

In addition, the witnesses all admitted on cross that their companies eventually asked the clinic to provide information about the treatment. They were forced to admit that when asked, the clinic always provided truthful and complete information.

### ***“Aspirin Is a Very Dangerous Drug”***

A major part of the government’s case was the interstate shipment of medicine. The government brought in a senior FDA employee. His job was to explain the FDA drug approval process, its necessity, and how the FDA regulates interstate commerce.

I caught a break with him on cross-examination. I made some reference to the fact that not every drug is as benign as aspirin. It was just an offhand comment. But the FDA witness corrected me and said that aspirin was a very dangerous drug. I looked at him in astonishment. And I wasn’t the only one who was surprised. Before he could stop himself, Judge Lake turned to the witness and said, “You mean taking a child’s dose of aspirin every day is dangerous?” Everyone in the courtroom knew that Lake was taking aspirin, just like many of us were.

The FDA witness turned to the judge, looked him dead in the eye, and said, “Yes, it is.” And then he said something even more remarkable. He said that if aspirin was up for drug approval now, the FDA would never approve it. He said aspirin was just too dangerous and there are too many other, better things out there to treat headache pain and aches. Lake was speechless.

Sensing a moment here, I raised my arms in an overly dramatic gesture and said half seriously, “Your Honor, I rest my case.” Everyone in the courtroom laughed, and I think the point was made.

There were a number of humorous moments during the prosecutor’s direct case. However, these guys were deadly serious about putting Burzynski in jail, and they were presenting a competent and persuasive case.

### ***Bob Mossary Becomes the Man of the Hour***

Bob Mossary’s situation was more complicated than we first thought. During the grand jury process, the postal inspectors were closely observing the clinic.