U.S. District Court
Middle District of Florida
PLAINTIFFS EXHIBIT
Exhibit Number: Pl. 9

Case Number: 8:20-cy-01724

IEFFREY THELEN v. SOMATICS, LLC

te Identified:

From: Alexander Nelson <alexander.i.nelson@gmail.com>

Sent: Wednesday, February 09, 2011 10:33 PM

To: Conrad Swartz
Subject: Re: alarming news

Dear Conrad,

Thanks for your optimistic notes.

Your music is excellent, I enjoy it as usual with pleasure. M. Brock seems to be a good addition to your band. But even "humorous" Robot piece sounds rather minor, as Homage to California does. Influence of situation?

Are you and Dr. Abrams alone in your current efforts? Is there any tendency to consolidate all sensible scientific ECT forces, who under other sircumstances seem conflicting? What is the position and action of MECTA and around?

I think that FDA now takes an examination - whether it is a reasonable and scientifically based body, or an anti-scientific and anti-progress mob. Let it doesn't stumble over ECT problem. Negative outcome may undermine its authority, exaggerated abroad the USA (in particular, in Russia).

When your review of "Struck by Living" will be available?

Best regards, Alexander

2011/2/10, Conrad Swartz < cswartz@gmail.com>:

- > Dear Alexander:
- >
- > One reason for optimism is that Richard Abrams and I are intruding
- > ourselves into the matter. We hired a lawyer to assist who specializes
- > in dealing with the FDA--who is also a psychiatrist who has given ECT
- > with the Thymatron ECT instrument.
- >
- > Still you are right there will be negative consequences. ECT,
- > psychiatry, and even science swing in and out of favor. These negative
- > consequences will eventually fade away in turn.
- >

>

- > On request of the American Journal of Psychiatry I just reviewed an
- > autobiographical book written by a patient who received ECT, "Struck
- > by Living" written by Julie Hersh. The journal just agreed to publish
- > my review, and the editor congratulated me on the quality of my
- > writing (usually I just get a form letter). This book is the best
- > book about ECT for patients and the public, I think. So, this is an important positive.
- > Another reason for optimism is that we're alive! Oh, yeah! Attached are
- > a couple of recordings I recently made...Dance Like a Robot...is a
- > humorous song even though it has no words. The other is an impression
- > of California Dreamin'. The last third of this song is played by the
- > other guitarist I recruited to my band (Michael Brock)...he plays in a

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> different way than I do. You can see a video of us performing on
> www.MySpace.com/Surfinsanitizers.
>
> Warm wishes,
> Conrad
>
>
>
>
> On Wed, Feb 9, 2011 at 1:13 PM, Alexander Nelson <
> alexander.i.nelson@gmail.com> wrote:
>> Dear Conrad,
>> Thanks for your prompt reply.
>> I feel very sad and distressing owing to these news.
>>
>> I foresee negative consequence for ECT in the world, irrespectively
>> of FDA desicion. Anti-ECT forces surely will utilize the situation to
>> make a loud histerical noise.
>>
>> Of course, the patients will suffer, in spite of false declaration of
>> the Chairman "I don't see that the reclassification would decrease
>> access of psychiatric patients to this procedure."
>>
>> Your business is under threat because "The industry has said a
>> high-risk classification could drive them out of business because
>> they cannot afford new clinical trials". And I should say, unneeded trials.
>>
>> Medieval anti-scientifical inquisition in XXI century again is trying
>> to revenge. Just for time, certainly, because the progress is
>> irreversible by definition - but life is so short!.. And struggle
>> against fools diverts strength and time from real important things...
>>
>> If you know any ground for optimism, please tell me. So will do I too.
>>
>> Sincerely,
>> Alexander
>>
>> 2011/2/9, Conrad Swartz <cswartz@gmail.com>:
>> > Dear Alexander:
>>>
>> > What Dr. Lisanby said is correct, except that it will take several
>> > years
>> for
>> > anything to happen, if anything happens.
>> > About 2-1/2 years ago the US Congress directed the FDA to examine
>> > the
>> safety
>> > and efficacy of medical devices that were allowed to continue being
>> > sold because they were introduced before the FDA started regulating
>> > medical devices (in 1979). This includes ECT devices. The FDA asked
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- >> > Somatics and Mecta to deliver documentation of safety and efficacy
- >> > of ECT. Richard
- >> Abrams
- >> > and I collaborated on producing extensive and detailed documentation.
- >>>
- >> > Then the FDA invited the general public to submit comments about
- >> > ECT. I urged the American Psychiatric Association to submit their
- >> > own extensive detailed documentation of safety and efficacy, and
- >> > they did. Of course
- >> the
- >> > anti-ECT agitators submitted plenty of complaints about ECT.
- >>>
- >> > Then the FDA announced public hearings and an Advisory Panel to
- >> > interpret the information. Basically if ECT devices are designated
- >> > class II for
- >> even
- >> > one indication (i.e., one disease) they would continue to be
- >> > available as they are now and no new studies would be needed. If
- >> > they are designated class III for all indications they would not
- >> > allowed to be sold until the ECT device manufacturers (i.e.,
- >> > Somatics, Mecta) demonstrated efficacy
- >> and
- >> > safety to the satisfaction of the FDA. This might require new studies.
- >>>
- >> > The Advisory Panel was NOT supposed to take a vote about
- >> reclassification.
- >> > However, the Advisory Panel chairman took one anyway. It was not a
- >> > formal vote, but it was still a vote. The nonpsychiatrists on the
- >> > panel voted
- >> for
- >> > class III status and the psychiatrists voted for class II status.
- >>>
- >> > The chair of the committee is a PhD Neuroscientist. I've gone to
- >> > the
- >> Society
- >> > of Neuroscience meetings and I know what those guys know about.
- >> > They know about whipped up rat brains and the giant axons of sea
- >> > slugs. They are
- >> not
- >> > clinicians and human behavior and psychiatric illness are not in
- >> > their domain of expertise. They have no professional experience
- >> > with the
- >> suffering
- >> > of patients who are untreated and need ECT. Absolutely none. The
- >> > same
- >> goes
- >> > for the biostatisticians and other nonpsychiatrists on the panel.
- >> > Even
- >> the
- >> > psychologists on the panel probably have no such professional
- >> > experience.
- >>>

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>> > The Executive Summary presented to the committee contained the
>> > science It laid out the data systematically. The results were
>> > highly significant statistically and left no room for doubt about
>> > efficacy and safety. Here
>> is
>> > a link to the executive summary:
>>>
>> http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMate
>> rials/MedicalDevices/MedicalDevicesAdvisoryCommittee/NeurologicalDevi
>> cesPanel/UCM240933.pdf
>>>
>> > The nonpsychiatrists on the FDA Advisory Committee did not have the
>> > expertise to interpret the data in this Executive Summary.
>>>
>> > Anyway, the committee is just advisory. The FDA is going to draw
>> > this out into a long process. Here is the actual plan of the FDA:
>> > http://www.nytimes.com/2011/01/29/health/29shock.html
>>>
>> > The question is: Why did the non-psychiatrists vote against ECT? I
>> > think
>> it
>> > is because they were asked to endorse something they know virtually
>> nothing
>> > about, ECT. They were unable to state the three most honest words
>> > that define the scientist: "I Don't Know."
>>>
>> > So I have been spending a lot of time on this matter, and I will
>> obviously
>> > be spending a great deal more. This situation feels very familiar.
>> > It resembles the attacks made by incompetent administrators when I
>> > worked in intellectually weak universities.
>>>
>> > As you see, the USA suffers from self-serving bureaucrats,
>> > including bureaucratic physicians.
>>>
>> > Best wishes,
>> > Conrad
>>>
>>>
>>>
>>>
>> > On Wed, Feb 9, 2011 at 8:13 AM, Alexander Nelson <
>> > alexander.i.nelson@gmail.com> wrote:
>>>
>> >> Dear Conrad,
>> >> Please, can you comment anyhow this disturbing attack on ECT?
>> >>
>> >> http://www.medscape.com/viewarticle/736636
>>>> Is Electroconvulsive Therapy on Its Way Out? FDA Panel
>> > Recommendation Causes APA to Fear for the Future of 'Life-Saving'
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>> >> Therapy
>> >>
>> >> Fran Lowry
>> >>
>> >> Best regards,
>> >>
>> >> Alexander
>> >>
>> >>
>> >>
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