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The Honorable Sarah Vance

Judge, United States District Court for the Eastern District of Louisiana

New Orleans, Louisiana

Dear Judge Vance:

It is about midnight on January 15, 2013, and I am just completing the following letter to your office. I'm hoping that someone who cares will actually read this document and show some sympathy towards the victims of the Deepwater Horizon disaster.

My name is Michael Robichaux, and I am an Ear, Nose and Throat Physician from Raceland, Louisiana. I have been actively involved in the treatment of patients whose illnesses were associated with chemicals released during the Deepwater Horizon (DWH) tragedy. I have written extensively on this issue and I have records on the illnesses of over 100 patients that we treated at a "Detox" clinic at my family home.

I am going to attempt to tell the following story in an understandable and logical progression. However, there are so many facets of the last 2 ½ years of work that it will be impossible to include all of the elements that should be covered.

My wife, Brenda Dardar Robichaux, was Principle Chief of the United Houma Nation at the time that the spill occurred. Her Tribal citizens, 17,000 strong, are

largely coastal inhabitants who still fish and work in the oilfields where their ancestors dwelled centuries ago.

I am a former State Senator who represented Lafourche parish, a parish whose southern region was intimately involved in the oil spill and is part of the most active energy corridor in the United States. Port Fourchon, located at the end of Bayou Lafourche, was the epicenter of the cleanup activities of the spill.

My patient population is a reflection of the location of my practice and I treat and care for a large number of oilfield workers and fishermen.

Keeping our backgrounds in mind, it should be no surprise that Brenda and I were interested in the well being of "our people" and from the beginning of the spill we were inquiring as to the health of our friends and family members who might have come in contact with chemicals released by this disaster.

Brenda's father is a fisherman and after the spill he reported that some of the shrimp he sold were so oily that he had to buy them back. Having been a proud fisherman for all of his life, he was extremely embarrassed by this situation and has not returned to fishing since that time

Initially, Brenda and I were rather surprised that none of our friends described any illnesses. However, soon after the oil spill had been controlled, I received a call from Marylee Orr, Executive Director of the Louisiana Environmental Action Network, asking if I would draw blood on a number of individuals who felt that they had become ill as a result of their exposure to chemicals involved in the DWH disaster.

One afternoon I met with about a dozen people at my office and began drawing blood for the first time in about 40 years. There was no question that these people were ill and the information I gleaned from them suggested that their illnesses were related to exposure to chemicals from the spill.

Eventually, I drew blood on about 100 individuals and each of them had a fascinating story to tell and interesting symptoms to describe.

What became apparent early on was the fact that all of the patients from Florida, Alabama, Mississippi and Louisiana had almost identical symptoms. None of these patients knew each other and none of them had any way of communicating their symptoms with each other.

The symptoms that my patients described were different from anything I had seen or heard in over 40 years being a physician. Of greater interest was the

fact that treating these illnesses became a daunting task. I soon realized that there was little that I was doing that was going to provide any long-term relief for my patient's symptoms. Unfortunately, other physicians appeared to be sharing the same experiences.

I then received a second call from Marylee Orr. This time she informed me that there was a young man who approached her with what he described as a very effective way to treat disorders such as our patients were describing.

With a great deal of skepticism, we spent several months negotiating with this gentleman and eventually wound up opening a "Detox" clinic in my family home.

Initially, I went to great lengths to explain to my patients that I had no way of knowing whether this treatment was going to be effective. Everyone appeared to understand the possibility that our treatment efforts might not be all that we would hope to achieve, but we were all desperate and felt that we had little to lose if we failed.

As the physician directing the "Gulf Coast Detox Program," I was the program's first graduate. After 25 days of sweating in a sauna, I completed the program feeling no better, no worse and no different from how I felt before the program began. I can state with no reservations that I was the last person who did not improve following their treatment experiences.

We eventually treated 100 patients and our treatment results extended from good to absolutely amazing. I hesitate to tell many of these stories because the treatment results were so remarkable that I would find them hard to believe if they were being presented to me.

I am not relaying this story to promote any type of treatment program but to indicate that for almost a year I was in intimate contact with over 100 patients who participated in clinic activities. Since the average length of treatment was about 25 days, and since I visited the clinic daily for all but a few days, my patient exposure time was about 2,500 HOURS.

I amassed over 100 history and physical examinations and almost as many exit interviews. All of this information was recorded in my handwritten notes and, in some cases, some typed entries.

Shortly after our funds were expended and the clinic closed, I received a copy of a "Proposed Settlement" that had been negotiated between BP and the Plaintiff Steering Committee. I was appalled when I read the medical portion of the agreement, in that the agreement

DID NOT EVEN REMOTELY REFLECT THE REALITY OF THE *CHRONIC SYMPTOMS* BEING EXPERIENCED BY THE VICTIMS OF THE SPILL!!

I next received a copy of the “Sworn Declaration” of Robin Greenwald. Ms. Greenwald described herself and Matthew Lundy as the negotiators for the PSC in their sometime contentious debates with BP.

I attended the public hearing on the “Proposed Settlement” forged between these two parties in Judge Barbier’s court and listened intently as Ms. Greenwald described her role in negotiating the settlement with BP. She mentioned the name of Dr. Michael Harbut. Dr. Harbut, was her medical consultant, and during her testimony she answered the question I had been asking myself as to how many patients had Dr. Harbut seen and/or treated in this matter to be qualified to be her medical consultant.

To the best of my recollection, Ms. Greenwald indicated that Dr. Harbut had not seen or treated ANY patients, but relied on information from local (and unnamed) doctors to make his determination in their agreement with BP.

In investigating the background of Dr. Harbut, I found him to be remarkably well qualified to testify in this case. I also found his previous writings to be totally inconsistent with Ms. Greenwald’s “Declaration” and the BP-PSF agreement.

Following the public hearing in Judge Barbier’s court, I returned home and reviewed the histories and physicals of about 113 people who had gone through our program.

I listed each of their symptoms and then made a tally of the number of patients who had each of the symptoms.

The result of my study was ENTIRELY different from the data for “Chronic Illnesses” that was provided by the BP-PSC agreement.

There is no way that my data could possibly be so dramatically different from the data provided by Ms. Greenwald and Mr. Lundy.

As a matter of fact, several of my patients are clients of members of the PSC.

One of us has apparently been misrepresenting our data.

I would beg the court to request the following from Dr. Mike Robichaux and Ms. Greenwald:

1. The name of the patients from whom the PSC or their consultant gathered their information
2. The name of the person gathering the information and a curriculum vitae or similar document indicating their qualifications to perform such an examination.
3. The name of the doctor who questioned and performed a physical examination on the patient and the doctors notes along with a curriculum vitae or similar document from the doctor.
4. The date and location of the visit.
5. Any written data provided to the client.
6. Any questionnaire(s) that may have been answered by the patient or in reference to the patient.
7. Lastly, there should be a comparison made between the data available on Dr. Robichaux's patients and the data available on the same patients who are represented by members of the PSC.

This information should provide some needed insight into the manner in which the PSC came to their description of "Chronic Illnesses."

The damage done by acceptance of the BP-PSC settlement goes far beyond the readily apparent denial of appropriate benefits to the victims of the spill.

The far larger picture involves the fact that

THERE WILL BE NO PERMANENT RECORD THAT ANY OF THESE SERIOUS ILLNESSES ACTUALLY OCCURRED!

When future disasters of this nature arise, there will be nothing to indicate that any of the severe, and often permanent, illnesses being suffered by my patients ever developed.

There will also be no indication that disasters such as the Deepwater Horizon tragedy ever caused any serious, long-term MEDICAL problems. Thus, physicians will continue to remain in the dark as to the cause and treatment of these illnesses.

Let me provide you with an example of how this type of deception actually works

by using an extremely painful and very similar situation.

Following the 1991 Gulf War, over 175,000 of America's finest patriots returned home with what became known as Gulf War Syndrome. After a few months of flag waving and patriotic platitudes, these very ill veterans were maligned and called malingers and malcontents for having the audacity to complain about their very real illnesses. Soldiers from all of the allied nations that participated in the war had similar problems with their health.

It was not until 2008, 17 years later, that a 454 page Senate report acknowledged the existence of these problems and criticized the Department of Defense and the Department of Veterans Affairs for their cover-up of this disorder.

During the course of treating our patients, I was to learn that the symptoms being suffered by our returning heroes were IDENTICAL to the symptoms being suffered by my patients who were victims of the Deepwater Horizon disaster.

Most Americans are unaware that our soldiers were treated with such hostility and allowed to suffer in solitude for over 20 years. I have written extensively on this subject and some of my writings are available in the 5 letters that I sent to Judge Carl Barbier regarding my position of the BP-PSC fiasco.

These 5 letters can be found on a web site I recently created to disseminate this information:

drmikeroberbi.com

The 454 page Senate report describing this criminal action can be found at the following address:

http://www.va.gov/RAC-GWVI/docs/Committee_Documents/GWlandHealthofGWVeterans_RAC-GWVIReport_2008.pdfThe answer to that question was provided

Amazingly, some of our patients have actually fared better than our wounded Veterans in a very important area. We were fortunate enough to have been able to utilize a technique that could be used to treat and improve the health of our soldiers. This was illustrated over 100 times in our detox clinic.

The legal questions that I believe need to be answered are the following:

Is it both legal and ethical for the PSC and BP to provide information to the court

that fails to faithfully represent the chronic symptoms and long-term health issues that will affect many of the victims of this DWH disaster for the rest of their lives?

Have the members of the PSC, in their role as representing the victims of the spill, and who agreed to the BP-PSC agreement, faithfully represented the plaintiffs who are suffering from long-term and very serious illnesses as the result of their chemical exposures?

Did members of the PSC imply to their clients that they were prepared to represent them in the courtroom only to later recommend that they remain in the Class Action Lawsuit and accept a nominal settlement for a lifelong illness?

The denial of the existence of these long-term illnesses does a great disservice to most of the 100 patients that I treated in our Detox center, and these patients are but the tip of the iceberg.

I would be glad to present my story to a grand jury and allow them to question me on these issues.

If the court would allow us to do so, I would suggest that we hold any meeting with the grand jury sometime soon, as Senator Landrieu has submitted the name of the wife of a member of the PSC for the position of the U.S. Attorney representing our area.

A copy of all five of my letters to Judge Barbier is contained in a bound document being delivered to the court. This document also contains several other letters and several articles written by the PSC's medical consultant, Dr. Michael Harbut.

While the oilspill was ongoing, Dr. Harbut produced a video directed to the physicians who would be treating victims of the oil spill. I personally transcribed this 22 minute lecture and it is included in this packet of information.

This single lecture is extremely different from the conclusions reached by the PSC and BP with regard to the long term (CHRONIC) illness to be expected of the victims of exposure to crude oil and the dispersants used in this disaster.

Respectfully yours,

Michael Robichaux, MD