

PAXIL ON TRIAL

Jury Awards \$2.5M for Paxil-related Injuries in First Paxil Birth Defect Trial

A jury has rendered a favorable verdict for the family who sued GlaxoSmithKline, P.L.C. (GSK) in the first of a series of Paxil birth defect trials, alleging that for years GSK failed to warn consumers about Paxil's potential risks of birth defects and hid those risks to boost profits.

The Paxil trial began September 14, 2009 in Philadelphia's Common Pleas Court. After almost a month of trial, on October 13, 2009, the jury found Glaxo failed to properly warn doctors and pregnant users of Paxil's risk and concluded that GSK must pay \$2.5M to the family of Lyam Kilker, whose mother took Paxil during her pregnancy with Lyam.

Lyam Kilker and his mother, Michelle David, are represented by Houston, Texas attorneys [Sean Patrick Tracey](#) and [Shawn P. Fox](#) of Tracey Law Firm, Clayton A. Clark and Scott A. Love of Clark, Dean, Burnett, Adam D. Peavy of Bailey, Perrin, Bailey, and Philadelphia attorney, Jamie L. Sheller of Sheller, P.C.

In the Court of Common Pleas, First Judicial District of Pennsylvania, Civil Trial Division
 LYAM KILKER, a Minor, by MICHELLE M. DAVID, as Next Friend and Individually
 VS.

SMITHKLINE BEECHAM CORPORATION d/b/a GLAXOSMITHKLINE

This is the first of three early trials that will set the stage for about 600 similar lawsuits accusing GSK of ignoring evidence that Paxil may have caused heart defects and other injuries suffered by infants born to women taking the antidepressant. Plaintiffs allege that GSK did not warn about the risks of Paxil until forced to add a warning label, when the FDA on December 8, 2005 sent out a "[Dear Doctor letter](#)" to physicians suggesting Paxil might contribute to heart defects in infants when taken in the first trimester of pregnancy.

Lyam Kilker is one such child born with severe heart malformations that developed while his mother was taking Paxil. Ms. David claims that taking Paxil during her pregnancy caused life threatening heart problems suffered by her now three year-old son. She said she would never have taken Paxil while pregnant if she knew that Paxil posed a risk of birth defects. Lyam was born with two holes in his heart and underwent multiple open-heart surgeries within six months of his birth. He will eventually need another surgery.

MEDIA COVERAGE

- 10/13/09 - [Glaxo Ordered to Pay \\$2.5 Million for Paxil Defects](#) (Bloomberg News)
- 10/8/09 - [Glaxo Ignored Paxil's Birth-Defect Risks, Lawyer Says](#) (Bloomberg News)
- 10/2/09 - [Glaxo Complied With FDA Rules on Paxil, Expert Says](#) (Bloomberg News)
- 9/20/09 - [Ghosts in the medical machine](#) (Bloomberg News)
- 9/18/09 - [Glaxo Linked Birth Defect of Fetus to Paxil, Ex-Executive Says](#) (Bloomberg News)
- 9/16/09 - [Glaxo Withheld Paxil Birth-Defect Data, Witness Says](#) (Bloomberg News)
- 9/16/09 - [Paxil Risk Ignored, Jury Told](#) (Philadelphia Inquirer)
- 9/15/09 - [Trial Opens in Paxil Lawsuit](#) (Philadelphia Inquirer)
- 9/15/09 - [Glaxo Executive's Memo Suggested Burying Drug Studies](#) (Bloomberg News)
- 9/12/09 - [Glaxo Trial Opens Monday in What Could Be Paxil Test Case](#) (Philadelphia Inquirer)
- 9/11/09 - [GlaxoSmithKline to Defend Paxil in Birth-Defect Case](#) (Bloomberg News)
- 8/20/09 - [Glaxo used ghostwriting program to promote Paxil](#) (Philadelphia Inquirer)

COURT TRACSRIPTS

- 9/15/09 AM: [Opening Statements](#)
- 9/15/09 PM: [David Healy, M.D. -- Direct Examination](#)