

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS LIABILITY
LITIGATION

MDL NO. 1203

THIS DOCUMENT RELATES TO: SHEILA BROWN, ET
AL. V. AMERICAN HOME PRODUCTS CORPORATION

CIVIL ACTION
No. 99-20593

**ANNUAL REPORT OF THE CARDIOVASCULAR MEDICAL RESEARCH AND
EDUCATION FUND, INC. FOR THE YEAR ENDED DECEMBER 31, 2013**

I. INTRODUCTION

The Class Action Settlement Agreement in the above referenced litigation authorized the creation of the Cardiovascular Medical Research & Education Fund, Inc. (“CMREF” or “the Fund”) for purposes of financing “medical research related to treatment and cure of Primary Pulmonary Hypertension....” *See* Bylaws of the Cardiovascular Medical Research & Education Fund, Inc. at § 2.B (appended as Exhibit “B” to the Fifth Amendment approved by the Court in Pretrial Order No. 2677) (“Bylaws”). The original version of the Settlement Agreement provided \$25 million in funding for CMREF. *See* Settlement Agreement at §IV.A.3.a. The Tenth Amendment to the Settlement Agreement, approved by the Court on July 2, 2010, provided an additional \$12.5 million in funding for CMREF. *See In re Diet Drugs*, 2010 WL 2735414 at *3 (E.D.Pa. July 2, 2010).

Under its Court-approved Bylaws, CMREF is required to furnish an annual report to the Court following the close of the Foundation’s fiscal year. *See* Bylaws at § 6.N(I). This is the Annual Report of the CMREF for the year ended December 31, 2013.

II. FINANCIAL REPORT

Attached as Exhibit “A” to this Annual Report are the compiled financial statements of the CMREF prepared by the Certified Public Accountants employed by the Fund. These financial statements show the assets and liabilities of the CMREF, the principal changes in assets and liabilities, the revenue and receipts of the Fund, and the expenses and disbursements made by the Fund for the fiscal year ended December 31, 2013.

III. GRANT ACTIVITIES

During the year ended December 31, 2013, CMREF engaged in the following grant making activities:

- Continuing to fund the operation of the Pulmonary Hypertension Breakthrough Initiative (“PHBI”), a consortium of 13 highly distinguished, university affiliated institutions that have collected explanted lungs from PPH patients and controls, as well as phenotypic information on those patients for systematic pathological, cellular, proteomic and genetic analysis;¹
- Continuing to fund a unique journal by the Pulmonary Vascular Institute devoted to publishing research and providing educational information regarding PPH;
- Continuing to fund a project by the Pulmonary Hypertension Association to provide medical education regarding PPH in pediatric patients;
- Continuing to fund the development of a right ventricular assistance device for purposes of treating right heart failure, which is the principal cause of death in PPH patients;
- Continuing to fund a grant to Yuchi Han, M.D. at the Hospital of the University of Pennsylvania to systematically study the relationship between the metabolism of

¹ The results of medical and scientific study of the biological materials collected through the PHBI has yielded an impressive body of scientific literature that is identified, in part, in the list appended as Exhibit “B” to this report.

fatty acids and glucose and right ventricular dysfunction in patients with PPH as well as corresponding methods to reverse or treat such dysfunction;

- Funding a grant to Dr. Ian Adatia to develop a device for instantaneous and non-invasive measurement of pulmonary artery pressure by acoustic analysis;
- Funding the Grover Conference, the only international meeting in North America that repeatedly focuses on subjects relevant to lung vascular biology and medicine; and
- Funding a study by Qadar Pasha, Ph.D. regarding the function of oxygen sensor molecules.

CMREF is in large measure pleased with the progress made by its grantees. They have and will continue to produce research and provide education facilitating a better understanding of PPH, which will, in turn, lead to improved treatments for those who suffer from this disease.

Respectfully submitted,

/s/ John Newman, M.D.
JOHN NEWMAN, M.D., PRESIDENT

/s/ Charles Samuelson
CHARLES SAMUELSON, SECRETARY

/s/ Michael D. Fishbein
MICHAEL D. FISHBEIN, TREASURER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Annual Report of the Cardiovascular Medical Research and Education Fund, Inc. for the Year Ended December 31, 2013 was filed electronically this __ day of August, 2014 and is available for viewing and downloading from the ECF System of the United States District Court for the Eastern District of Pennsylvania.

/s/ Michael D. Fishbein

MICHAEL D. FISHBEIN

Exhibit “A”

Exhibit “B”