

Criminal civil law



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Robert Courtney Case, Fraud of cancer drugs Robert Courtney's Case was one of the large pharmaceutical frauds continued for more than a decade involving estimated 4200 cancer patients and liable for several wrongful deaths. Background Robert Courtney was born in 1952 in Kansas. Robert Courtney was a pharmacist and he owned the Courtney Pharmacy Inc in Kansas City, Missouri and he provided prescribed medicines to the practitioners of the Research Medical Tower, Kansas. He was a friendly and helpful person devoted to church. He has the custody of two daughters from his first marriage and twins from third marriage. In 1998 a medical sales representative of the famous Eli Lilly drug company, Darryl Ashley identified a discrepancy between the purchased and sold amount of the cancer drug Gemzar by the client Robert Ray Courtney. Although Darryl Ashley felt something was going wrong he was unable to find evidence to convince any malpractice of the pharmacist Robert Courtney. However in 2001 Ashley had a chance to tell his doubt to an oncologist Verda Hunter who had been buying drugs from Robert Courtney. Dr Hunter decided to test the drugs provided by the Robert Courtney and found the drugs were diluted. Dr. Hunter reported to the authorities. The FBI and FDA received several prescribed drugs from Robert Courtney via Dr. Hunter and further tested. Amazingly reports revealed about 20-40% of dilution of the required amount for all the prescriptions which has no possibility to occur by chance except intentional adulteration. Robert Courtney was arrested in August 2001. He accepted dilution of drugs from 1990, later estimated by 98, 000 prescriptions from 4200 patients. Just before his arrestment he has assets

worth of \$18. 7 million. He was sentenced for 30 years federal prison. Legal aspects In this case the crime was the dilution of the cancer drugs Taxol and Gemzar to make high profits. In the law it was a crime related to false and fraud. He has willingly deceived his clients by giving diluted cancer drugs. As cancer treatments are critical to save the life of cancer patients and any delay in effective treatment may cause death, the act of the defendant involved with the death. Therefore he was also sued for wrongful death since diluted drugs were ineffective against cancer and the defendant seemed to know it. Most of the cancer patients had purchased drugs from Robert Courtney throughout their treatment regime without knowing they were ineffective. The evidence used by the plaintiff was clear and convincing. Evidence was collected by right method at right time. Once the dilution was doubt different samples of drugs issued by the defendant had been tested by to overcome possibility of an accidental dilution by chance. The validity of the test result is highly acceptable. In addition, the acknowledgement of the crimes by the defendant without trying to justify his act further reinforced the evidence against him. The defendant never ever tried to come up with possible answer to defend him and instead he mentioned that he has done these alterations to the cancer drugs deliberately to increase the profits. Clear evidence and acknowledging of the misconduct by the defendant were helpful to sentence the defendant in prison for 30 years and pay compensations as high as USD 2. 2 billion for the victim under wrongful death. Reference American Greed(CNBC). (2008). Deadly Rx For Greed. <http://www.cnbc.com/id/23182570/>. Retrieved 2011-04-24 Kansas City Business Journal. (2002). Jury awards plaintiff \$2. 2B in Courtney case. Oct 11, <http://kansascity.bizjournals.com/kansascity/stories/2002/10/07/daily46>. <https://assignbuster.com/criminalcivil-law/>

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