



PETA

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The Honorable Eliot Spitzer
Attorney General of the State of New York
Office of the Attorney General, Department of Law
The Capitol
Rm. 220
Albany, NY 12224-0341

Dear Mr. Attorney General:

Thank you for all your recent efforts to create a fair playing field for investors. We know that you are extremely busy but hope that you will take the time to read the enclosed letter of complaint, which we have sent to the U.S. Securities & Exchange Commission (SEC), and that you will assign the matter discussed therein to someone in your office if you believe that our concerns have merit.

The letter discusses Progenics, a Tarrytown, New York-based pharmaceutical company, and its dealings with Columbia University's College of Physicians and Surgeons' Experimental Surgery Section. Columbia researchers tested Progenics' product DHA (dehydroascorbic acid) on baboons whose left eyes were cut out so that the empty sockets could be used to access major blood vessels to their brains, which were clamped off to induce strokes.

We believe that Progenics should not have issued its May 9, 2001, news release touting DHA, because the Columbia DHA experiments were so poorly conducted. These allegations are discussed in detail in our letters to the SEC and the National Institutes of Health's Office of Laboratory Animal Welfare.

We respectfully urge your office to look into whether any improprieties may be lurking in the arrangement between Progenics and Columbia University. Progenics received a \$300,000 federal grant in September 2001 for preclinical efficacy experiments on DHA—most likely based on the earlier flawed experiments—and Columbia University has received more than \$1.5 million from the federal government. In addition to an investigation of the aforementioned Progenics news release, we look to your office to determine whether any party involved in the DHA experiments on baboons traded in Progenics' stock inappropriately or failed in due diligence. Thank you for your time and assistance.

Sincerely yours,

Mary Beth Sweetland, Senior Vice President
Director, Research & Investigations Department

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