

Opioid-Related News and the Courts

Weekly Review

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National

[Oklahoma court overturns \\$465M opioid ruling against J&J](#)

Associated Press

The Oklahoma Supreme Court on Tuesday overturned a \$465 million opioid ruling against drugmaker Johnson & Johnson, finding that a lower court wrongly interpreted the state's public nuisance law in the first case of its kind in the U.S. to go to trial.

The ruling was the second blow this month to a government case that used a similar approach to try to hold drugmakers responsible for the national epidemic of opioid abuse. Public nuisance claims are at the heart of some 3,000 lawsuits brought by state and local governments against drugmakers, distribution companies and pharmacies, but it's not clear that the legal theory is in trouble with so many more cases queued up to test it.

The court ruled in a 5-1 decision that District Judge Thad Balkman in 2019 [was wrong to find that New Jersey-based J&J](#) and its Belgium-based subsidiary Janssen Pharmaceuticals violated the state's public nuisance statute.

“The court has allowed public nuisance claims to address discrete, localized problems, not policy problems,” according to the opinion written by Justice James R. Winchester.