

In July 2008, Merck announced that it would fund the Vioxx settlement. This announcement was the subject of a “forum” in Topix.com. Some of the contributions to the forum are from claimants who are frustrated by the lack of information coming from their attorneys. Generally, the forum illustrates stories of MDL claimants struggling to navigate the complex settlement web to get a settlement check.

- One user says her attorney can tell her nothing until Brown/Greer contacts the attorney.
- One user says her attorneys are not optimistic about a high settlement figure for her father because of previous medical history.
- Some users ask whether other claimants have the same firm (KB Moll aka The Lawyers Group) and are trying to get more information regarding the settlement.



[Medicine Forum](#)

Merck to fund Vioxx settlement in August

Posted in the [Medicine Forum](#)

Jul '08 Read more: [Salon.com 7,923](#)

Drugmaker Merck & Co. said Thursday it will fund the \$4.85 billion settlement expected to resolve roughly 50,000 lawsuits related to its Vioxx painkiller, with initial payments to former users of the withdrawn ...

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buddy faircloth

Aug 8, 2008

when does payment go out what day

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ACM-CM

Aug 8, 2008

Only about 2500 claimants will be provided with a check in August.

If you get your check say between August and December, you can expect a 1099-misc form in the mail by Jan. 31st of the next year.

This is not a good deal unless changes are made to the settlement unless you are a lawyer.

Folks, read the post, What your lawyer is not disclosing.

Demand answers from your lawyer in writing.

The Settlement Channel is also a good resource.

Let's have one lawyer to step to the plate and say there is no personal income taxes owed on this settlement from either side of the fence.

Please give us your name and firm.

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MIKE C

Aug 9, 2008

how did u find that out how many checks r going to be mail ind aug and what about the medical will that be taken out first

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Waiting for justice

Aug 10, 2008

While I hate to depend upon Merck for news.

http://www.merck.com/newsroom/press_releases/...

Which actually only says that the Settlement would be on Track if 2500 of 48500 to 58000 cases are evaluated by Claims Administrators by the end of August. There is no promise there that any checks will be written to Plaintiffs in August. Thereafter the cases will be evaluated by the Claims Administrators on FIFO (First In First Out). If your lawyer was really on the ball and got all your paper work in time to be part of the Interim Payment program. Please notice that the only cases they are doing now are MI (heart attack). I have seen a report (somewhere) SI (Stroke) Claims for Interim Payment are scheduled to start in February 2009. (????) Those are projected dates, not hard fast dates.

Likewise, the rumor is; In the order of events for any of us to get an Interim Payment. Our attorney will be given the Decision by the Administrative Judge as to whether our claim made it through the Gates, whether we are qualified to receive payment in the Settlement. Then how many points the Claims Administrator Awarded. Then our attorney must decide whether we should appeal those decisions. Hopefully our attorney will contact the individual Plaintiff as to how this potential Appeal should or should not happen. Personally I am concerned that some part of my medical file might be incorrect which I would recognize, and my attorney might not.

When and how the Subrogation gets Negotiated and paid, I do not know. I do not know whether my money first goes to my attorney for him to do the split and mail me my share, or the checks are written from some central location With mine being sent directly to me.

I feel attorneys will do all this Claims Administration on paper and mailing those papers around to be Signed and Notarized by all parties. All that takes time.

Even if the Claims Administrators work night and day, I would guess not many cases will be decided by the end of August, or September, or October. Payments to Plaintiffs might follow that by -what- guess sixty days. I would guess that half the Plaintiffs will not see enough money to change their quality of life until the Settlement is finished. Meaning for the Final 60 Percent (If we got the Interim Payment) of the Award to be paid to any one until all the Claims have been evaluated, Points Awarded if they made the Gates, and their

option for appeal has been exhausted. I expect it is a full one hundred percent must be finished for the Final, True Calculation of how much a Point is worth will be decided. Then it will take a while to print all those checks and mail them.

The Settlement predicted that the Final Payments were to be made in June 2009. I am sure that they meant the very end of June, and that was not a firm promise. The Settlement has a lot of "slipped" dates so far.

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rick testerman

Aug 11, 2008

my farther has had three heart attacts and had to have a stemming in his heart. this has been going on for three or four years in the attornys but when do you think he will get his money.Or check really. what is all this whorth to us and him in money really.I dont think 4.85 billion could replace my dad.and he still is suffering.

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Pharmgirl

Aug 12, 2008

rick testerman wrote:

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Please, your spelling is all screwed up. First of all you are dealing with well educated people, so show them you can spell better than that, or they will laugh their ass off at you.

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LYNNE in SC

Aug 13, 2008

Thank you Justice in Utah -- I also read that 2500 claims will be done(paid) by end of August 2008. In July, Browngreer had about 9100 cases with all the medical reports complete and ready to review.

So I guess they finished 2500 so far. Our lawyers can't settle without getting each client's approval of the points. It is our cases. So we will all get award or denial letters in next few months. I heard 20,000 of the 48000 claimants won't qualify at all. But if you suffered a heart attack or a stroke while on Vioxx for at least 30 of the preceding 60 days to the event - you should qualify. Google and read the settlement agreement guidelines.

Lawsuits and Settlements are not taxable income - I know that for sure. I doubt we see any 1099 Misc. As far as repaying medical expenses - I believe it only applies if you were on any welfare/medicaid. (possibly

Medicare) - but not private health insurance policies. Workers comp has subrogation (if they paid your medical bills, wages etc) usually ,but it was not mentioned in the lawsuits or settlement info at all. Our lawyers are there to answer these questions - that is why they have a staff and get 33% our our settlements. Call them.

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Pharmgirl

Aug 13, 2008

Lynne,I got in touch with my attorney, and so far she cannot tell me a thing until Brown/Greer contacts her. So here is the waiting game again. I think it is very unfair, it should not be taking this long, if the promises were solid as we can see which they are not. We might as well get a life the best we can since our heart attacks slowed us down so, personally, my gut feeling is nobody will see a dime, and if, but if they finally get approved, the kids my have enough to bury them on, or pay a tad on their nursing home care. This crap will drag on and on. That is what they are trying to do, wear us down. No, if they lied a million times before, one more time won't hurt them, but what's so bad people like us are suffering form the effects of this drug and no one gives a damn, especially Merck. Why did they have to have a middleman anyway, they could have took care of the plaintiffs themselves like they should have done long, long ago. No, we have been fleeced, there was never going to be anything for the plaintiffs, now they have all our personal information, and that really troubles me.

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Donna

Aug 14, 2008

What will an individual get that had pre existing heart problems, and was obese and smoked? My husband is that catagory. However, he was obese, smoked, and had these heart problems for 20 years, even had triple by pass in 1997, but never had a heart attack until he took vioxx for 18 months. Does anyone think he will get compensated at all? His case is before the group but Our attorneys are not optimistic about a large figure though. Does anyone think we will get anything at all?

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Hanging in there

Aug 17, 2008

Donna - go to <http://www.officialvioxxsettlement.com/>

hit on "calculator" on the top and do the math/ It is easy and accurate. you will find how much you can get based on \$1500 / point.

it depends on his age to! I keep it in my favorites and check it with all the variables.

good luck to all of us!

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Kerry_s wife
Aug 18, 2008

Lynn-you are partially right. According to the IRS, compensatory damages are not taxable, however punitive damages are. In this case, and I believe the settlement agreement stipulates, it is compensatory. I checked with a tax advisor AND tax mediator and they both said NOT taxable....so I doubt there will be any 1099s.

The August 4th newsletter from my husband's attorneys states that SOME clients will receive 40% of their settlement in August and the other 60% is expected to be paid before the end of December for those people. It also says every client should receive some payment in the next 6 months. The per-point value has not been announced yet, but was represented to be \$1500-\$2000.

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Lynne in SC
Aug 18, 2008

Spoke to Seeger Weiss today... they have about 11,000 clients in this settlement. So far she said only about 25 have been approved.

When Browngreer finishes a case they e-mail Seeger Weiss - within 24 hrs they will send out a package for the client to review and approve as far as the point value. After it is agreed on and notarized and returned, then a check gets cut and sent out. So don't hold your breath ... she burst my bubble!

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Aug 18, 2008

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/well Lynne at least you have heard something, I have heard absolutely nothing. If the checks are coming out by the end of August somebody better be getting on the ball, far as I know everyone is in total limbo. Looks like at least we would be informed if we are on the list or not, brown/greer is not responding either.If you hear anything let us bloggers know. Thanks

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Kerry_s wife
Aug 19, 2008

Donna...it sounds to me like your husband's physical conditions may kick him into the 90% reduction scenario (BMI over 50 plus smoking) where 90% of the award points are subtracted from the total. However, it seems to me that I read somewhere that there is a \$5,000 minimum award.

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owe657
Aug 19, 2008

Pharmgirl wrote:

<quoted text> Please, your spelling is all screwed up. First of all you are dealing with well educated people, so show them you can spell better than that, or they will laugh their ass off at you.

After all this person has been through I think that misspelling a few words is petty, please have a little more consideration for the pain and heartache we have all been through.

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owe657
Aug 19, 2008

Donna wrote:

What will an individual get that had pre existing heart problems, and was obese and smoked? My husband is that category. However, he was obese, smoked, and had these heart problems for 20 years, even had triple by pass in 1997, but never had a heart attack until he took viox for 18 months. Does anyone think he will get compensated at all? His case is before the group but Our attorneys are not optimistic about a large figure though. Does anyone think we will get anything at all?

Hang in there Donna we just have to pray, I had taken viox for 30-45 days and heart stopped in surgery they said i had suffered a heart attack and did not know why, i too was obese but had no prior heart problems and did not smoke i still dont know if i am eligible for payment. God knows that viox caused all our injuries and it is a farse that we have to depend on this corrupt system for answers God Bless You and good luck.

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waitingforgodot

Aug 19, 2008

Hello...does anyone here have KB Moll (now called the Lawyers Group) out of Chicago as their law firm? I noticed that another firm mentioned in this post has 11,000 cases, and only 25 have passed through the gate??? We have heard nothing to date. My mother died of MI at 67 after taking viox for 2 years on a daily basis. Our case was to be heard in NJ Supreme court just before we got the settlement notice in Dec. (We were tentatively scheduled for a Jan 08 trial date). Now we feel completely screwed! Love to hear if anyone else has KB Moll and if they have heard any bit of news...

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Lsp

Aug 19, 2008

There is an online calculator that you figure your own points with. Type in Viox calculation or calculator and you will find it. It has 3 variables for payments. It is supposed to be based on your medical history at the first onset of illness and not your current state. Me I am happy for whatever, never expected to see anything.

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Lynne in SC

Aug 20, 2008

Of the 11,000 clients - only 25 got approved so far and will be getting checks this month. The remainder are still in a pile waiting to be reviewed along with the other 45,000 cases. I think over 3/4 will pass the gates and get checks eventually. Browngreer had already reviewed at least 2500 of the medical files by end of July. So I guess the other 2475 cases were not from Seeger Weiss law firm. (Or the girl on the phone at Seeger Weiss could have been wrong!) Blog if you get a letter!

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Pharmgirl

Aug 20, 2008

Lsp wrote:

There is an online calculator that you figure your own points with. Type in Viox calculation or calculator and you will find it. It has 3 variables for payments. It is supposed to be based on your medical history at the first onset of illness and not your current state. Me I am happy for whatever, never expected to see anything.

Lsp, the calculator tells you nothing about whether you qualify or not. Waste of time without you know you passed the gates as so many people are wondering. None of us knows anything, so what is the calculator

worth?

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