Saiber Attorneys Secure Preliminary Injunction for Pro Bono Client

August 31, 2008

On August 21st, Saiber's Marc Wolin and Jakob Halpern successfully obtained a preliminary injunction before United States District Court Judge William J. Martini, so a terminally ill boy could potentially receive access to an investigational drug.

Specifically, Judge Martini ruled that PTC Therapeutics, a drug company in South Plainfield, New Jersey, breached promises to the family of Minnesota teen Jacob Gunvalson regarding access to an investigational drug trial to treat his fatal form of muscular dystrophy.

In all clinical trials to date, the drug has shown promise in treating Gunvalson's particular type of muscular dystrophy with no serious side effects. Judge Martini ruled that Jacob could receive access to the drug, if approval for his "compassionate use" is received from both the Food and Drug Administration and an Institutional Review Board. The drug company has appealed to the Third Circuit Court of Appeals.