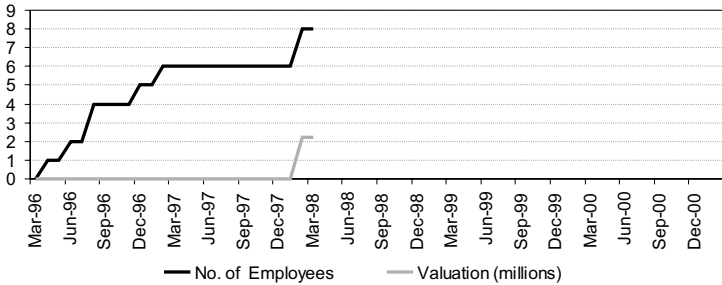


March 1998



Scientist sues Baxter Healthcare over listing in Internet catalog

A scientist . . . is suing a biotechnology company he claims improperly allowed one of his inventions to be advertised on an Internet catalog of medical devices . . . A check of the Web site, the Neoforma Healthcare Product Directory (www.neoforma.com), on Wednesday found no reference to . . . his catheter.

Associated Press
March 25, 1998

A Hard Landing



One moment I was on a ladder reaching over my head, installing some electrical wiring. The next instant I was falling. One of the aluminum supports had suddenly buckled.

It takes very little time to fall twenty feet, but I remember having time to wonder how I could possibly have found myself rapidly descending upside down in the air without the slightest warning. And after landing, the pain did not come until I had plenty of time to contemplate the fortunate fact that carpeting had been laid over the restaurant's concrete floor only one day earlier. I suppose I could have sued the plumber who loaned me the ladder, but it didn't occur to me.

This episode from many years earlier came to mind when we heard about the lawsuit. That feeling of helpless dismay at some instantaneous change of state.

Of the forty thousand products listed on our website at the time, one of them was apparently outdated. It was bound to happen. It was just bad luck that we happened to step into a pool of unquenched anger.

What was this guy thinking?! He could have simply picked up the phone and called the number that we listed at the bottom of every page on our website and said, "Hey, I noticed the name of my product erroneously listed as being distributed by Baxter. What's that about?"

To which we would've said, "We're sorry for the misunderstanding. We simply listed your product as it had been listed by the FDA. Just a minute . . . Okay, check your screen now. The listing has been permanently removed. Nobody will ever see it again. Thanks for letting us know." It would really have been that simple. But he had a grudge to embrace.

I can't imagine any moral position in which filing that lawsuit was more productive than making a phone call. I suppose it was easier in