

Attorney General Josh Stein
114 West Edenton St
Raleigh, NC 27603

Dear Attorney General Stein,

As you well know, and have worked on yourself as our Attorney General, there has been in recent years increased attention to pharmaceutical industry abuses like price-gouging on insulin and other medicines, and deceptive marketing of opioids and other prescription drug safety issues. Unfortunately, that attention has not yet resulted in adequate reforms from federal lawmakers that make medicines more affordable and protect patients from harm. Despite appeals to lawmakers and to the drug corporations themselves, millions of people continue to go without medicine, to incur debt for prescriptions, or to face hard choices every day between taking doses and paying for food and rent. Even now, during the COVID pandemic that has already claimed more than 90,000 American lives and disrupted the lives of millions more, there has been no action yet to ensure that the medicines people will need for treatment and prevention of the coronavirus will be affordable to everyone who needs them.

The organizations signed below represent and advocate on behalf of hundreds of thousands of North Carolinians, many of whom are among our most marginalized citizens, and those most disproportionately impacted by Covid-19. We must ensure that a Covid-19 vaccine, and treatments for it, are accessible and affordable. On behalf of the members of our organizations, and all North Carolinians, we urge you to investigate Jaguar Health's recent decision to triple the price of Mytesi, an act of unscrupulous profiteering during this pandemic.

Mytesi is an anti-diarrheal drug often taken by people living with HIV/AIDS to treat the gastrointestinal side effects caused by other drugs. Jaguar Health applied to the Food and Drug Administration for emergency approval to use this medicine as a treatment for COVID-19 symptoms. FDA refused the request, but in the meantime, the corporation more than tripled the price of Mytesi from \$688.52 to \$2,206.52 per bottle. Despite the FDA's initial decision, Jaguar continues in talks with federal agencies to look for ways to increase use of Mytesi for coronavirus patients.

Raising the price of a potential COVID treatment is an unconscionable act of greed at a time when millions of Americans have lost their jobs and health insurance, and are already facing bigger expenses and higher prices for everything from hand sanitizer to food and dry goods. Jaguar's tripling the price of a potential medicine for COVID has already attracted the attention of Congressional leaders on the House Oversight Committee who are seeking answers, as we are, that justify this kind of increase during the biggest public health emergency of our lifetimes.

Leaders in the US House of Representatives Congresswoman Carolyn Maloney, Chair of the Committee on Oversight and Reform, and Congresswoman Jackie Speier, sent a letter to Jaguar Health CEO Lisa Conte requesting documents by May 18, 2020 - including all communications between or among all executives, employees, investors, board members or other agents of Jaguar Health regarding the decision to increase the list price of Mytesi effective on or around April 9, 2020.

Last week Jaguar's shareholders met for an annual meeting to discuss the corporation's profits, policies and potential. It's not clear whether

shareholders themselves raised the issue of precipitous price gouging during the pandemic and how that action may create scrutiny and risk for the company. We hope so.

But we also know that prescription drug corporations' top priority is to maximize profit, not to support public health. That's why we are reaching out with this request for investigation from your office.

Profiteering on medicine during a time of national crisis when an official emergency has been declared, the death toll is climbing, and the economy has slowed to a crawl because of shuttered businesses, record unemployment and social distancing, could have dire consequences for the millions who will contract COVID and need medicines. We are urging elected officials at all levels to take action to protect the public by putting a stop to profiteering and holding corporations accountable for the harm they cause by jacking up the price of essential goods--like medicine--during a time when demand will be tremendous and resources limited.

As organizations committed to fair pricing of and access to prescription medications at all times, and especially during this public health emergency, we urge you to do everything in your power to enforce consumer protection and anti-profiteering law to hold Jaguar Health and other drug corporations accountable - and where the laws are currently inadequate to protect people from profiteering, we encourage you to work with Congress to fix them.

We are also mailing a copy of this letter to your office. Thanks for your attention to these vital issues, from our organizations and representatives listed below.

Action NC

Pat McCoy, Executive Director

Down Home NC

Brigid Flaherty, Co-Executive Director

MomsRising

Felicia Burnett, National Director, MomsRising Together and
MomsRising Education Fund

North Carolina Alliance of Retired Americans

William Dworkin, President

North Carolina Justice Center

Rick Glazier, Executive Director

Nicole Dozier, Health Advocacy Project Director

Piedmont Rising

Protect Our Care North Carolina