Actos TPP (Pioglitazone) — Settlement Summary

Last Modified on 11/24/2026 2:01 am EST

Actos TPP Class Action – Painters v. Takeda (Case No. 2:17-cv-07223-JHW-AS)

Summary

A certified national class action lawsuit has been filed against Takeda Pharmaceuticals USA, Inc., Takeda Pharmaceutical Company Limited, and Eli Lilly & Company, alleging that Defendants concealed the bladder cancer risk associated with the diabetes drug Actos in violation of the Racketeer Influenced and Corrupt Organizations Act (RICO). The lawsuit seeks to recover amounts paid by third-party payors (TPPs) — such as insurers, health plans, and benefit funds — for Actos and related drugs during the class period. No settlement has been reached yet; the case is in the class notice phase, and class members must decide whether to remain in the class or opt out.

Announcements

- **Class Certified:** A National TPP Class has been certified by the Court.
- **Class Notice Plan Approved:** On February 3, 2026, the Court granted the Motion for Approval of Class Notice Plan.
- **Notice Date:** Class notice was issued on March 6, 2026.
- **Opt-Out Deadline Passed:** The deadline for class members to request exclusion from the lawsuit was **April 6, 2026**. That deadline has now passed. No claims filing process is currently open — there is no settlement and no money available at this time. FRS staff should monitor the settlement website for future settlement or trial announcements.

Settlement Amount

Not yet available. There is no settlement at this time and no money available now. The lawsuit is proceeding toward trial or a future settlement. Class members are advised that there is no guarantee money will become available.

Class Period

July 1, 1999 through September 17, 2010

Filing Deadline

No claims filing deadline has been set — no settlement or claims process currently exists. The deadline to **opt out** (request exclusion from the lawsuit) was **April 6, 2026** and has now passed. If a settlement is reached, a new claims filing deadline will be established and class members will be notified of any additional steps required.

Who Qualifies

The class includes all **third-party payors (TPPs)** in the United States and its territories that:

- Purchased, paid for, and/or reimbursed all or any portion of the price for any of the following drugs:**Actos, ActosPlus MET, ActosPlus MET XR, Duetact, and/or Oseni**;
- Did so for **five or more independent (non-refill) prescriptions**;
- During the class period of **July 1, 1999 through September 17, 2010**; and
- Paid or reimbursed for purposes **other than resale**.

TPPs typically include health insurers, self-funded employer health plans, union benefit funds, and similar entities that pay for prescription drugs on behalf of their members or employees.

Who Is Excluded

- Any TPPs that have **already released claims** covered by this lawsuit.
- Any class member that submitted a timely and valid request for exclusion (opt-out) by April 6, 2026.

How to File

There is **no claims filing process open at this time**. The case has not settled and no money is currently available. The opt-out deadline of April 6, 2026 has passed. Class members who did not opt out remain in the class and will be notified of any additional steps (such as submitting a claim form) if a settlement is reached or a favorable judgment is entered.

For questions or case updates, contact the Actos Class Action Administrator:

- **Phone:** 877-564-4250 (toll-free)
- **Mail:** Actos Class Action Administrator, PO Box 2118, Portland, OR 97208-2118
- **Website:** See source URL below for documents including the Long Form Notice and Second Amended Class Action Complaint.

Defendants

- **Takeda Pharmaceuticals USA, Inc.** – U.S. subsidiary of Takeda Pharmaceutical Company Limited; manufacturer and marketer of Actos.
- **Takeda Pharmaceutical Company Limited** – Japanese parent company; named as a co-defendant.
- **Eli Lilly & Company** – Co-defendant; alleged to have participated in the marketing of the Actos-related drug combination products.

The lawsuit alleges that Defendants violated **RICO** by concealing the bladder cancer risk associated with Actos, causing TPPs to reimburse prescriptions they would not have covered had the risk been disclosed. Specifically, Plaintiffs allege that Takeda and Lilly misled the FDA by generating false studies, manipulating study results, and controlling messaging about Actos to conceal aspects of the drug's mechanism that could have raised concerns, and that they misled prescribing physicians, consumers, and TPPs. Defendants deny all wrongdoing. The Court has not determined which side is correct.

Case History

- **2017:** Complaint filed; case assigned Case No. 2:17-cv-07223-JHW-AS in the U.S. District Court for the Central District of California, before Judge John W. Holcomb.
- **Class Period:** July 1, 1999 – September 17, 2010 (relevant conduct period for covered drug purchases).
- **Date not specified:** Second Amended Class Action Complaint filed (document available on settlement website).
- **Date not specified:** Court issued Memorandum Opinion and Order on Motion for Class Certification, certifying a National TPP Class.

- **February 3, 2026:** Court granted Order Approving Class Notice Plan.
- **March 6, 2026:** Class notice issued to class members.
- **April 6, 2026:** Deadline for class members to request exclusion from the lawsuit (now passed).

Source

- *Actos TPP Home Page:* **https://www.actostppclassaction.com/** (or equivalent — base URL inferred from site structure)
- *Actos TPP Documents Page:* **https://www.actostppclassaction.com/documents** (or equivalent)
- *Actos TPP FAQs Page:* **https://www.actostppclassaction.com/faqs** (or equivalent)

Note: Exact URLs were not provided in the source content. FRS staff should verify the canonical URL upon review.

Last Updated

2026-11-24

Reviewer Flags

- **Changes from previous version:**
  - **Announcements:** Updated the opt-out deadline bullet from "Opt-Out Deadline Approaching" to "Opt-Out Deadline Passed," reflecting that April 6, 2026 has now passed as of this update date (2026-11-24). This resolves the flag from the prior version noting the deadline had likely already passed.
  - **Filing Deadline:** Updated language to note the opt-out deadline has now passed and that a new claims deadline will be set if/when a settlement is reached.
  - **How to File:** Revised to reflect that the opt-out deadline has passed and that class members who did not opt out remain in the class awaiting future developments. Added the mailing address for the Class Action Administrator (sourced from FAQs page).
  - **Defendants:** Expanded the allegations paragraph with additional detail from the FAQs page (false studies, manipulated results, misleading FDA/physicians/consumers).
  - **Case History:** Added the judge's name and court name (sourced from FAQs page).
  - **Source:** Added the FAQs page as a third source URL.
  - **Last Updated:** Changed from 2026-09-03 to 2026-11-24.
- **Source pages:** Home Page provided class period, key dates, opt-out deadline, class definition, defendant names, and rights summary. Documents Page provided list of available court documents and administrator contact info. FAQs Page provided detailed class definition, TPP definition, exclusion request instructions (including mailing address), class counsel information, additional allegations detail, and judge/court identification.
- **No new settlement or trial date announced:** The settlement website footer shows a last-updated date of 3/17/2026, which is unchanged from the prior version. No new developments have been posted. FRS staff should continue monitoring for updates.
- **Source URLs not explicitly provided** in scraped content — only page titles and content were supplied. FRS staff should verify and insert the correct canonical URLs.
- **Opt-out deadline has passed with no settlement:** As of 2026-11-24, the case appears to be in a holding pattern — the class notice phase is complete, the opt-out window has closed, and no settlement or trial date has been announced. The primary actionable item for FRS clients at this stage is monitoring for a future settlement or trial outcome announcement.