

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

LAW PROJECT FOR PSYCHIATRIC )  
RIGHTS, Inc., an Alaskan non-profit )  
corporation, ))  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
STATE OF ALASKA, *et al.*, )  
 )  
Defendants, )  
 )

Case No. 3AN 08-10115CI

**PLAINTIFF'S CIVIL RULE 26(a)(1) INITIAL DISCLOSURES**

Plaintiff, Law Project for Psychiatric Rights hereby serves the following initial disclosures as required by Alaska Rule of Civil Procedure 26(a)(1).

**(A) The Factual Basis Of Each Of Its Claims Or Defenses;**

The Amended Complaint sets forth in detail the factual basis for PsychRights claims in this matter. However, PsychRights has attached hereto, a copy of the CriticalThinkRx Curriculum, from which most of the scientific facts have been derived, as well as its bibliography.<sup>1</sup> The balance of the scientific facts in the Amended Complaint derive from P. Breggin, *Brain Disabling Treatments in Psychiatry: Drugs, Electroshock, and the Psychopharmaceutical Complex*, 2d Ed., Springer Publishing Company (2007).

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<sup>1</sup> There may be a few missing citations in the full bibliography, but it is believed these are available in the bibliography for the applicable CriticalThinkRx Modules on the CriticalThinkRx.Org website.

The defendants, their employees, contractors, and agents, are in possession of a tremendous amount of other relevant facts, which Plaintiff intends to develop through discovery. To the extent that Plaintiff otherwise develops facts which are responsive, it will endeavor to update this response as necessary.

**(B) The Name And, If Known, The Address And Telephone Number Of Each Individual Likely To Have Discoverable Information Relevant To Disputed Facts Alleged With Particularity In The Pleadings, Identifying The Subjects Of The Information And Whether The Attorney-Client Privilege Applies;**

The defendants have the most discoverable information relevant to disputed facts alleged with particularity in the Amended Complaint are the defendants. For example, defendants' files contain information about specific children and youth being given psychiatric drugs.

**(C) The Name And, If Known, The Address And Telephone Number Of Each Individual Who Has Made A Written Or Recorded Statement And, Unless The Statement Is Privileged Or Otherwise Protected From Disclosure, Either A Copy Of The Statement Or The Name And, If Known, The Address And Telephone Number Of The Custodian;**

No such written or recorded statements are in the possession of Plaintiff.

**(D) Subject To The Provisions Of Civil Rule 26(B)(3), A Copy Of, Or A Description By Category And Location Of, All Documents, Data Compilations, And Tangible Things That Are Relevant To Disputed Facts Alleged With Particularity In The Pleadings;**

The defendants, their employees, agents and contractors, and psychotropic drug companies are expected to have relevant documents and data compilations. The categories Plaintiff is interested in discovering include, but is not limited to, clinical trial data, marketing and promotional materials, psychotropic prescriptions to Alaskan children and

youth, including their diagnoses, doses, etc., and compilations of this data. In addition, Plaintiff may identify other individuals with such information and will endeavor to update this response as necessary in the event such individuals are identified.

**(E) Subject To The Provisions Of Civil Rule 26(B)(3), All Photographs, Diagrams, And Videotapes Of Persons, Objects, Scenes And Occurrences That Are Relevant To Disputed Facts Alleged With Particularity In The Pleadings;**

Plaintiff is not in possession of any photographs, diagrams or videotapes of persons, objects, scenes or occurrences relevant to disputed facts alleged with particularity in the pleadings, with the possible exception of the photographs contained in Grace E. Jackson's written testimony submitted in 3AN 08-493PR of which defendants' counsel is also in possession. Various drug companies are expected to have such materials as well. Defendants', their employees', agents' and contractors' files may also contain such materials. In addition, Plaintiff may identify other individuals with such materials and will endeavor to update this response as necessary in the event such individuals are identified.

**(F) Each Insurance Agreement Under Which Any Person Carrying On An Insurance Business May Be Liable To Satisfy Part Or All Of A Judgment Which May Be Entered In The Action Or To Indemnify Or Reimburse For Payments Made To Satisfy The Judgment;**

Not applicable.

- (G) (G) all categories of damages claimed by the disclosing party, and a computation of each category of special damages, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such claims are based, including materials bearing on the nature and extent of injuries suffered; and

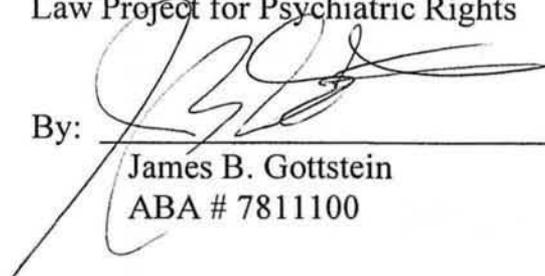
Not applicable.

- (H) (H) the identity, with as much specificity as may be known at the time, of all potentially responsible persons within the meaning of AS 09.17.080, and whether the party will choose to seek to allocate fault against each identified potentially responsible person.

Not applicable.

DATED: November 29, 2008.

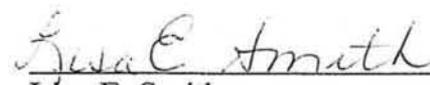
Law Project for Psychiatric Rights

By: 

James B. Gottstein  
ABA # 7811100

I, Lisa E. Smith, hereby certify that a copy of the foregoing, with attachments/enclosures was served by mail on Elizabeth Bakalar/Stacie Kraly, P.O. Box 110300, Juneau, Alaska 99811-0300 on November 24, 2008.

Dated November 24, 2008.

  
Lisa E. Smith