

April 20, 2009

Sanofi-Aventis  
55 Corporate Drive  
Bridgewater, NJ 08807

Dear Sir or Madam:

The Project On Government Oversight (POGO) has updated its Federal Contractor Misconduct Database (<http://www.contractormisconduct.org/>), a compilation of information from public resources regarding government contractors, including Sanofi-Aventis. I have enclosed the findings relevant to your company, and I am seeking verification of this data.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to Sanofi-Aventis, please be assured that any response received by POGO will be posted on the website along with the data. Please note that the database includes pending instances, but these are kept separate from resolved instances and are not included in the totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Neil Gordon  
Investigator

Enclosure

## **Instances**

Fraudulent Pricing of Anzemet

Date: 09/10/2007 (Date of Announcement)

Misconduct Type: Health

Enforcement Agency: Health and Human Servs.

Contracting Party: None

Court Type: Civil

Amount: \$190,433,326

Disposition: Settlement

Synopsis: Aventis Pharmaceuticals Inc. agreed to pay \$190,433,326 "to resolve allegations that the company caused false claims to be filed with Medicare and other federal health programs as a result of the company's alleged fraudulent pricing and marketing of drugs." The case involved the pricing between 1997 and 2004 of Anzemet, a treatment given to cancer patients after chemotherapy. The government alleged Aventis engaged in a scheme to set fraudulent and inflated prices for Anzemet knowing that federal health care programs established reimbursement rates based on those prices. The settlement will be split between the federal government and the governments of several states and the District of Columbia.

Vitamin Cartel - Australian Class Action

Date: 10/27/2006 (Date of Settlement Approval)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: International

Court Type: Civil

Amount: Unknown

Disposition: Settlement

Synopsis: Roche Holdings, BASF and Aventis agreed to pay \$30.5 million to settle an Australian class action lawsuit alleging they operated a cartel to fix the price of vitamins in the 1990s.

Vitamin Cartel - EU Fine

Date: 11/21/2001 (Date of Fine)

Misconduct Type: Antitrust

Enforcement Agency: International

Contracting Party: None

Court Type: Criminal

Amount: \$4,000,000

Disposition: Fine

Synopsis: The European Union fined eight pharmaceutical companies, including Aventis SA (formerly Rhône-Poulenc), a total of 855.2 million euros (approximately \$752 million) for colluding to fix the price of vitamins between 1989 and 1999. The eight companies had been under investigation since 1999 for colluding to eliminate fair competition for vitamins and overcharging consumers in the European market. Aventis was exempted from fines for its involvement in cartels accused of rigging the market for vitamins A and E because of its

cooperation with investigators, but was fined 5.04 million euros (approximately \$4 million) for participating in the vitamin D3 cartel.

#### Cardizem CD Settlement

Date: 05/31/2005 (Date of Final Approval)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: Unknown

Disposition: Settlement

Synopsis: A nationwide class-action lawsuit was filed on behalf of all individuals who paid for prescriptions of the heart medication Cardizem CD, manufactured by Aventis, and/or its generic versions between 1998 and 2003. The lawsuit alleged Aventis and Andrx, maker of the generic version of Cardizem CD, conspired to keep the generic version off the market, causing consumers and third party payers to overpay for the drug. Aventis and Andrx agreed to pay \$80 million, in addition to a separate \$110 million settlement reached between the companies and drug wholesalers involving the same allegations.

#### **Pending Instance**

Bellifemine v. Sanofi-Aventis (Gender Discrimination)

Date: 03/14/2007 (Date of Filing)

Misconduct Type: Labor

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: \$0

Disposition: Pending

Synopsis: A lawsuit filed in March 2007 alleging Sanofi-Aventis discriminated against one of its female employees was expanded in August 2007 to seek inclusion of thousands of current and past female employees around the country who might have experienced the same discriminatory treatment. The plaintiffs complain of discrimination in salary, hiring and promotion, and a hostile work environment.