



Imprimis Releases Statement Regarding Allergan Lawsuit

September 11, 2017

SAN DIEGO, Sept. 11, 2017 /PRNewswire/ -- Imprimis Pharmaceuticals, Inc. (NASDAQ:IMMY), an ophthalmology-focused pharmaceutical company, today responded to a press release issued by Allergan® plc ([AGN](#)) regarding a lawsuit Allergan USA, Inc. filed against Imprimis:



"Imprimis will aggressively defend itself against Allergan's frivolous lawsuit and will take action against Allergan to protect its good name, never yielding to Allergan's tactics to limit patient choice and drive up the cost of ophthalmic therapies to Americans.

"Allergan, one of the most powerful Big Pharma companies in the world, has filed this lawsuit against one of the smallest pharmaceutical companies in the world, to snuff out any competition to its high drug price strategies. Allergan, a true Goliath, is bent on ensuring that Americans continue to pay the highest possible prices for its drugs."

Allergan is a well-known professional litigant. Here are some of Allergan's recent run-ins with the law:

- In order to avoid paying US taxes, Allergan, which was a California-based US corporation, abandoned the [United States in a legal maneuver](#) called a tax inversion.
- Allergan has been the subject of Federal Trade Commission crackdowns for [paying generics companies to delay](#) selling lower cost products.
- In the heat of Congressional hearings on drug price gouging by Big Pharma, Allergan [promised to 'only' raise its already high drug prices less than 10% per year](#). US inflation rates have averaged 1.1% over the past four years.
- [Allergan division executives have been arrested](#) and subjected to US Justice Department criminal action for allegedly employing illegal sales tactics.
- Allergan has paid off millions of dollars in whistleblower lawsuits (See [1](#), [2](#)) by its own former employees, alleging myriad nefarious Allergan business practices.
- Allergan is currently being [sued by numerous states' Attorney's General](#) for allegations related to illegal 'marketing schemes' connected to its opioid products.
- Allergan [pled guilty](#) to 'misbranding' and 'off-label promotion' of its flagship Botox® product, and was forced to pay over one-half billion dollars in fines to the federal government.
- Despite FDA warnings that Allergan's Viberzi® product '[could result in hospitalization or death](#)' for vulnerable patient populations, Allergan continues to advertise it widely.
- To thwart the US legal system and avoid lower-cost generic competition, Allergan has [schemed](#) to sell patents for its Restasis® drug to a Native American tribe.

Imprimis CEO Mark L. Baum stated, "Allergan's illegal, abusive, and anticompetitive actions aimed at maintaining its obscenely high drug prices reveal its true socially unconscious values. Despite Allergan's misuse of its massive resources against a lawful competitor, Imprimis is winning support where it counts the most: among the nation's leading ophthalmologists, and the patients that together we serve."

The Company concluded:

"Imprimis is dedicated to providing the highest quality ophthalmic pharmaceuticals to the physicians and patients who need them. We have served more than 1,700 ophthalmologists and over half a million patients in the past three years. Partnering with ophthalmologists to ensure special patient needs are met, Imprimis serves the most at-risk patient populations, from disabled veterans in VA hospitals to Down's Syndrome patients who cannot physically use Allergan's products.

"Imprimis has a top-to-bottom commitment to patient welfare. Our dozens of charitable cataract surgery missions around the world have helped not only the economically disadvantaged, but thousands of patients with physical and mental disabilities. While Big Pharma companies such as Allergan have continued with huge price hikes for older drugs and even those off-patent, we provided AIDs patients [a low-cost alternative](#) to "pharma bro" Martin Shkreli's decision to hike the price of Daraprim® by 5,000%. We are [making lower-cost therapy options](#) available to the residents of Flint, Michigan after Big Pharma raised the price of a lead poisoning therapy by 2,700%. When Big Pharma raised the price of the emergency drug dispensing Epi-Pen®, our announcement of [a planned lower-cost alternative](#) immediately disciplined this anti-competitive behavior. Our commitment to patients and physicians has never been greater.

"Imprimis complies scrupulously with federal and state laws. Unlike Allergan, we do not ply physician prescribers with promised benefits in return for buying our products. Despite Allergan's dubious marketing ethics, the nation's leading ophthalmologists recommend Imprimis's American-made ophthalmic formulations because of their unique value."

About Imprimis Pharmaceuticals

Imprimis Pharmaceuticals, Inc. (IMMY) is a pharmaceutical company dedicated to producing and dispensing high quality innovative medications in all 50 states. The company's unique business model increases patient access and affordability to many critical medicines. Headquartered in San Diego, California, Imprimis owns and operates production and dispensing facilities located in California and New Jersey. For more information about Imprimis, please visit the corporate website at www.ImprimisRx.com.

Forward-Looking Statements

This press release contains forward-looking statements within the meaning of the U.S. Private Securities Litigation Reform Act of 1995. Any statements in this release that are not historical facts may be considered such "forward looking statements." Forward-looking statements are based on management's current expectations and are subject to risks and uncertainties which may cause results to differ materially and adversely from the statements contained herein. Some of the potential risks and uncertainties that could cause actual results to differ from those predicted include the outcomes of current or pending litigation, our ability to make commercially available our compounded formulations and technologies in a timely manner or at all; physician interest in prescribing our formulations; risks related to our compounding pharmacy operations; our ability to enter into other strategic alliances, including arrangements with pharmacies, physicians and healthcare organizations for the development and distribution of our formulations; our ability to obtain intellectual property protection for our assets; our ability to accurately estimate our expenses and cash burn, and raise additional funds when necessary; risks related to research and development activities; the projected size of the potential market for our technologies and formulations; unexpected new data, safety and technical issues; regulatory and market developments impacting compounding pharmacies, outsourcing facilities and the pharmaceutical industry; competition; and market conditions. These and additional risks and uncertainties are more fully described in Imprimis' filings with the Securities and Exchange Commission, including its Annual Report on Form 10-K and its Quarterly Reports on Form 10-Q. Such documents may be read free of charge on the SEC's web site at www.sec.gov. Undue reliance should not be placed on forward looking statements, which speak only as of the date they are made. Except as required by law, Imprimis undertakes no obligation to update any forward-looking statements to reflect new information, events or circumstances after the date they are made, or to reflect the occurrence of unanticipated events.

Other than drugs compounded at its FDA registered outsourcing facility, all Imprimis compounded formulations may only be prescribed pursuant to a physician prescription for an individually identified patient consistent with federal and state laws.

Allergan®, Restasis®, Botox®, Viberzi®, Daraprim®, and Epi-Pen® and all other trademarks, service marks and trade names included or referenced in this press release, are the property of their respective owners.

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