U.S. District Connt Middle Disrict of Florida PLAINTIPES EXHIBIT Exhibit Number:_____P1. 115 Case Number:______8.20.cy.01724 IPEFREY.THELEN v. SOMATICS, LLC Date Identified:______ Date Admitted:______

From: Sent: To: Subject: Conrad Swartz <cswartz@gmail.com> Sunday, January 09, 2011 1:26 PM Max Fink, M.D. Re: FDA meeting ECT Jan 27-28

Dear Max,

Somatics is planning to avoid this political circus. I do not understand its purpose as other than political and neither does Richard. Attendance is for entities whose vision or behavior is substantially political, e.g., Breggin, CCHR, Andre, APA, ISEN-ISN-ACT, Kitty Dukakis. I notified Vaughn and Charlie K. about this event as soon as I heard about it, in November, and asked Charlie to relay it to the APA with a request for participation, which he did. Richard corresponded with Ms. Dukakis, who said she is planning to testify.

No one has contacted me except a publication called FDA News that was attempting to compose a story. Of course I had nothing to tell them. The FDA itself did not contact us, but if they had contacted us this would be a new behavior for them. Their method of communication with us in the past about this matter is by publishing announcements in the Federal Register and expecting us to notice them.

I have been working on a mathematical model of ECT to describe the amount of ECT effect on the brain in a treatment. The next step requires me to learn to use the MATLAB computer program, and I figure that if I tell you I should actually get around to doing it. I need a really strong "stimulus" to do this.

As far as ACT/ISN/ISEN goes, they have not invited me to lecture since 1991 except for a brief summary of LART placement in 2000. But they invited (for example) Richard Jaffe. Moreover, Vaughn rejected a research data paper (with statistical significance) on the basis of an irrational review and I then split the data and published one paper in Psychiatry Research and another in Annals of Clinical Psychiatry from it. These are facts, Max. I should just shut up and play my guitar.

Best Regards, Conrad

On Sun, Jan 9, 2011 at 1:02 PM, Max Fink, M.D. <<u>MAFINK@attglobal.net</u>> wrote: Dear Conrad,

An announcement from the Huffington Post about Peter Breggin appearing before the FDA ECT hearing Jan 27-28 crossed my desk. If the anti-ECT forces are marshaling forces, are you or other manufacturers planning to appear?

1

Are the 'good guys" planning to appear?

My downloads are attached.

Best regards.

ONEIL005204

Max

2