

Barry Cadden: What to know about the ex-pharmacy exec tied to deadly meningitis outbreak

FOX NEWS - June 26, 2017

Barry Cadden, co-founder of the New England Compounding Center (NECC), the now-defunct pharmaceutical company linked to a 2012 deadly meningitis outbreak, was sentenced to nine years in prison on Monday for his role in the spread of the disease.

Cadden was cleared by a jury in March of second-degree murder charges — likely avoiding spending the rest of his life in prison — but was convicted of multiple counts of fraud, conspiracy and racketeering. Cadden, who was once the president and head pharmacist of the New England Compounding Center.

What happened in 2012?

As many as 13,000 people nationwide may have received injections with contaminated medicine from NECC of Framingham, Massachusetts, the Centers for Disease Control and Prevention estimated.

At least 700 people were sickened by fungal meningitis and other infections in 2012, and 64 people died. Still others live with chronic pain from the tainted injections.

The outbreak affected people in 20 states with Indiana, Michigan and Tennessee being the hardest hit.

Why would Cadden be responsible?

Prosecutors accused Cadden's company of using expired ingredients and falsifying logs in an attempt to show that rooms had been cleaned when they were, in fact, not.

Prosecutors said Cadden and his employees knowingly shipped tainted steroids — usually prescribed to patients with back pain — across the country.

Following the outbreak, multiple instances of contamination — including standing water, mold and bacteria in the air and on workers' gloved fingertips — were found.

Prosecutors also accused Cadden of running his pharmaceutical company in an "extraordinarily dangerous" way as he allegedly ignored sterility and cleanliness regulations in lieu of churning out product faster to make more money.

"It was preventable, but it happened because this man, Barry Cadden, decided to put profits before patients," Assistant U.S. Attorney Amanda Strachan said during the trial.

In turn, Cadden's lawyers argued that he was not directly responsible for the unclean rooms; instead, the lawyers argued, supervisory pharmacist Glenn Chin was responsible for the rooms where the drugs were made.

Chin pleaded not guilty to similar charges. He is [expected](#) to face trial in September.

“As horrible as each of these stories is, there is nothing that shows that Mr. Cadden did something that the government can link to the death of that person,” attorney Bruce Singal said.

So what is he actually guilty of?

Cadden was acquitted in March 2017 of causing the deaths of the people infected. But a jury did find him guilty of some racketeering and fraud charges.

Jurors convicted Cadden of sending out the contaminated drugs but would not say he was guilty of purposefully misleading customers by providing them with contaminated products, according to the [Boston Globe](#). The jury also refused to convict Cadden of willingly and knowingly mislabeling drugs.

The jury also cleared Cadden of charges that he defrauded the US Food and Drug Administration by using NECC as a pharmacy instead of a manufacturing center, the Boston Globe reported.

What could happen to Cadden and his company?

NECC [filed for Chapter 11 bankruptcy](#) in December 2012. At the time, it said it wanted to establish a fund to compensate those affected by the deadly meningitis outbreak.

By 2015, the [company had more than 3,400 claims](#) filed against it — including more than 1,000 claims from those who were seriously injured during the outbreak or relatives of those who were deceased.

A [federal bankruptcy judge approved](#) a \$200 million settlement in 2015 that would compensate NECC's creditors — including the victims.

Each of Cadden's fraud and racketeering convictions carry a potential sentencing of up to 20 years in prison, but multiple sentences can often be served at the same time, the Boston Globe reported.

Cadden's sentencing will be based on the nature of the crime, his personal character and his lack of a criminal record, according to the Boston Globe.

Barry Cadden, former pharmacy executive and president of New England Compounding Center, arrives at the courthouse in March 2017. Then, he was acquitted of causing the deaths of 25 people who received contaminated steroid medication from his pharmacy. (AP Photo/Steven Senne)

But prosecutors are hoping for a harsher sentence from the judge due to a quirk in the trial verdict.

Instead of simply checking “guilty” or “not guilty” when filling out their verdict slip, prosecutors said jurors wrote the numbers of those who thought Cadden was guilty or not of the 25 counts of murder he faced, according to [Reuters](#).

"While they failed to reach unanimity on these racketeering acts, the jury's verdict confirmed that the murder racketeering acts were proven by a preponderance of the evidence in this case, and can be properly considered at sentencing," prosecutors wrote in a motion filed after the verdict trial.

Is anyone else facing charges for the deadly outbreak?

Aside from Chin — who faces similar charges to Cadden — multiple other NECC employees may face consequences for the company's role in the deadly outbreak.

In all, 14 people were [originally charged](#).

Carla Conigliaro, the majority owner of NECC, pleaded guilty in July to illegally transferring assets after the outbreak. Her husband did the same. The [pair was sentenced](#). They also had to pay fines.

Robert Ronzio, who was the company's sales director, [also pleaded guilty](#) to conspiring to defraud the Food and Drug Administration. Ronzio is expected to be sentenced in September, [WBUR reported](#).

Two pharmacists, Kathy Chin and Michelle Thomas, were cleared of any criminal liability by a judge in October, according to WBUR. The judge said that while the pair checked and shipped orders, they did not dispense the drugs.

Alla Stephanets, another pharmacist, was also cleared of similar charges but still faces a fraud charge, according to WBUR.

Pharmacy executive tied to 2012 U.S. meningitis outbreak gets nine years in prison

Reuters - June 26, 2017

A former Massachusetts pharmacy executive was sentenced to nine years in prison on Monday after being convicted of racketeering and fraud charges for his role in a deadly U.S. meningitis outbreak in 2012.

Barry Cadden, the co-founder and former president of the now-defunct New England Compounding Center, was convicted in March of those crimes by a federal jury in Boston but cleared of the harshest charges he faced, second-degree murder.

Prosecutors had asked U.S. District Judge Richard Stearns in Boston to sentence Cadden, 50, to 35 years in prison, saying he directed the production of drugs in unsanitary and dangerous ways to boost the compounding pharmacy's profits.

His greed and those shortcuts led to 778 patients nationwide being harmed after receiving contaminated steroids, prosecutors said. That includes 76 people who died, they said.

Stearns said if he was a victim, he would have wanted the maximum sentence, as some had advocated. He said he spent the weekend reviewing statements from the victims.

"The most common word that repeats itself is pain," he said.

But Stearns said he could not allow outrage to interfere with reaching a fair sentence. Some victims expressed disappointment.

"It's a slap in the face," said Dawn Elliott, an Indiana woman who received steroid injections and was subsequently bedridden for over a year.

Cadden's lawyers sought only three years in prison. In court, he tearfully apologized.

"As head of a company that made drugs that killed and sickened these people, I say with full sincerity that it breaks my heart to read about how painful their deaths were," he said.

Cadden was one of 14 people tied to Framingham, Massachusetts-based New England Compounding Center (NECC) indicted in 2014 following the outbreak. He was one of only two people to face second-degree murder charges.

Prosecutors said Cadden, the head pharmacist, ran NECC as a criminal enterprise that sold substandard and non-sterile drugs produced in filthy conditions and shipped to medical facilities nationally.

They said Cadden directed the shipment of thousands of vials of contaminated steroids often prescribed for back pain despite knowing they were made in unsafe conditions.

Cadden denied wrongdoing. His lawyers said he never intended to sell contaminated drugs.

Victims include Penny Laperriere, whose husband Lyn died after receiving a steroid shot. She told Stearns that what Cadden did was "unforgivable."

"Who gave him the right to play God?" the Michigan woman said.

Pharmacy exec gets nine years in prison for his part in 2012 meningitis outbreak that killed 76 and made 778 people sick

Daily Mail June 26, 2017

A former Massachusetts pharmacy executive was sentenced to nine years in prison on Monday for his role in a meningitis outbreak that killed 76 people and made 778 sick.

Barry Cadden, 50, the co-founder and former president of the now-defunct New England Compounding Center, was handed the prison term after he was convicted of racketeering and fraud.

Prosecutors had asked US District Judge Richard Stearns to sentence Cadden to at least 35 years in prison.

Pharmacist Barry Cadden, 50, was sentenced to nine years in prison on Monday after he was convicted for racketeering and fraud for his role in a 2012 meningitis outbreak that killed 76 and made 778 people sick

Cadden, right, is the co-founder and former president of the now-defunct New England Compounding Center. He is pictured Monday arriving for sentencing in Boston, Massachusetts

They said he had directed the production of drugs at the compounding pharmacy in unsanitary and dangerous ways in order to boost profits.

Prosecutors said those shortcuts and Cadden's greed led to 778 people nationwide being harmed after receiving injections of contaminated steroids that Cadden's company produced.

That includes 76 people who died, they said.

Cadden was convicted in March of fraud and racketeering by a federal jury in Boston but cleared of the harshest charges he faced, second-degree murder.

Cadden was one of 14 people tied to Framingham, Massachusetts-based compounding center indicted in 2014 following the outbreak.

He was one of only two people to face second-degree murder charges.

Prosecutors said Cadden, the compounding pharmacy's head pharmacist, ran the company as a criminal enterprise, selling substandard and non-sterile drugs to medical facilities nationwide.

They said Cadden directed the shipment of 17,600 vials of contaminated steroids often prescribed for back pain despite knowing they were made in unsafe conditions, leading to the outbreak.