

FILED

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

2016 AUG 19 AM 11:22

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

ANDREW THIBAUT

Plaintiff,

v.

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

**U.S. FOOD AND DRUG
ADMINISTRATION**

Defendant.

DECLARATION OF LESLIE DEMENIUK

I, Leslie Demeniuk, hereby declare, under penalty of perjury, the following:

1. I am 47 years old and am incarcerated at Lowell Correctional Institution in Florida. On March 17, 2001, I took the lives of my twin sons Jamie and Johnny while under the influence of a prescribed psychotropic drug cocktail including the antidepressant Paxil and the anxiolytic Xanax. A nurse practitioner switched my antidepressant medication from Zoloft to Paxil and doubled the dose of Xanax prior to the homicides.
2. Before taking the aforementioned medications and the subsequent tragic deaths of my twin sons at my own hand, I was not a violent person.
3. My case was widely reported in the media, and was profiled on the WE television network series *Women Behind Bars*. As a result of media reports and my own legal team's efforts, with my consent, to present an involuntary intoxication defense, it is public knowledge that I was taking Paxil and Xanax at the time of the homicides, and that a nurse practitioner had changed my antidepressant medication from Zoloft to Paxil and doubled the

dose of Xanax prior to the homicides.

4. I was surprised to learn that the case narratives of the Food and Drug Administration (FDA) Adverse Event Reports (“FAERs”) numbered 3820364, 6171348, 6189601, 6293102, 6317404, 6330848, 6346316, 6351526, 6445569, and 6639643, relating to my case, have been redacted in their entirety. I was equally surprised to learn that the justification provided for the redaction of the entire case narratives was ostensibly to protect my personal privacy.

5. I do not consider the information contained in the aforementioned FAERs relating to my case to be private, and very much want the information contained therein to be fully disclosed publicly in order to warn others of the undisclosed risks of homicidal thoughts and actions associated with the medications I was prescribed.

6. I was not warned of the risk of violence associated with the medications I was prescribed. The FDA did not protect my twin sons or me with adequate label warnings when it mattered most, and the agency is certainly not protecting the American public now by withholding reported drug adverse reaction information contained in FAERs 3820364, 6171348, 6189601, 6293102, 6317404, 6330848, 6346316, 6351526, 6445569, and 6639643, under the false pretext of protecting my personal privacy.

7. After a *Frye* hearing, experts were not allowed to testify in my defense at trial of a possible causal relationship between antidepressants and homicidal actions, because such a theory was not generally accepted within the scientific community at the time, thus limiting my ability to present a defense. I have come to learn that the FDA subsequently received hundreds of similar reports of homicide(s) as a possible adverse reaction to antidepressants

and anxiolytics. It seems to me that the FDA's withholding of information relating to reports of homicide(s) as a possible drug adverse reaction impedes the study of a possible causal role, thus preventing such a theory from ever gaining general acceptance within the scientific community, and harming the defense of those who became violent on the medications.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 8TH day of JUNE, 2016.



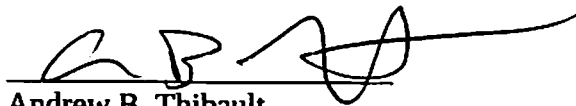
Leslie Demeniuk
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Certificate of Service

I hereby certify that a copy of the Declaration of Leslie Demeniuk was mailed first class, postage paid, this 14 day of Aug. 2016 to:

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