

# Brain-collection practices on trial in Maine

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(AP) -- The practices of a prestigious medical research institute that studies schizophrenia and bipolar disorder are on trial in Maine, where the organization collected at least 99 brains from organ donors.

Anne Mozingo, of York, contends that the Stanley Medical Research Institute and a man working on its behalf removed her late husband's entire brain without her consent after he died of a brain aneurism in 2000. She said she agreed to donate only small [brain tissue](#) samples.

Mozingo learned nearly five years after her husband's death that his entire brain - along with its lining, plus his liver, spleen and [pituitary gland](#) - had been removed and sent to the institute. She filed suit in 2005 against the Bethesda, Md., institute and its Maine representative, Matthew Cyr.

Her claims include infliction of emotional distress, fraud and negligent misrepresentation. After Mozingo learned that her husband's entire brain had been removed, she suffered extreme emotional and [mental distress](#) and had nightmares in which her husband's body was being mutilated, she said in court documents.

The lawsuit accused the defendants of acting "beyond all possible bounds of decency."

The institute and Cyr, of Bucksport, deny any wrongdoing. The institute has repeatedly said over the years that it never knowingly obtained brains without full consent from next of kin.

From the mid-1990s to 2003, Stanley Medical Research Institute used a network of "brain harvesters" in Maine and three other states to collect hundreds of brains for use in the study of schizophrenia and [bipolar disorder](#). The brains were packed in [dry ice](#) and shipped by FedEx to the institute.

Cyr, who also worked for the Maine Medical Examiner's Office, was paid more than \$150,000 to collect brains and other organs from at least 99 bodies from 1999 to 2003, according to court documents.

Mozingo's lawsuit is one of more than a dozen that were filed against the institute by Maine families alleging that their relatives' full brains were removed without their consent.

Most of the complaints have been settled out of court, but three have gone to trial.

The first one to go resulted in a mistrial in January 2010 after the plaintiff testified that he chose to put the case before a jury because he didn't want to settle. The judge ruled the statement implied to jurors that the defendant was offered a financial settlement to avoid a trial.

A second case went to trial last fall, with the jury siding with Stanley, Cyr and the institute's former executive director, Dr. E. Fuller Torrey.

Mozingo's case began this week in York County Superior Court.

On the first day of the trial, her attorney held up a model of brain as a prop while giving his opening statement. Mozingo told jurors that she was misled and betrayed during a time of grieving and stress. The institute's lawyers questioned her reliance on notes to recount her conversation with Cyr after her husband died.

Mozingo's lawyer, Thomas Douglas, declined to comment on the case because court proceedings were ongoing. Philip Coffin, who represents the institute, also declined to comment.

Mozingo's trial is expected to conclude Friday or Monday, but it likely won't be the final court case.

Portland attorney John Campbell said he expects his client, Ray Martin, of Old Orchard Beach, to have his day in court next spring. Martin's case was the one that ended in a mistrial, and Campbell said it's the last remaining case in Maine.

"Mr. Martin feels very strongly about going back to trial," the attorney said.

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