

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

ANDREW THIBAUT

Plaintiff,

v.

Case No. 8:15-cv-1813-T-36TGW

U.S. FOOD AND DRUG  
ADMINISTRATION

Defendant.

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**AFFIDAVIT OF DAVID CARMICHAEL**

I, David Carmichael, hereby declare, under penalty of perjury, the following:

**AFFIANT.**

1. I am 57 years old and reside in Oakville, Ontario, Canada. On July 31, 2004, while under the influence of the antidepressant Paxil (paroxetine), I took the life of my son Ian. I was found not criminally responsible in my son's death, and I do not have a criminal record.

2. I was one of ten subjects profiled in Yolande Lucire & Christopher Crotty, *Antidepressant-induced akathisia-related homicides associated with diminishing mutations in metabolizing genes of the CYP450 family*, Pharm Pers Med, 4 (2011) 65-81. My case was also the subject of multiple media reports.

3. I've had the opportunity to review the FDA Adverse Event Reports ("FAER") numbered 5890599, 8454374, 8462821, and 8566935 pertaining to my case. With respect to redactions within FAER 5890599 and 8454374, I am disappointed that some information has

been withheld. First, the information that has been withheld is already public, having been the subject of multiple media reports and a study published in the scientific literature. Second, it strikes me that the purpose of the FDA Adverse Event Reporting System ("FAERS") in the first place is to provide accurate and complete drug risk information to regulators, prescribers, and consumers. From my perspective, withholding some of this drug risk information does not advance the primary aim of the FAERS.

4. I do not consider the information contained in the cited FAERS to be private, and I would like this information to be fully disclosed publicly to save lives, and to prevent other families from experiencing similar tragedies like what my family encountered.

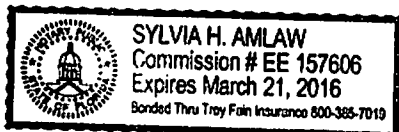
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4<sup>th</sup> day of March, 2016.

*David Carmichael*

David Carmichael  
2443 Montagne Ave  
Oakville, Ontario  
L6M 0J5  
Canada

PL # C0631-15635-  
80716

EC. 7/16/17



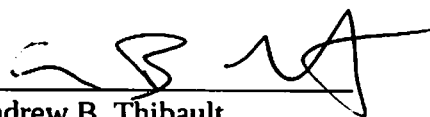
*Sylvia H. Amlaw*

**Certificate of Service**

I hereby certify that a copy of Affidavit of David Carmichael was mailed first class, postage paid, this 4<sup>th</sup> day of March 2016 to:

**Kenneth Stegeby, Assistant U.S. Attorney  
400 North Tampa Street, Suite 3200, Tampa, FL 33602**

**Charlotte Hinkle, Assistant Chief Counsel  
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*Pro se***

CERTIFIED MAIL

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