Tracleer and Bosentan TPP — Settlement Summary

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Tracleer and Bosentan Antitrust Settlement (Third-Party Payors)

Summary

This class action lawsuit alleges that Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC unlawfully delayed the entry of generic bosentan into the market, causing third-party payors (TPPs) to overpay for brand-name Tracleer and bosentan. A settlement has been reached, and eligible TPPs may submit claims to recover a portion of their alleged overpayments. The Court held a Fairness Hearing on July 1, 2026, and a Final Approval Order and Judgment was entered that same day.

Announcements

Final Approval Granted — July 1, 2026: The Court entered the Final Approval Order and Judgment on July 1, 2026, following the Fairness Hearing held that day. The settlement is now approved. Claims must still be submitted by the deadline below. Payments will be made only after any appeals are resolved.

Claims Deadline Approaching: Claim forms must be submitted online or by mail by **August 3, 2026**. FRS staff should ensure all eligible clients file before this date.

Settlement Amount

The specific dollar amount of the settlement fund is not published on the settlement website. The Settlement Agreement (filed April 3, 2026, as Exhibit 1 to the Robertson Declaration) and the Plan of Allocation and Distribution (Exhibit 2) contain the full financial details. FRS staff should consult those court documents for the fund total. Per-claimant recovery amounts are not yet available on the settlement website and will depend on the Plan of Allocation and Distribution.

Class Period

December 29, 2015 through September 6, 2024.

Filing Deadline

August 3, 2026. Claim forms must be submitted online or by mail on or before this date.

Who Qualifies

The Class consists of all entities that, for consumption by their members, employees, insureds, participants, or beneficiaries:

- Purchased, paid for, and/or provided reimbursement for some or all of the purchase price of brand-name Tracleer or bosentan (generic),

- Other than for resale,
- In one or more of the following states or territories: Arizona, California, District of Columbia, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, or Wisconsin,
- At any time during the Class Period (December 29, 2015 – September 6, 2024).

Eligible entities typically include health insurance plans, self-funded employer health plans, union health and welfare funds, and similar third-party payors.

Who Is Excluded

- Defendants and their subsidiaries and affiliates (Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC).
- Federal and state governmental entities.

How to File

- **Step 1:** Confirm eligibility — verify that your organization purchased, paid for, or reimbursed Tracleer or bosentan (other than for resale) in one of the listed states/territories during the Class Period.
- **Step 2:** Obtain the claim form — visit the official settlement website or call the Claims Administrator at **1-877-354-3839**. A claim form can also be downloaded from the website.
- **Step 3:** Complete the claim form with accurate information about your organization's purchases or reimbursements of Tracleer and/or bosentan during the Class Period.
- **Step 4:** Submit the completed claim form **online through the settlement website or by mail**, postmarked no later than **August 3, 2026**.
- **Step 5:** Retain a copy of your submitted claim form and any supporting documentation for your records.

Note: The settlement website references a "File A Claim" section for online submission. FRS staff should navigate to that section of the official site for the direct online claim portal.

Defendants

- **Actelion Pharmaceuticals Ltd.** — Swiss pharmaceutical company, manufacturer of brand-name Tracleer (bosentan).
- **Actelion Pharmaceuticals US, Inc.** — U.S. subsidiary of Actelion Pharmaceuticals Ltd.
- **Janssen Research & Development, LLC** — Pharmaceutical research and development company.

The lawsuit alleges that Defendants unlawfully delayed the entry of generic formulations of bosentan into the market, causing third-party payors to pay inflated prices for brand-name Tracleer and bosentan during the Class Period. Defendants deny all wrongdoing, and there has been no court or jury determination that the alleged conduct was proven or caused harm.

Case History

- **2018:** Case filed — *Government Employees Health Association v. Actelion Pharmaceuticals Ltd., et al.*, Case No. GLR-18-3560, U.S. District Court for the District of Maryland.
- **July 8, 2021:** Plaintiffs filed their First Amended Consolidated Class Action Complaint and Demand for Jury Trial.
- **September 6, 2024:** Court issued Memorandum Opinion granting Motion to Certify Class.
- **September 6, 2024:** Court issued Memorandum Opinion denying Motion for Summary Judgment.
- **November 24, 2024:** Court issued Notice Order.

- **March 4, 2026:** Plaintiff filed Unopposed Motion for Preliminary Approval of Proposed Settlement and related supporting documents.
- **March 13, 2026:** Court entered Amended Order Preliminarily Approving Settlement and providing for Notice to the Class.
- **April 3, 2026:** Settlement Agreement, Plan of Allocation and Distribution, and Notice Plan filed with the Court.
- **June 2, 2026:** Deadline for Class Members to object to or comment on the Settlement.
- **June 17, 2026:** Plaintiff filed Unopposed Motion for Final Approval of Proposed Settlement, Motion for Attorneys' Fees, and related supporting declarations.
- **July 1, 2026:** Fairness Hearing held; Court entered Final Approval Order and Judgment.
- **August 3, 2026:** Claims filing deadline.

Source

- Settlement Home Page: *https://www.tracleerlitigation.com* (official settlement website maintained by the Claims Administrator)
- Court Documents Page: *https://www.tracleerlitigation.com/court-documents*

Note: Exact URLs were not provided in the source content. FRS staff should confirm the official domain when accessing the site.

Last Updated

2026-09-22

Reviewer Flags

- **First draft** — no previous version exists in the knowledge base for this settlement.
- **Home Page** provided: settlement overview, class definition, class period, filing deadline (August 3, 2026), objection deadline (June 2, 2026), Fairness Hearing date (July 1, 2026), defendants, contact phone number, and exclusions.
- **Court Documents Page** provided: full litigation timeline including complaint date, class certification opinion, summary judgment denial, preliminary approval order, settlement agreement filing dates, final approval motion filings, and confirmation that the Final Approval Order and Judgment was entered on July 1, 2026.
- **Settlement Amount — Not Published:** The settlement website does not disclose the total settlement fund amount. The financial terms are contained in the Settlement Agreement (Exhibit 1, filed April 3, 2026) and Plan of Allocation (Exhibit 2, filed April 3, 2026), which FRS staff should review directly via the Court Documents page. Flag for follow-up to obtain and document the fund amount.
- **Potential Timing Note:** The claims deadline (August 3, 2026) is approximately two months after the Final Approval Order was entered (July 1, 2026). This is a relatively short window post-approval. FRS staff should prioritize outreach to eligible clients immediately.
- **No contradiction detected** between the two source pages. The Court Documents page is consistent with the timeline and deadlines presented on the Home Page.
- **Source URLs:** Exact URLs were not included in the provided page content. The reviewer should confirm and update the Source section with the full, verified URLs before publishing.