www.hupy.com](http://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

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Founded in 1969 in Milwaukee, Wisconsin, personal injury law firm Hupy and Abraham 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 sixteen 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 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, visit their website at [www.hupy.com](http://www.hupy.com).