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Drug case withholds comfort from some

Efforts to learn more details about court-ordered community service for three Purdue Pharma executives have led the victims nowhere.

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Michael Friedman
Ex-president of company.



Howard Udell
Purdue's chief legal officer.



Paul Goldenheim
Purdue's former medical director.

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For those who suffered the misery of addiction or the heartache of a loved one lost to OxyContin, the sentence offered some comfort: long hours of community service for the men they hold responsible.

At a July 20 hearing, U.S. District Judge James Jones ordered three Purdue Pharma executives to spend 400 hours each doing some type of work related to drug abuse treatment or prevention.

Along with probation and fines of \$634.5 million, the community service was meant to punish the company and its top officials for overpromoting OxyContin while concealing the painkiller's potential for abuse.

But in the six weeks that have followed, satisfaction for some victims has turned to frustration.

Efforts to learn more about the community service -- what type of work it will entail, where it will be done, whether it has begun already -- have led the victims nowhere.

"For security reasons, I do not wish the probation officers to publicly disclose the details of supervision, including the location of community service for the defendants," Jones wrote in an Aug. 28 letter to Ed Vanicky, who has been trying for the past month to obtain details about the punishment.

Vanicky, whose wife died of an OxyContin overdose in their Columbus, Ga., home, said he believes victims have a right to know that information.

Attempts by Vanicky, other victims and The Roanoke Times to obtain details about the community service have taken a circular route.

The probation office in Abingdon, which is responsible for coordinating the community service, declined to comment. Scott Burke, supervising probation officer in the office, referred questions to the U.S. Attorney's Office.

But according to Assistant U.S. Attorney Randy Ramseyer, his office is not involved in the process. Ramseyer said any information about the community service would need to come from the probation office or Jones.

Several victims wrote letters to Jones. One was Peter Jackson of Arlington Heights, Ill., who said his daughter died last year from taking just one OxyContin pill.

"Speaking on behalf of my daughter, who I feel was most certainly a victim of this company's deceitful marketing practices, we feel we have a right to know that the punishment that you imposed upon these criminals is being wrought in a timely and appropriate manner," Jackson wrote.

In a response to Vanicky, who raised similar concerns, Jones wrote that it is standard practice not to publicize details of federal probation.

"I can assure you that I will carefully review the probation reports to me in order to insure the conditions that I imposed are followed," Jones wrote.

Vanicky said he believes the judge will do that.

"I really wanted to know where they are doing their community service, but I trust Judge Jones," he said. "I think he had a lot of compassion for us" at the July 20 sentencing hearing.

Some victims have wondered if the three executives from the Connecticut-based Purdue Pharma -- two of them now retired -- will be required to perform their community service in far Southwest Virginia, which has been hard-hit by OxyContin abuse.

According to Andrew Good, a Boston defense attorney who represents one of the defendants, the standard practice is for out-of-state defendants to complete the terms of their probation in their home state.

For Good's client, former Purdue Pharma medical director Paul Goldenheim, that will be Massachusetts.

Good said he did not know exactly what Goldenheim will be doing to complete his community service obligations, which will amount to 2½ months of labor if he works 40-hour weeks.

Attorneys for the other two defendants, former Purdue President and Chief Executive Officer Michael Friedman and chief legal officer Howard Udell, did not return calls.

As part of a plea agreement that capped a five-year investigation, Friedman, Udell and Goldenheim admitted their roles in a marketing scheme that touted OxyContin's wonders to physicians while glossing over the drug's potential for abuse.

By crushing the tablets and snorting or injecting the powder, abusers can compromise the drug's time-release formula for a heroin-like high that has been blamed for widespread addiction, crime and death. Some legitimate users of the drug have also said they became addicted.

Attorneys for the three men have stressed that they did not know of the illegal marketing but pleaded guilty because of their responsibilities as top corporate executives.

The company also maintained that because the illegal marketing was directed only at physicians, people harmed by OxyContin had no legal standing to be considered victims.

"I don't think they had a whole lot of compassion," Vanicky said. But if the community service for Friedman, Udell and Goldenheim includes work at a drug treatment center, he said, that might open their eyes to the suffering they caused.

"Maybe that will wake them up a little bit," Vanicky said.

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