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Proposed class action alleges generic manufacturers conspired to price-fix and allocate generic market.

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On June 3, 2020, a proposed class action was commenced against over 50 generic drug manufacturers (see Statement of Claim here). The claim alleges that the generic drug manufacturers violated the *Competition Act* by conspiring to allocate the market, fix prices and maintain the supply of generic drugs from 2012 to present, and claims damages or compensation of \$2.75 billion. The action is brought on behalf of class members who purchased generic drugs in the private sector, either through private drug plans or paying cash. The claim alleges that the defendants conspired to allocate the market for generic drugs by agreeing whether to sell certain drugs, and by fixing the market shares and prices of drugs. The claim references an ongoing investigation in the United States into price fixing, bid rigging and market allocation in the generic pharmaceutical industry, in which certain manufacturers have entered guilty pleas (see press release here in respect of Apotex Corp.).

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