

From: Marcol Harvey

To: Professor Elizabeth Burch

Date: June 4, 2017

Subject: Nuva Ring

### **MEMORANDUM**

<sup>1</sup>Erika Langhart, 24, died on Thanksgiving Day 2011, after suffering two heart attacks. NuvaRing, a third-generation birth control produced by Merck, allegedly caused the blood clots that killed Erika.

Parents of Erika Langhart, Rick and Karen Langhart, rejected Merck's \$100 million settlement that resolved 3,800 lawsuits in federal and state courts against Merck for NuvaRings's inadequate health warnings. Karen Langhart wrote in an email, "we will not settle. . .To do so would mean we would have to give up our freedom to continue our work to help inform women about this bad drug, in honor of our daughter Erika. We would rather, quite frankly, die than take blood money from Merck." Under the settlement agreement, the average payout is around \$58,000 per plaintiff, and Merck denies any fault.

On the other hand, lawyers such as Roger Denton of the law firm Schlichter, Bogard, and Denton, said the settlement, "is an outstanding result and in the best

---

<sup>1</sup> Chase Olivarius-McCallister, *Ex-Durangoans Blame Daughter's Death On NuvaRing, Want Trial*, The Durango Herald, (Feb. 17, 2014, 4:28 PM), [https://durangoherald.com/articles/68885?wallit\\_nosession=1](https://durangoherald.com/articles/68885?wallit_nosession=1).

interests of all the women who have suffered an injury associated with the use of NuvaRing.” In addition, Langhart’s lawyer Hunter Shkolnik considered the lawsuit a good opportunity for many plaintiffs who fear they might lose their cases against Merck in court because “[n]ot everyone has suffered like the Langharts.”

To the Langharts, this amounts to lawyers awaiting payment. Rick Langhart stated, “Shame on them. This settlement agreement, orchestrated by Merck and the attorneys on both sides, driven by their own greed, has all but eliminated by the change for Merck to be taken to trial.”

<sup>2</sup>Unfortunately, a court later dismissed the Langhart’s lawsuit. The Langhart’ accused the court of “putting money and profits before the very lives of innocent young women. May God have mercy on your souls for allowing, and helping, these tragedies to continue.”

---

<sup>2</sup> Dustin Siggins, *Judge Dismisses Lawsuit of Family Whose Daughter Died While Using NuvaRing*, LifeSiteNews, (Oct. 1, 2015, 1:12 PM), <https://www.lifesitenews.com/news/judge-rules-against-family-who-lost-daughter-to-contraceptive>.