



Merck & Co. v. Reynolds, 559 U.S. 633, 640 (2010)

Investors brought a securities fraud class action suit against Merck & Co. for misleading them about the drug Vioxx's safety and commercial viability. Merck moved to dismiss the case claiming the statute of limitations had run. The district court agreed and dismissed the case, but the Supreme Court disagreed and reversed.

The Court Reviewed the History of Vioxx and of Merck's Negligence and Cited the AMA

In August 2001, the Journal of the American Medical Association wrote that the available data raised a "cautionary flag" and strongly urged that "a trial specifically assessing cardiovascular risk" be done.