

Everett School Employee Benefit Trust

Minutes of November 15, 2004

Special Trustee Meeting

Human Resources Conference Room

3:30 p.m.

Attendance

Trustees

Kay Nickel

Mike Gunn

Molly Ringo

Sue McCann

Also Attending

Darla Van Duren

Recorder

Susan Sacha

Absence

John Morrill

Betsy Selders

The special meeting was called to order at 3:40 p.m. by Sue McCann, Secretary.

- **Augmentin Antitrust Litigation**

Pharmaceutical Care Network (PCN) received notice regarding a proposed settlement in the class action lawsuit against GlaxoSmithKline. According to the handout Molly provided, GlaxoSmithKline misled the United States Patent Office into issuing patents to protect Augmentin from competition from generic drug substitutes between January 4, 2000 and April 30, 2004. Molly explained that the Trust has the option of participating on their own as a class member or Pharmaceutical Care Network (PCN) could submit a third party payer proof of claim on our behalf. PCN will charge a 10% fee of any settlement funds collected on the trusts behalf to cover legal, administrative and query costs. A discussion ensued and a motion was made, seconded and approved to have PCN represent the trust in this class action.

- **Marsh McLennan Lawsuit**

Molly provided some information about the Marsh McLennan lawsuit (Mercer is a Marsh McLennan company). It was felt that the trust would not have been damaged by the alleged improprieties. Jill Mehner of Mercer will speak to the trustees at the next meeting regarding the lawsuit.

The meeting was adjourned at 4:07 p.m.

Respectfully submitted,

Sue McCann
Secretary