

High court won't hear appeal over \$124M drug penalty

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The Supreme Court won't hear an appeal from a Johnson & Johnson subsidiary assessed more than \$124 million in penalties for deceptive marketing of an anti-psychotic drug.

The justices on Monday let stand a lower court ruling that said Janssen Pharmaceuticals, Inc. should pay the penalties for violations of South Carolina law.

In 2011, a state trial [court](#) ordered the drug maker to pay \$327 million, saying Janssen broke the law by downplaying to doctors the links between diabetes and Risperdal and by improperly claiming the drug was safer than competing medications. South Carolina's [supreme court](#) reduced the penalty because of the state's three-year statute of limitations on such cases.

The company claimed the penalty was excessive and that state law was pre-empted by federal [drug](#) laws.

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