

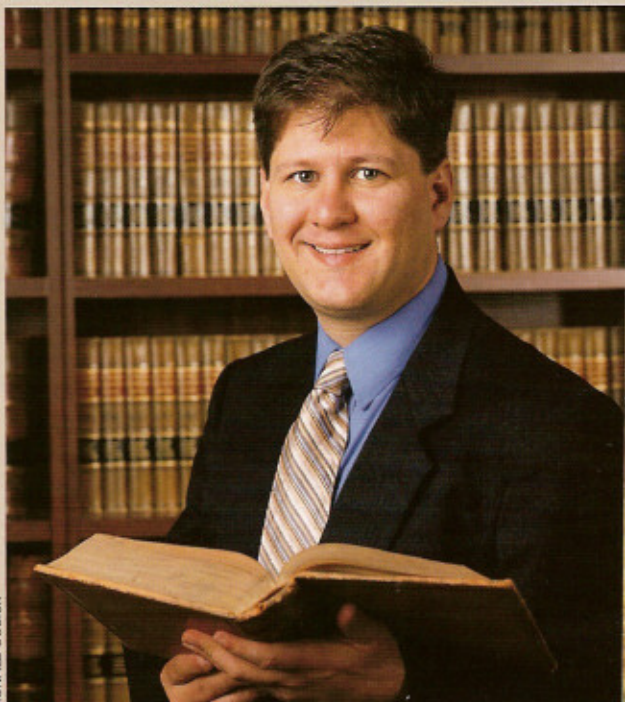
FIVE QUESTIONS

Michael Beckman

Interview by Marla J. Ottenstein

ARMED WITH A BACHELOR'S DEGREE IN THEATER from the University of South Florida and a law degree from Texas Wesleyan University School of Law, Michael Beckman chose to pursue a career in front of the most discriminating audience of all: judge and jury. He and partner Marcus Viles are nationally recognized for their success in helping consumers stand up to large conglomerates, says Beckman.

Viles & Beckman law firm has gone up against companies such as the Ford Motor Company and Bridgestone/Firestone tires in cases related to vehicle rollover and tire-tread separation, as well as Wyeth-Ayerst Laboratories, manufacturer of the controversial diet drug Phen-Fen. Last year, says Beckman, the Fort Myers firm was the first in Florida to file a class action suit against pharmaceutical giant Merck, the maker of Vioxx. Millions of people had taken the drug before it was removed from the market after studies showed that it increased the risk of heart attack, stroke and other cardiovascular injury.



RONALD DUBICK

1 How does a class action suit work?

Class action litigation works best for a large group of people with similar injuries or damages who probably wouldn't sue a large company individually. Lawsuits for people with more serious injuries are handled separately.

2 What are the benefits of consolidating class action suits nationally?

Class action suits against the same company are consolidated nationally to save the various people associated with the lawsuit time and money. For instance, to ensure that the same depositions and witness testimonies are not taken thousands of times nationwide, a bank of information will be created that can be accessed by all of the attorneys associated with the lawsuit.

3 What is Merck accused of?

We're arguing that even before Vioxx was put on the market, Merck knew about the probability of heart problems, strokes and the potential for

death associated with Cox-2 inhibitor drugs like Vioxx. Instead of withdrawing it from production, they fast-tracked it with the [Food and Drug Administration], got approval and then advertised the product without the appropriate warnings. In fact, Merck was even warned by the FDA that their advertising campaign was misleading and false, and that it did not contain the appropriate warnings.

4 To your knowledge, what types of drugs are on the FDA fast track and why?

The FDA fast-tracks drugs that treat debilitating diseases, such as AIDS, because of the critical need to sustain life. Legislation has been passed that allows the FDA to approve experimental drugs quicker to treat devastating and seriously harmful conditions.

5 How did Vioxx fall into that category?

Vioxx, a Cox-2 inhibitor drug meant to treat arthritic health problems, shouldn't have been fast-tracked. But because of the interpretation of the law, Merck received approval and immediately mass-marketed the potentially fatal drug.