

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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In Re: CELEXA AND MDL No. 2067  
LEXAPRO MARKETING AND Master Docket No.  
SALES PRACTICES 09-MD-2067 (NMG)  
LITIGATION Case No. 13 CV 13113  
PAINTERS AND ALLIED TRADES  
DISTRICT COUNCIL 82 HEALTH  
CARE FUND, A THIRD-PARTY  
HEALTHCARE PAYOR FUND  
v. Plaintiffs  
FOREST PHARMACEUTICALS, INC. and  
FOREST LABORATORIES, INC.  
Defendants.

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In Re: CELEXA AND MDL No. 2067  
LEXAPRO MARKETING AND Master Docket No.  
SALES PRACTICES 09-MD-2067 (NMG)  
LITIGATION Case No. 14 CV 13848  
DELANA S. KIOSSOVSKI and  
RENEE RAMIREZ, on behalf  
of themselves and all others  
similarly situated,  
Plaintiffs,  
v.  
FOREST PHARMACEUTICALS, INC. and  
FOREST LABORATORIES, INC.  
Defendants.

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VIDEOTAPED DEPOSITION OF  
GERARD J. AZZARI  
New York, New York  
July 21, 2016

Reported by:  
MARY F. BOWMAN, RPR, CRR

1 Q. So I am going to ask you again,  
2 based on your knowledge and experience  
3 between 2002 and 2009, did Forest sales  
4 representatives engage in off-label  
5 promotion of Lexapro for use in pediatric  
6 patients?

7 MS. KIEHN: Objection.

8 A. Could I talk to counsel about  
9 this question?

10 Q. Not while it's pending. I'm  
11 asking you for your answer based on your  
12 knowledge and experience.

13 MS. KIEHN: Right. If the only  
14 basis for your knowledge is  
15 communications with counsel, then you  
16 shouldn't respond. But he is asking  
17 based on your personal knowledge, do  
18 you know whether.

19 Q. Let me state it again, because I  
20 want you to understand what I am asking  
21 you.

22 A. OK, yes, yes, yes.

23 Q. Based on your knowledge and  
24 experience and your years at Forest,

1       between 2002 and 2009, did Forest sales  
2       representatives engage in off-label  
3       promotion of Lexapro for use in pediatric  
4       patients?

5           A.     I have knowledge that  
6       representatives may have presented Celexa  
7       or Lexapro inappropriately.

8           Q.     Between 2002 and 2009?

9           A.     Yes.

10          Q.     And you know that, you have  
11       knowledge of that related to Lexapro,  
12       correct?

13                   MS. KIEHN:  Objection.

14          A.     Yes.

15          Q.     And that's based on your  
16       knowledge that child specialists were on  
17       Lexapro call panels between 2002 and 2009,  
18       correct?

19                   MS. KIEHN:  Objection.

20          A.     No.   My commentary was that  
21       individuals may have inappropriately  
22       presented Celexa or Lexapro to physicians.

23          Q.     Well, you know that there were  
24       child specialists included on Lexapro call