

Statement of Bill Prewitt

My name is Bill Prewitt. My wife Carolyn and I are here on behalf of my son and his wife, who were the parents of Brittany Prewitt. I am retired from Blossman Gas, a propane gas company. My wife Carolyn and I currently live in Kingsport, Tennessee. Brittany lived in Arden, North Carolina with her parents.

In June of 2009, Brittany finished her freshman year of high school on a Tuesday. The following Saturday she was preparing for a family trip and she and her dad were going to take the dog to stay with family in Tennessee and bring home her brother who was visiting with family there. She and our son were throwing a softball in the yard just before they were leaving and she seemed to be fine. Brittany had her dog in her crate ready to put it into their vehicle when suddenly she put the crate down, started running across the lawn and fell to the ground. When her dad reached her, she was unaware of what had happened and asked her dad "how did I get here?" Her dad got her inside of the house and she seemed all right for a short time. Soon after Brittany said she wasn't able to breathe and her parents called 911. The ambulance left the front yard with 15 year old Brittany in it. She died on the way to the hospital.

Brittany was the busiest young lady I have ever known. She was involved with church, school, friends, and two softball teams, including her high school team for which she played catcher and first base. She was a very good home-run hitter. She enjoyed doing things with our family. She loved to travel, go camping, boating and many other activities with us. We told her that she should grow up to be an event planner because she was always planning things for our family to do together. Brittany loved the holidays and was involved in planning menus as well as helping see that everything was just right. She wanted to be a nurse.

But Brittany won't get to grow up to be anything- she died that Saturday of blood clots to her lungs as a result of a prescription drug approved by the FDA. The drug was normally prescribed for birth control but the company marketed it as helpful for girls' acne. Brittany had seen advertisements for this drug in magazines, and even though she had no need of it for birth control, she and her mother took the magazine ad to her dermatologist who then prescribed Yaz for her acne. The company was aware of the greatly increased risk of blood clots by this medication.

Advertisements directed at young women self conscious of acne are very powerful. The advertising influenced her. It said what all it could do to make her life better, but instead of better, that drug took her life.

This legislation would protect manufacturer's profits whether that manufacturer is located in another state, another country, or on the other side of the world. It removes personal responsibility from the wrong-doer and makes the innocent bear the emotional and financial burden of loss. If this bill passes, this situation could result – an innocent victim in Buncombe County, North Carolina like Brittany couldn't hold a manufacturer accountable but an innocent victim across the line in Kingsport, Tennessee could. And

the drug was manufactured in Germany by Bayer who has its US headquarters in New Jersey, What good does it do to make the rights of foreign corporations greater than the rights of the people?

My son and his wife are devastated at the loss of their daughter. Brittany's brother misses his sister terribly. My wife and I are devastated at the loss of our granddaughter. Brittany's cousin who was born 30 hours after Brittany is still grieving the loss of his cousin and best friend and has become a very troubled young man since her death. Our lives will never be the same. Brittany's friends at school have endured the loss of a dear teammate and friend, and a funeral they shouldn't have had to attend.

Advertising is powerful. It is intended to influence. The manufacturer of this medication that Brittany took sold more than 50 billion dollars worth of the medicine just last year. The company strategically placed ads on television and in magazines to influence young girls like Brittany to seek out their product - in magazines like Glamour.

Do all domestic and foreign drug companies deserve immunity from claims by North Carolina's people- immunity from claims such as the death of a 15 year old from Arden, North Carolina? How much protection do billion dollar companies need of their bottom lines? Everyone needs to be accountable for their actions, and that includes drug companies. This bill only limits the rights of the people of North Carolina- not the citizens of other states.

We hope no one in this room has to go through what our family has endured – I do not know if any of you has ever lost a child or grandchild — but I can assure you it is devastating. Laws should be fair. This one is not. Please vote against this bill.