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Should You Hire a Vioxx Lawyer?

By Michael Monheit, Esquire, Monheit Law, PC

Should You Hire a Vioxx Lawyer? by Michael Monheit, Esquire

If you or a beloved family member has suffered a Vioxx related heart attack, other cardiovascular problems, or a Vioxx induced stroke then you may be eligible to be part of a Vioxx class action suit or individual Vioxx litigation case.

The grounds for filing a Vioxx stroke, heart attack, or sudden death litigation case are based on releasing and marketing Vioxx as a safe alternative for chronic pain. Vioxx and other NSAID (non-steroidal, anti-inflammatory drugs) were not tested long-term to determine its patient safety factor. A few years passed before the FDA advised Merck to properly post warnings on the label. During that time-frame, thousands of doctors prescribed Vioxx to thousands of patients impervious to the imminent health threat that lay ahead.

How much does a Vioxx lawsuit cost?

Most Vioxx law firms will accept clients on a contingency fee basis. There is no fee, unless and until there is a recovery. If nothing is recovered during your Vioxx lawsuit then the client pays nothing. The contingent fee is based on a pre-agreed percentage of the recovery depending on the complexity and risks involved in your Vioxx case.

What's the difference between a Vioxx class action suit, individual litigation, and MDL (multi district litigation)?

In a Vioxx class action suit, individuals who have similar cases would be "joined together" in a "class" to prosecute their claims in a "more efficient" manner. This process begins when one person (or more) agrees to serve as the class representative. This "class rep" is then subject to approval by the court. There are a series of requirements that the court reviews --- but most significantly, whether the claims of the "class rep" are typical of the claims of other members of the proposed class. The class representative is proceeding not only on his or her own behalf, but also on behalf of all others who are similarly situated. In this case, there is only ONE lawsuit, the result of which binds all class members. In order to determine if the class will receive fair and adequate representation, the court will generally

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consider whether the attorney for the class has experience in handling class actions and/or claims similar to those of the proposed class. In addition, the court will determine whether there are any conflicts in the interests of the class members.

In individual Vioxx litigation, each person's lawyer prosecutes their case, apart from any other cases. If a lawyer has multiple clients, each client would receive individual attention and would have their own Vioxx lawsuit.

Even with individual Vioxx litigation, some cases end up in Federal court, due to a diversity of citizenship between the claimant and Merck. In these cases, the individual claim gets temporarily consolidated with other cases in Federal court. But this consolidation is ONLY for the purposes of discovery, and does not impact the right to an individual trial for that person's Vioxx lawsuit. The MDL

gives each person the benefit through judicial economy and efficiencies of scale. For example, if Merck is also being sued by 10,000 other Vioxx plaintiffs across the country, just taking depositions in all the various jurisdictions could delay the trial date by years. But when all those individual Vioxx lawsuits are consolidated for discovery, it helps to save time and money for the Vioxx clients. In addition, it places the Vioxx plaintiffs on a more level playing field.

A family member recently had a stroke. He was taking Vioxx for two years. Should we be contacting a Vioxx law firm regarding Vioxx litigation?

Yes, at least have a so you know your rights and understand what is at stake.

What are the alternatives to Vioxx?

Vioxx is a COX-2 selective, nonsteroidal anti-inflammatory drug (NSAID). Other COX-2 selective NSAIDs are Celebrex (celecoxib) and Bextra (valdecoxib). If you are considering taking Celebrex or Bextra, contact your doctor about the risks involved. Bextra has some serious side effects. [Click here for more information about Bextra side effects.](#)

Basically, all of the NSAIDs have risks when taken long-term, especially for gastrointestinal (stomach) bleeding, but also kidney and liver toxicity. Vioxx is also related to the nonselective NSAIDs -- ibuprofen and naproxen. Now that Vioxx has gone under the microscope perhaps the FDA will require more testing for Celebrex and Bextra.

Are Cox-2 inhibitors more effective than traditional NSAIDs for arthritis pain?

Opinions vary. Many doctors feel that Cox-2 inhibitors have never been shown to be more effective than traditional NSAIDs like ibuprofen and naproxen. If gastrointestinal safety is an issue, patients are prescribed protective drugs like proton-pump inhibitors to lower their risk even more. Cox-2 inhibitors have bigger and more exorbitantly expensive marketing campaigns. Cox-2 inhibitors also cost much more than traditional NSAIDs.

What is rofecoxib?

Rofecoxib is the generic scientific term for the compound that is marketed as Vioxx.

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Will Vioxx be recalled?

No, Merck is voluntarily withdrawing Vioxx from the marketplace; a Vioxx recall is not necessary.

Can my pharmacist continue to refill my prescription for Vioxx?

No, Merck has initiated a market withdrawal in the United States at the pharmacy level. This means Vioxx will no longer be available at pharmacies. Talk to your doctor about what medication is right for you.

Can I get a refund on unused Vioxx?

Yes. Merck requires patients to mail back the unused Vioxx in the original container, along with a pharmacy receipt to:

NNC Group - Merck Returns

2670 Executive Dr.

Indianapolis, IN 46241

Include a note with the patient's name, address, and phone number. Merck will reimburse the cost of the full prescription plus regular shipping.

Will there be a Vioxx class action suit?

Yes. There will be class actions. However, we will only be representing individual plaintiffs, and NOT filing any class actions.

I'm taking Vioxx now. What should I do?

Consult with your doctor for further instructions. He may tell you to stop taking Vioxx. Merck is recommending people stop taking Vioxx.

How much does a Vioxx lawsuit cost?

Most Vioxx law firms will accept clients on a contingency basis. That means you do not pay the law firm any money unless you win the case.

Monheit Law handles MDL and individual cases. They can be found at <http://www.monheit.com>

Finding The Best Tax Lawyer

By Tawee Subsomboon

If you are looking for a tax lawyer you need to know how to find the best one possible. There are literally hundreds of sites alleging to have the best tax lawyer available and it may seem that they are

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all pretty much the same. However, as with all types of lawyers, there are good tax lawyers as well as bad ones and it is important to find the right one for you.

There are a number of questions that you need to ask any tax lawyer before you decide which company to hire. Obviously, experience is a key factor in narrowing down your list of potential candidates to a reasonably small number. If the tax lawyer you are considering has no recent experience with court cases then you should avoid using their services. This is because the tax laws are constantly changing and it is vital that your chosen tax lawyer is completely up to date with current legislation.

The track record of any tax lawyer is also important. If you ask any tax lawyer how many cases they have won, and lost, this will give you an idea of how effective they are at pleading your case. However, your individual circumstances should be taken into account and you need to ask the lawyer if they have had specific experience with a similar case and what the outcome was.

The best tax lawyer is one that specialises in more difficult cases and is more likely to be able to help you in whatever situation you find yourself.

The methods used by a lawyer in preparing your case should also be a consideration. Usually, a tax lawyer will be extremely thorough in investigating the circumstances surrounding your case and you should look for the most comprehensive service possible. A thorough tax lawyer will look into all of your financial records and gather evidence, of course, but will also look into any other mitigating circumstances to help with your plea.

Of course, any tax lawyer would like to claim that they can have any case against you dismissed but the reality is that this is often unlikely. You should discuss with the lawyers on your shortlist what penalties they anticipate you being given and how they plan to negotiate for lower ones. Obviously, you want to have a tax lawyer who can obtain the most lenient fines possible, even if the case against you is very clear.

Finally and probably most importantly, is the rapport that you feel when you are talking to the individual tax lawyer. It is essential that you are able to discuss everything freely and openly with whichever tax lawyer you finally decide to hire. If you do not feel comfortable talking with a particular lawyer then simply cross them off your list and move on to the next one.

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