

**If You Are a Medicare Part B Beneficiary and Took Zoladex® for Prostate Cancer, You May Be Able To Receive a Substantial Payment From A Proposed Class Action Settlement**

There is a Proposed Class Action Settlement with AstraZeneca Pharmaceuticals LP (“AstraZeneca”), the maker of **Zoladex®**. Zoladex® is a drug used primarily in the treatment of prostate cancer, advanced breast cancer, endometriosis and fibrosis. The class action lawsuit, *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, Docket No. 01-CV-12257-PBS, MDL No. 1456, is pending in the U.S. District Court for the District of Massachusetts.

**This lawsuit is not about the safety or efficacy of Zoladex®.**

**What is the Class Action Lawsuit About?**

The lawsuit claims that Medicare Part B Beneficiaries paid more than they should have for Zoladex®. The lawsuit claims the pricing information reported by AstraZeneca for Zoladex® was false and inflated. The pricing information is called the “average wholesale price” (“AWP”). AWP’s were used to set the amount Medicare Part B reimburses for drugs and the co-payment Medicare Part B Beneficiaries pay. AstraZeneca denies any wrongdoing.

**Who are Class Members?**

You are a member of the Class if you made a percentage co-payment under Medicare Part B for Zoladex® from January 1, 1991 through December 31, 2004 or became obligated to make such a co-payment. (A spouse of a deceased class member who made such a co-payment or a legal representative of a deceased class member’s estate may file a claim). You do not need to do anything to become part of the Class, but you must complete the Claim Form in order to be able to receive money. Please note that if you excluded yourself from the Class in response to an earlier notice sent to you in this case, you may not participate in this Proposed Settlement.

**What Are the Terms of the Proposed Settlement?**

AstraZeneca has agreed to pay up to \$24 million in the aggregate to settle the lawsuit. In addition to this amount, AstraZeneca has also agreed to pay notice and administration costs, attorneys’ fees of \$6,500,000 and attorneys’ costs of \$2,100,000, and compensation to the two class representatives of \$100 per hour for time spent providing documents and testimony in connection with this case. The Court must approve the distribution of the Settlement and the amount of fees and costs to be paid to the attorneys for the Class.

If valid Class Member claims total less than \$24 million, the difference between the total claims and the \$24 million will be paid to charitable organizations funding cancer research or patient care, such as the American Cancer Society, CancerCare and the National Prostate Cancer Coalition, for example, up to a maximum of \$10 million.

### **Who Represents Me?**

The Court has appointed attorneys to represent the Class. You may hire your own attorney, if you wish. However, you will be responsible for that attorney's fees and expenses.

### **What Are My Legal Rights?**

- **If you wish to file a claim**, you must complete a Claim Form. You can get a Claim Form by contacting the Claims Administrator in writing, at the address below, or by calling the toll-free number. It is also available on the AstraZeneca AWP Settlement Website. Claim Forms must be signed and postmarked no later than **March 14, 2008**.
- **If you are a resident of Alabama, Alaska, Georgia, Iowa, Kentucky, Louisiana, Mississippi, Montana or Virginia and do not wish to be a member of the Class**, you have the right to opt out of this lawsuit. In order to opt out, you must submit a written request to be excluded as outlined in the *Notice of Proposed Class Action Settlement*. Your request must be postmarked no later than **March 14, 2008**.
- **You can tell the Court if you do not like this Proposed Settlement** or some part of it. To object or comment, you must send a letter that is mailed and postmarked no later than **April 1, 2008**, as outlined in the *Notice of Proposed Class Action Settlement*.

### **Will the Court Approve the Proposed Settlement?**

The Court will hold a Final Approval Hearing on **May 1, 2008 at 2:00 p.m.** to consider whether the Proposed Settlement is fair, reasonable, and adequate and the motion for attorneys' fees and expenses. If comments or objections have been received, the Court will consider them at that time.

## **For a Notice of Proposed Class Action Settlement and a Claim Form**

**Call Toll-Free: 1 877-625-9451 or Visit:**

**[www.AstraZenecaAWPSettlement.com](http://www.AstraZenecaAWPSettlement.com)**

**Or Write: AstraZeneca AWP Litigation Administrator, c/o Complete  
Claim Solutions, P.O. Box 24787, West Palm Beach, FL 33416**