



Food and Drug Administration
OFFICE OF CRIMINAL INVESTIGATIONS
MEMORANDUM OF INTERVIEW

CASE NUMBER: 2005-MWM-715-0153-J
CASE TITLE: ALBERT POET
DOCUMENT NUMBER: 99927
PERSON INTERVIEWED: Debra O'Brien
PLACE OF INTERVIEW: Camden County, New Jersey
DATE OF INTERVIEW: 08/25/2006
TIME OF INTERVIEW: 2:50 p.m.
INTERVIEWED BY: Marc Hess, Special Agent

OTHER PERSONS PRESENT:

Debra O'Brien was telephonically contacted and advised of the identities of the interviewing agent and the nature of the interview. O'Brien then provided the following information.

O'Brien is employed as a registered nurse, has a B.S.N. and is currently working on a M.S.N. She resides at [REDACTED] Maryland [REDACTED]

O'Brien first heard of Peau through a friend, Dr. Patricia Gurney, M.D. Gurney's sister, Michele (last name unknown, LNU) operated a salon, Peau in Northern New Jersey which also offered various cosmetic medical treatments by Dr. Albert Poet. O'Brien initially consulted Poet regarding the use of lasers to treat sunspots. She learned that he also provided Botox treatments and she asked him about use of Botox to treat a "frown line" in her face. Poet provided an approximately 20 minute briefing to her regarding Botox treatment. The briefing was on a relatively advanced level due to O'Brien's training and experience in nursing. O'Brien also observed a price list displayed at Peau which indicated that "Botox" treatments were provided.

O'Brien never received Botox treatments from any other doctor.

O'Brien received a total of one or two Botox treatments from Poet in 2004 and /or 2005.

Poet provided the Botox treatments to O'Brien at the Peau salon. No assistant was present.

The charge for the treatments was based on the number of areas treated. O'Brien paid by check and did not recall the price. O'Brien received a substantial discount as she was a friend of Dr. Patricia Gurney, M.D, sister of Michele LNU.

Poet provided a consent form to O'Brien. The consent form concerned Botox.

O'Brien did not experience any adverse effect from the treatment.

O'Brien assumed that she was receiving Botox, the well known drug, during the course of her treatment because she asked for Botox and discussed it with Poet. She noted that she does not ask a doctor to show her the vial when she receives a treatment and assumes that she will be treated with the drug she requests.

O'Brien was asked the following question by the interviewing agent: Would she have consented to treatment by Poet if she had believed that, rather than being treated with genuine Botox, she would be treated with a drug which cost Poet half the price of Botox, was not approved by the FDA and was marked to indicate "not for human use" and "for research purposes only"? O'Brien initially replied that she might have consented to the treatment if she had known that the vial was marked Botulinum Toxin Type A, but that she did not know because this was a hypothetical question. O'Brien indicated that she would have assumed that Poet would conduct appropriate research on any non-FDA approved drug that he intended to use for such treatments, especially due to his extensive experience with Botulinum Toxin based drugs. O'Brien further indicated that given the nature of Botulinum Toxin drugs she would have wanted to know what she was being treated with.

O'Brien had a good opinion of Poet as a medical doctor. She felt that he was extremely proficient, cautious, ethical, professional and careful to ensure that the patient understood their treatment. O'Brien advised that she would go to Poet again for medical treatment, but she would also wish to learn more about the circumstances related to this investigation.

NAME-TITLE _____ **NAME-TITLE** _____

Marc Hess, Special Agent

DATE 08/30/2006

DATE

APPROVED: _____

Kim A. Rice, Special Agent in Charge

DATE: 09/11/2006

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