

06-1249 WYETH V. LEVINE

DECISION BELOW: 2006 WL 3041078

LOWER COURT CASE NUMBER: 2004-384

QUESTION PRESENTED:

Whether the prescription drug labeling judgments imposed on manufacturers by the Food and Drug Administration ("FDA") pursuant to FDA's comprehensive safety and efficacy authority under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq., preempt state law product liability claims premised on the theory that different labeling judgments were necessary to make drugs reasonably safe for use.

EXPEDITED BRIEFING SCHEDULE

CERT. GRANTED 1/18/2008