

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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In Re: CELEXA AND MDL No. 2067
LEXAPRO MARKETING AND Master Docket No.
SALES PRACTICES 09-MD-2067 (NMG)
LITIGATION Case No. 13 CV 13113
PAINTERS AND ALLIED TRADES
DISTRICT COUNCIL 82 HEALTH
CARE FUND, A THIRD-PARTY
HEALTHCARE PAYOR FUND
v. Plaintiffs
FOREST PHARMACEUTICALS, INC. and
FOREST LABORATORIES, INC.
Defendants.

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In Re: CELEXA AND MDL No. 2067
LEXAPRO MARKETING AND Master Docket No.
SALES PRACTICES 09-MD-2067 (NMG)
LITIGATION Case No. 14 CV 13848
DELANA S. KIOSSOVISKI and
RENEE RAMIREZ, on behalf
of themselves and all others
similarly situated,
Plaintiffs,
v.
FOREST PHARMACEUTICALS, INC. and
FOREST LABORATORIES, INC.
Defendants.

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VIDEOTAPED DEPOSITION OF
GERARD J. AZZARI
New York, New York
July 21, 2016

Reported by:
MARY F. BOWMAN, RPR, CRR

1 Q. So I am going to ask you again,
2 based on your knowledge and experience
3 between 2002 and 2009, did Forest sales
4 representatives engage in off-label
5 promotion of Lexapro for use in pediatric
6 patients?

7 MS. KIEHN: Objection.

8 A. Could I talk to counsel about
9 this question?

10 Q. Not while it's pending. I'm
11 asking you for your answer based on your
12 knowledge and experience.

13 MS. KIEHN: Right. If the only
14 basis for your knowledge is
15 communications with counsel, then you
16 shouldn't respond. But he is asking
17 based on your personal knowledge, do
18 you know whether.

19 Q. Let me state it again, because I
20 want you to understand what I am asking
21 you.

22 A. OK, yes, yes, yes.

23 Q. Based on your knowledge and
24 experience and your years at Forest,

1 between 2002 and 2009, did Forest sales
2 representatives engage in off-label
3 promotion of Lexapro for use in pediatric
4 patients?

5 A. I have knowledge that
6 representatives may have presented Celexa
7 or Lexapro inappropriately.

8 Q. Between 2002 and 2009?

9 A. Yes.

10 Q. And you know that, you have
11 knowledge of that related to Lexapro,
12 correct?

13 MS. KIEHN: Objection.

14 A. Yes.

15 Q. And that's based on your
16 knowledge that child specialists were on
17 Lexapro call panels between 2002 and 2009,
18 correct?

19 MS. KIEHN: Objection.

20 A. No. My commentary was that
21 individuals may have inappropriately
22 presented Celexa or Lexapro to physicians.

23 Q. Well, you know that there were
24 child specialists included on Lexapro call