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CLASS ACTION SUIT FILED AGAINST SMITHKLINE BEECHAM FOR VACCINE

On December 14, 1999, a lawsuit was filed in the Chester County Court of Common Pleas, alleging that SKB manufacturer of Lymerix, the Lyme vaccine, failed to warn doctors and the public at large that about 30% of the general public could possibly be predisposed to a degenerative autoimmune arthritis that can be triggered by the vaccine. According to the complaint, the autoimmune reaction, once triggered, is unstoppable, and the victim can only be treated for symptoms thereafter.

To determine sensitivity to OspA, the base of the vaccine, individuals may be tested to see if they are genetic type HLA-DR4+. The suit claims that SKB knew of this potential genetic susceptibility and the easy availability of the test, yet failed to educate doctors or consumers to the potential problem or the availability of the test, and instead, promoted LYMErix to be safe and generally well-tolerated.

The complaint which was filed by Stephen A. Sheller and Albert A. Brooks, Jr. of Sheller, Ludwig, & Badey, Philadelphia, is designed to protect those who may now be asymtomatic but who have taken the vaccine without being told of the potential HLA-DR4 susceptibility and test availability. These individuals may later develop this degenerative arthritis as a result of the vaccine administration, and the suit asks for continued monitoring of these individuals. Those with problems from the vaccine are not addressed in the suit but may potentially be able to file private claims through the firm.

Additionally, the suit indicates that SKB also failed to inform doctors and the public of the need for booster shots after the initial series of three shots are given. Thus, the suit asks for restitution for the costs of the initial shots that individuals received without being informed of the need for additional boosters, since the individuals thought they would be protected from Lyme disease indefinitely from the first series of three shots.

Anyone who was not advised of the necessity or availability of the HLA-DR4+ testing and others who received the vaccine and have questions concerning their status, may contact Albert Brooks or Stephen Sheller at (800) 883-2299. You do not have to be a Pennsylvania resident to call.

*NOTE: Anyone who took the vaccine and had any kind of reaction should consider filing the adverse events reporting form from the Vaccine Adverse Event Reporting System (VAERS) which has a toll free information line 800-822-7967. You can request copies of the form here and get information about vaccines. On line go to http://www.fda.gov/cber/vaers/report.htm Patient identity is kept confidential and any kind of unusual event which occurred after vaccination is accepted. There are no time restrictions between vaccine and event or event and report.