



## TERENCE S. ZIEGLER

### PARTNER

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#### FOCUS AREAS

Antitrust

Healthcare Impact & Consumer Protection

Banking & Financial Services

Data Privacy & Cyber Security

#### EDUCATION

Loyola University New Orleans

B.A. 1989

Tulane University

J.D. 1992

#### ADMISSIONS

Pennsylvania

Louisiana

USCA, Third Circuit

USCA, Fifth Circuit

USCA, Eleventh Circuit

Terence S. Ziegler is a partner at Kessler Topaz Meltzer & Check, L.L.P. where he has worked since 2005. Since joining the Firm, he has focused his practice on antitrust and complex consumer litigation. Terence is currently involved in a number of class action lawsuits against large pharmaceutical manufacturers in antitrust cases alleging improper reverse payment and generic suppression schemes.

Terence also served as a special assistant attorney general to several states in litigation involving the sales and marketing practices of major pharmaceutical companies. These cases led to important injunctive relief and significant monetary recovery for those states.

Terence's extensive experience in complex cases also includes consumer class actions alleging improper insurer and lender practices in violation of RICO and RESPA.

Examples of Terence's recent notable cases include *In re Flonase Antitrust Litigation* (\$150 million settlement on behalf of direct purchasers); *In re Wellbutrin SR Antitrust Litigation* (\$21.5 million settlement on behalf of end-payors); *Alston v. Countrywide, et al.* (\$34 million settlement on behalf of borrowers); and *Ligouri v. Wells Fargo & Co., et al.* (\$12.5 million settlement on behalf of borrowers).

Terence received his bachelor's degree from Loyola University in 1989. He earned his juris doctor from Tulane University in 1992. He is a member of the Pennsylvania and Louisiana bars and is admitted to practice in several federal district and appellate courts

across the country.

## Experience

### Current Cases

- Amarin Pharma, Inc.

Plaintiffs filed a Consolidated Class Action Complaint alleging that, having pursued and lost patent infringement litigation against would-be generic competitors as well as exhausting every regulatory means to prevent and delay the launch of generic competitors, Amarin adopted an unlawful strategy to artificially extend its monopoly for its sole product Vascepa. By locking up every viable supplier of the key ingredient needed to manufacture generic Vascepa, Amarin boxed generic manufacturers out of the market. This scheme left Amarin free to continue charging supracompetitive prices and obtain the most profit it could out of Vascepa, at the expense of the Plaintiffs and other purchasers of the drug.

Amarin filed a motion to dismiss the consolidated complaint in the fall of 2021. On February 23, 2023, the Court dismissed, without prejudice, certain of the unjust enrichment and consumer protection claims, but otherwise sustained the claims. Defendants filed their answer to the consolidated complaint on March 31, 2023. Discovery commenced thereafter and proceeded in coordination with that served by direct purchaser plaintiffs and generic manufacturers that have filed their own suits against Amarin for anticompetitive conduct.

On August 30, 2024, Plaintiffs filed a motion seeking leave to amend to add KD Pharma and related entities as defendants, which the Court granted on April 30, 2025. Plaintiffs thereafter filed a Second Amended Consolidated Class Action Complaint. Discovery in connection with all of the coordinated cases remains ongoing.

### News

- May 8, 2017 - Kessler Topaz Again Named Class Action Litigation Department of the Year by The Legal Intelligencer

### Speaking Engagements

Harris Martin's Antitrust Pay for Delay Litigation Conference, September 22, 2014

### Publications

"Fighting the high cost of healthcare," *Trial Magazine* (October 2007)