

Court Orders Merck to Produce Entire Database of Gardasil Adverse Events

Plaintiffs' attorneys and experts will now have access to Merck's Gardasil HPV vaccine adverse event database under a protective order.

CHARLOTTE, NORTH CAROLINA,
UNITED STATES, April 6, 2023

/EINPresswire.com/ -- Wisner Baum reports that the judge overseeing the federal Gardasil vaccine litigation has ordered Merck to produce its entire database of Gardasil adverse events to attorneys representing dozens of women and men suing the company for Gardasil induced autoimmune conditions. With the order, plaintiffs' attorneys and their experts will have access to Merck's adverse event database under a protective order allowing them to see and use the documents.



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*Bijan Esfandiari, Wisner Baum
Senior Partner*

U.S. District Judge Robert J. Conrad, Jr., of the Western District of North Carolina, [issued an order](#) on March 20, 2023 in which he stated, “[p]laintiffs’ and their experts should have the same opportunity as Merck to review and analyze the entirety of the data.”

The data Judge Conrad refers to in his order consists of all information from Merck’s Adverse Event Reporting and Review System (MARRS), which is the company’s internal version of the federal government’s Vaccine Adverse Event

Reporting System (VAERS). The government created VAERS as a vaccine surveillance program to help track “unusual or unexpected” adverse events following vaccination. While the data in VAERS is publicly available, Merck has fought to withhold its complete MARRS database from Gardasil plaintiffs’ attorneys.

That sequestering of key adverse event data will end with Judge Conrad’s order. Attorneys for

plaintiffs suffering post-Gardasil injection autoimmune conditions like postural orthostatic tachycardia syndrome ([POTS](#)) and premature ovarian failure (POF) will now have access to all of Merck's reports pertaining to HPV vaccine adverse events as submitted by doctors, patients, publications, and from its clinical trials of Gardasil.



Wisner Baum LLP, Trial Lawyers

"This order is another step in the process toward transparency, which is something we will always fight for when it comes to consumer safety," says Wisner Baum senior partner Bijan Esfandiari, who is on the plaintiff's leadership in the Gardasil HPV vaccine MDL.

Senior partner Michael Baum, who works alongside Esfandiari stated, "Gaining access to the entire Gardasil adverse event database enables expert scientists who have been demanding this information for years to finally research the patterns of complex autoimmune conditions, not just the sequestered view Merck had been imposing."

Wisner Baum serves as one of the co-leads in the consolidated Gardasil litigation representing the majority of Gardasil-injured women and men who allege Merck knowingly and fraudulently concealed the HPV vaccine's risks. Some of the most common side effects alleged in [Gardasil lawsuits](#) include:

- Auto-immune disorders
- Chronic fatigue syndrome
- Chronic regional pain syndrome (CRPS)
- Dysautonomia
- Fibromyalgia
- Movement disorders
- Postural orthostatic tachycardia syndrome (POTS)
- Premature ovarian failure (POF)

In 2022, the Judicial Panel on Multidistrict Litigation (MDL) consolidated all federally filed Gardasil cases before Judge Conrad in North Carolina, where more than 75 claims have been consolidated. Another 80 cases that have already gone through the mandatory Vaccine Injury Compensation Program (VICP) are expected to be filed in the MDL in 2023. At least 200 additional cases are currently pending in the VICP, and another 150 are under review. Most of these cases will likely end up in the federal Gardasil MDL. The Gardasil MDL is captioned In Re: Gardasil Products Liability Litigation MDL No. 3036. It is also known as 3:22-md-03036-RJC.

As of 2023, the VICP program has paid roughly \$70 million in compensation to girls and boys

injured by the Gardasil vaccine. Until recently, the U.S. Food and Drug Administration (FDA) had received more adverse reaction reports related to Gardasil than any other vaccine in history.

About Wisner Baum

Wisner Baum is one of America's leading law firms in the Gardasil litigation against Merck. With a decades-long track record of success in consumer fraud cases, the firm always strives to shine a spotlight on unsafe products or harmful practices to protect people from dangerous products. Across all areas of practice, the firm has won more than \$4 billion in settlements and verdicts.

The firm is not against vaccines, which have the potential to eradicate disease and save millions of lives. Wisner Baum's attorneys are, however, against intentional efforts to mislead consumers about the safety and effectiveness of a drug or vaccine. The firm's attorneys have always fought—and will continue to fight—for the rights of consumers to be fully and honestly informed about risks associated with any drug, vaccine, or medical device. Wisner Baum will work tirelessly to ensure those rights are defended and victims of injustice are compensated for their injuries.

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