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**Date:** Mon, 20 Feb 2012 19:25:21 -0500  
**To:** "[corrections@slate.com](mailto:corrections@slate.com)" <[corrections@slate.com](mailto:corrections@slate.com)>  
**Subject:** Corrections for Celltex Article

To the editor of Slate:

Your article "The Celltex Affair", by Carl Elliott, contains serious factual inaccuracies that should be corrected indeed, you should pull the article down entirely. Given Slate's reach and reputation, we're surprised there was no attempt made by the author of the article nor anyone at Slate to contact Celltex, McGee or Dr. Ra before publishing and then featuring this article.

For example, the article asserts that "one of the nation's leading journals of medical ethics relocated to the offices of a commercial stem cell clinic in Sugar Land, Texas," a reference to Celltex and the American Journal of Bioethics, formerly edited b Glenn McGee, Ph.D.

Fact: Celltex is not a stem cell clinic, and by extension Dr. McGee does not work at a stem cell clinic, nor does he work in Sugar Land. Our corporate office is in Houston, though the lab is in Sugar Land. No medical journal in any way affiliated with McGee, including AJOB, ever relocated to either Celltex or any stem cell clinic or to Sugar Land. It is a matter of public record that the offices of the journal were and are based at 3030 Post Oak Blvd. #805 in Houston, texas.

Another example: Your article refers to Dr. McGee's "dubious 'bio-ethics investigation' of two deaths linked to the South Korean firm that's involved with Celltex."

Fact: McGee did not conduct an investigation of deaths, but rather a study of the ethical practices of RNL therapeutics.

Your article says: "The possibility that RNL treatments were killing patients also prompted a private-sector inquiry."

Fact: The International Cellular Medicine Society is a not-for-profit society of clinicians and scientists, not a for-profit entity, or as later misstated, an "industry group." Elliott makes no attempt either to be clear regarding the use of "private

sector" or to justify the claim as to ICMS being an industry group, the definition of which would seem to be fairly clear. Dr. McGee's research in Korea on the matter of RNL resulted in no payment to him or any business he owned or owns. He conducted the investigation under a grant from ICMS to the Center for Practical Bioethics.

Your article says "the head of the South Korean company, Ra Jeong Chan, was himself a member of one of the society's advisory boards <http://web.archive.org/web/20101120195016/http://cellmedicinesociety.org/home/boards-and-councils/lab-advisory-board> > ."

Fact: Dr. McGee has no knowledge as to whether Dr. Ra served on boards.

Your article says, "The choice of McGee to lead an ethics investigation was equally inauspicious."

Fact: At the time of this request, McGee had served or was serving on: the U.S. Food and Drug Administration's cellular and molecular devices panel, the stem cell planning working group of the NIH genome project ethical legal and social issues division; as director of the ethics advisory board of the largest stem cell company in the world (Advanced Cell Technology); as advisor to several US states and several nations, including the UK on stem cell policy (in the latter case as Atlantic Fellow in Public Policy); and had lectured on stem cell ethics in named lectureships at more than a dozen universities, including Harvard Law School (twice) and Yale Law School. By the time of this work he had also published a large volume of oft cited peer reviewed articles on stem cells including the key publication on stem cell fraud in South Korea, published in Science. He had initiated and participated as an instructor in ethics training in stem cells for the NIH at the University of Pittsburgh and taught a course on stem cell policy twice at the University of Pennsylvania. As Journal editor he had overseen a special issue on stem cell tourism that has been roundly described as definitive and praised by among others Doug Sipp, who is cited in this story. What counts as a fact-check for an "auspicious choice"?

Your article says Dr. McGee was "fired from his next job at the Albany Medical College for allegedly forging the signatures of three co-authors <http://www.scientificamerican.com/article.cfm?id=glenn-mcgee> > on a paper submission, engaging in an extramarital affair with a junior colleague (who is now his wife), exaggerating his credentials, and misleading prospective employees <http://www.scientificamerican.com/article.cfm?id=bioethics-institute-picks> > about their job prospects."

Fact: This is dangerously careless and wrong. Dr. McGee was not fired from Albany Medical College. A tenured professor, he elected to leave and was not asked to do so, nor had action been taken to sever his employment. McGee ceased to act as director or Balint Chair at Albany Medical College, a far sight from being fired. More important the list of reasons "for" which McGee was allegedly fired were never alleged against Dr. McGee by Albany Medical College but were rather the speculation of the author of the cited essay from SciAm.com < <http://SciAm.com/>> . Each of those claims was disputed on that site, and particularly as to the charge of forgery, disputed by the authors whose approval of a manuscript was allegedly forged. McGee could have, if asked, provided email substantiating this, but published accounts also attribute to the same persons the description of that matter as a "misunderstanding," for which all authors have acknowledged partial responsibility. Elliott's own source, [sciam.com](http://sciam.com) < <http://sciam.com/>> 's article author, repeatedly states that the reason for McGee's change in status from center director to tenured professor is unknown.

It is thus obvious that Elliott knew his statements to be both false and his description of the firing is intended to establish a defamatory description of McGee's "inauspicious" standing. He omitted among other crucial facts of which he was aware (via the same source), including that McGee had filed suit against the Medical College after his voluntary departure from Albany Med, alleging that the college had failed to honor a severance agreement, the substance of which is posted from this and in the public record, and filed papers that specifically alleged retaliation by Albany Med against him for among other things his whistle blowing about a study that Dr. McGee had described as unethical in Nature and within the institution. The cancellation of that study (it was noted) had a huge impact on the College's funding for emergency research.

The article says: "In any case, the decision to conduct a bioethical inquiry post-hoc was unusual in the field"

Fact: On what basis does Elliott make this claim? He doesn't give one, and it is widely known that several of the most prominent bioethicists in the US created a not-for-profit company, advertising review of stem cell companies at any stage. More important Dr. McGee was not the only ethicist conducting post-hoc study of RNL; ethics evaluation is prominent in the only investigations of RNL that mattered, those conducted by the Korean Ministry of Health and the Korean FDA, inquiry that has been noted in English-language Korean newspapers but that Elliott does not mention."

The article says: "When Freeman and McGee finished up the investigation in

December 2010,"

Fact: McGee did not participate in forensic epidemiologist Dr. Freeman's investigation, nor exonerate anyone, and no evidence to the contrary was given.

The article says, "Soon after the bioethics investigation report was issued, Sipp pointed to its alarming superficiality, noting in particular the troubling contribution made by McGee."

Fact: Elliott is simply wrong. Sipp made comments regarding what he believed was McGee's report some time ago. McGee informed Sipp that he was making reference and linking to something that was not McGee's report. Sipp apologized on his blog, corrected the link, and made no subsequent negative statement as to the *actual* report. Elliott's description of Sipp's reaction to McGee's report is glaringly false and Elliott was clearly aware that Sipp had corrected himself, as Elliott has twittered Sipp's posts numerous times.

The article says, "so opaque and evasive as to be almost unreadable. He studiously avoids any reference to the actual concerns that most bioethicists have about stem cell treatments: their potential dangers, the absence of evidence that they improve health, the unwillingness of their providers to go through proper regulatory channels, and as a result of all that the high risk of their being used to exploit vulnerable patients. Instead, McGee makes a number of soft recommendations."

Fact: This is false. McGee took up issues of patient therapeutic misconception, the entire structure of the RNL system (at that time), the necessity of working with the peer-reviewed bioethics community to conduct continuing self-review of the significant changes he proposed. That McGee did not baldly state the ideology of Elliott, namely that adult stem cells are manifestly unsafe and ineffective, which Elliott attributes to 'most' bioethicists, is absurd. He neither demonstrates that most bioethicists hold this view nor demonstrates that these are the critical bioethics issues, and he certainly does not meet the burden of showing that McGee "studiously" (i.e., deliberately) avoiding anything.

The article says, "In February 2012, for example, the Texas Medical Board cleared the way for RNL to sell its products via Celltex, against the wishes of the U.S. Food and Drug Administration."

Fact: In yet another crucial link in his "argument" that McGee traded lives for a job, Elliott misstates the Texas Medical Board's actions completely. It has passed no rule, and even the rules under consideration would not clear the way for RNL to sell anything (they don't speak either to sale of materials or to international

trade). Elliott's claim that RNL sells things through Celltex is false. Elliott's claim that the U.S. Food and Drug Administration has expressed wishes concerning Celltex is unsourced and it is preposterous to think that Elliott knows what the FDA "wishes" about Celltex.

The article says: "conflicts of interest raised by housing the *American Journal of Bioethics* at Celltex. In response, a number of confusing and conflicting statements were issued by Celltex < <http://www.prnewswire.com/news-releases/celltex-announces-glenn-mcgee-phd-as-president-of-ethics-and-strategic-initiatives-139217394.html> > , McGee < <http://www.scribd.com/doc/81588521/Glenn-McGee-LinkIn-Post-AJOB-Retirement-Announcement-First-Version> > , and the editorial staff of the journal < <http://www.free-press-release.com/news-the-american-journal-of-bioethics-names-new-editors-1329463410.html> > . McGee announced that he was resigning as editor, and that his wife would share his vacated spot on the masthead with a scholar at Stanford."

Fact: Again, Celltex does not house AJOB, and never has. The matter of McGee's wife being appointed has been clearly addressed by Taylor & Francis publishers and the editors of the Journal and McGee has been very clear, as has new Co-Editor-in-Chief Dr. David Magnus, that McGee had absolutely nothing to do with the appointment of his wife Dr. Summer Johnson-McGee, who was already serving as Executive Editor of the Journal and was appointed by Taylor & Francis at the request of Dr. Magnus. No evidence to the contrary has ever been presented.

#### FACTUAL INACCURACIES REGARDING SOURCE:

Then Elliott turns for his final comments to John Lantos, who hammers the idea that a journal editor could be affiliated with a pharma or stem cell company, resigning with much fanfare. But Lantos does not state and Elliott does not reveal that more than a month before he claims to have resigned in outrage at these plans, Lantos had emailed the editors to ask about McGee moving to Celltex and his editorship. He was informed that McGee had decided, in November, to resign, and that the plan being negotiated with the press was for Magnus and Summer McGee to take over. Lantos replied plainly that this sounded fine to him and he was glad a plan was in place. It is incredible to McGee that Lantos would engage in such deception but the facts are clearly documented in Lantos' emails.

#### UNDISCLOSED ANALAGOUS CONFLICT OF INTEREST OF THE AUTHOR:

Elliott does not disclose that he was one of two subjects in a very prominent, peer-reviewed article in *The American Journal of Bioethics* entitled "Lessons in Conflict of Interest: the construction of the martyrdom of David Healy and the dilemma of Bioethics" ( <http://www.ncbi.nlm.nih.gov/pubmed/16036648> ) which was published

while McGee was Editor and resulted in much discussion of whether or not Elliott had facilitated the alleged efforts of David Healy to push a competitor drug to SSRIs through a series of articles he authored or co-authored.

Sincerely,

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