U.S. District Court Middle District of Florida PLAINTIPS EXHIBIT Exhibit Number: Pl. 114 Case Number: 8:20-cy-01724 IEFFRIPTHELEN v. SOMATICS, LLC Date Identified: Date Admitted:

From: Sent: To: Subject: Conrad Swartz <cswartz@gmail.com> Friday, October 09, 2009 7:35 PM Sarah H Lisanby Re: ECT on trial at the FDA

Holly,

Sorry, I deleted that email when I received it, as it had no new information.

Conrad

On Fri, Oct 9, 2009 at 1:18 PM, Sarah H Lisanby <<u>shl24@columbia.edu</u>> wrote: I'm not sure what bulk email you are referring to. Could you please forward it to me?

Sarah H. Lisanby, MD Director, Division of Brain Stimulation & Therapeutic Modulation Professor of Clinical Psychiatry Columbia University College of Physicians and Surgeons New York State Psychiatric Institute 1051 Riverside Drive, Unit 21, Room 5100 New York State Psychiatric Institute New York, NY 10032 office 212-543-5568

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NOTE TO RECIPIENT: THIS E-MAIL IS MEANT FOR THE INTENDED RECIPIENT OF THE TRANSMISSION ONLY, AND MAY BE A COMMUNICATION PRIVILEGED BY LAW. IF YOU RECEIVE THIS E-MAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

On Oct 9, 2009, at 3:22 PM, Conrad Swartz wrote:

Holly,

The comments section is already overrun by lengthy nonspecific histrionic anti-ECT anecdotes. There are only a few brief pro-ECT statements, and they are nonspecific, generalistic and vague. This is just not appropriate to what is needed. American psychiatrists should be sending statements about their own experiences with ECT--how it has helped and restored their patients to health--and they have not yet done this.

After the email below that you sent me I received another email about this from you; it seemed to be a bulk email. Would you please tell me if I received this as part of an identifiable group (e.g., ACT members)?

Conrad

ONEIL005180

On Sun, Sep 20, 2009 at 1:44 PM, Sarah H Lisanby <<u>shl24@columbia.edu</u>> wrote: Here it is, and it is certainly to be shared with all interested parties, such as physicians and patients.

http://www.regulations.gov/search/Regs/home.html#docketDetail?R=FDA-2009-N-0392

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On Sep 20, 2009, at 3:34 PM, Conrad Swartz wrote:

Dear Holly,

Would you please send me the link that Vaughn refers to below? Is it appropriate to send this link to other interested ECT doctors?

Best wishes, Conrad

------ Forwarded message ------From: **Vaughn McCall** <<u>vmccall@wfubmc.edu</u>> Date: Sun, Sep 20, 2009 at 12:27 PM Subject: Re: ECT on trial at the FDA To: cswartz@gmail.com

In my compulsiveness, I sent in my comments and tossed the link. I see no reason you could not contact Holly to get the FDA link

W Vaughn McCall, MD, MS Professor and Chair, Psychiatry, WFUHS Sent from my BlackBerry Wireless Handheld, without the benefit of 'spell-check'

ONEIL005181

From: Conrad Swartz To: Vaughn McCall Sent: Sun Sep 20 15:22:05 2009 Subject: Re: ECT on trial at the FDA Dear Vaughn,

Thanks. I do have a question.

What I had heard was that the FDA wanted to hear only from ECT device manufacturers and that it was not time for ACT, APA, or anyone else to submit comments until (and if) the FDA asks for them. I had not heard of a link to submit comments until you just mentioned it. Would you please send me the link? Is it appropriate to send this link to other interested ECT doctors?

Regards, Conrad