

Note: This English translation is unofficial. Only the original German text carries legal authority.

Hearing Date of Thalidomide Lawsuit in Germany announced

Press release 13.02.2017

60 years after the market launch of Contergan (active ingredient: thalidomide), the greatest pharmaceutical scandal in the Federal Republic of Germany continues to boil. A lawsuit will be heard in the Bonn Regional Court at 12:00 hrs on 15.2.2017 that is more explosive than appears at first sight.

The Contergan victim Andreas Meyer, who was born without arms or legs and is confined to a wheelchair, is suing the former member of the Management Board of the Contergan Foundation, Attorney Karl Schucht, for injunction and rectification.

In a letter to the members of the Family Affairs Committee of the German Federal Parliament, Schucht had asserted that Meyer, as an expert witness at a public hearing of the Committee, had publicly stated various untruths about events connected with the Contergan Foundation.

Meyer had said among other things that for 30 years the Contergan (thalidomide) manufacturer Grünenthal GmbH had had access to the medical files of the Contergan victims in the Contergan Foundation. In addition, Grünenthal had also paid the Foundation's medical experts.

In his letter, Schucht asserted to the contrary that Grünenthal had at no time had access to the medical files of the Contergan victims, but that the files were always kept by the Contergan Foundation. Further, he asserted that the experts of the Medical Commission were always paid from the funds of the Contergan Foundation.

Why so explosive? Because if Meyer wins the lawsuit it will mean that not only Schucht had told untruths to the members of Parliament. No, the Federal Government had also told untruths to Parliament.

Because the Federal Ministry of Family Affairs, which has been responsible for supervision of the Contergan Foundation since 1972, stated in a reply to a Minor Interpellation by the Parliamentary Group Die Linke that Schucht's letter also expressed the opinion of the Federal Government.

A pivotal question, according to Meyer, is the double role of Attorney Herbert Wartensleben who has also been invited as a witness by the Bonn Regional Court. From 1972 until the end of 2003, Wartensleben was not only Chairman of the Medical Commission of the Contergan Foundation, which judges whether a victim is or is not damaged by Contergan and also evaluates the degree of damage – on the basis of which the amount of the Contergan pension is assessed, for example. Since the Contergan trial, Wartensleben acted again and again as the legal representative of Grünenthal in cases relating to Contergan; most recently in 2007 in the lawsuits concerning the two-part ARD feature film "Eine einzige Tablette" (One single tablet).

“The case deals with the question of whether the Contergan Foundation was, or perhaps still is, an undercover subsidiary of Grünenthal under the eyes of the Federal Government,” said Meyer.

Meyer will be represented by Prof. Dr. Jan Hegemann from the law firm Raue Rechtsanwälte LLP in Berlin. Attorney Prof. Dr. Jan Hegemann already successfully represented Meyer in 2009 in the case of Meyer’s call to boycott the products of Dalli-Werke, Mäurer & Wirtz and 4711 – companies belonging to Grünenthal’s owner. Attorney Karl Schucht will be represented by Attorneys Gernot Lehr and Tobias Würkert LLM from the Bonn office of the law firm Redeker Sellner Dahs. For Meyer, this is significant. The founder of that law firm, Prof. Dr. Hans Dahs senior who died in 1972, represented the late owner of Grünenthal, Dr. Hermann Wirtz senior, in the Contergan trial.

Place and date of the court hearing

Date: 15.2.2017

Time: 12:00 hrs

Place: Bonn Regional Court, Wilhelmstraße 21, 53111 Bonn

Room: Courtroom S. 0.15 (Saalbau)

You can find further important information at the following link:

http://www.gruenenthal-opfer.de/Materials_Meyer_vs_Schucht_15_2_2017

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