

**Memorandum**

Date June 14, 1993

From Chief, LMM, NIAID

Subject Encounter with Dr. Robert Gallo in Berlin, Germany

To The Record

At approximately 12:15 PM, Wednesday June 9, 1993, as I was leaving the Hotel President on my way to attend sessions at the 9th International AIDS Meeting (Berlin), I stopped when I heard "Mal", turned, and saw Dr. Robert Gallo approaching. He immediately initiated a 10 to 15 minute conversation that occurred within 150 feet of the entrance to the Hotel President on the street called An der Urania. It was witnessed by two men, one of whom I noticed was holding a walkie talkie and who, I assumed, was responsible for Dr. Gallo's security during his stay in Berlin. Both men remained approximately 15 to 20 feet away during the encounter.

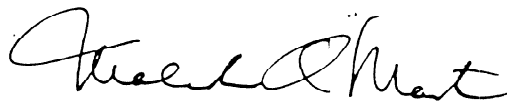
Dr. Gallo began by lamenting about a recent newspaper article written by John Crewdsen (which I had not seen), indicated that my name was mentioned in it as an individual who had not received reagents from him/his laboratory, and that he was quite angry at me for "doing this to a colleague from the same institution (i.e. NIH)". He then told me that many individuals had received materials generated by his laboratory, how he had the support of hundreds of recipients of such reagents, and how they would come forward at the time of his appeal of his scientific misconduct charge. He stated how much he had done for the scientific community including the development of the ELISA assay "which the French refused to use and several officials are now going to jail because of hemophiliacs with AIDS".

"You know", he said, "you're not perfect; you've made mistakes, lots of mistakes, lots of bad mistakes". To which I replied, "Everyone makes mistakes". He continued, "We re going to put you under oath, bring in your secretary, and hear about how you traveled to Europe at Government expense to meet with Crewdsen". I replied, "Bob, are you trying to threaten me?" He answered, "We'll put you under oath". "Put me under oath", I replied, "I don't care". "But, if you call Annette McLaughlin (my former secretary [ca. 1990] whom I had suspected contacted [or was contacted] by Gallo/Onk when her secretarial performance had been evaluated at the "excellent" rather than "outstanding" level), it will be your funeral". He answered, "I know more bad things about you. I know that when you were in Boston (perhaps the invitation to lecture at Harvard by Alice Huang ??date), Groopman (Jerome) told me

that you said some awful things about me. I also know that you're prejudiced against an NIH investigator who collaborates with me. He's going to testify that you blocked him because he's working with us". I repeated, "Bob, are you threatening me?"

I then informed him that I had nothing to do with the Crewdsen article (which I read in the NIAID "Clips" upon my return to Bethesda 6/11/93) but if it mentioned his refusal to give Jan Hartley and myself H9 cells, then I said, "that's a matter of public record. He (Crewdsen) and others have written about that fact earlier. Bob, you know I wrote you requesting H9 cells and you know you sent me a reply. We both have copies of that correspondence". His answer: "That wasn't my fault. Vince DiVita (former NCI Director) made me do it. He was concerned about the patent. I had nothing to do with that. Why didn't you just come to me and ask for what you needed? We would have just given it to you." (I didn't remind him about a previous conversation the two of us had about this same subject in Dr. Anthony Fauci's Office in [need to check date] when, in answer to my characterization of his refusal (of H9 cells) letter to me as "obscene", he answered [in 1985?] "I meant it to be obscene. It was to pay you back for mistreating Veffa at Cold Spring Harbor"). "I had no control over giving out those cells". I then told him that if I was ever asked (implication being at an ORI Appeals Hearing), that I would unambiguously state that I had written a request letter and had received a refusal letter. His reply: "I completely understand and acknowledge that fact."

I then told him that: 1) Onek had specifically requested that Acting NIH Director William Raub investigate my travel to Europe (at Government expense) with the main purpose being to meet with Crewdsen [Gallo denied having any knowledge about this matter]; 2) that I had refused to talk to Crewdsen until several months after his extensive 1989 Chicago Tribune piece on the origin of HIV because I thought that Crewdsen had bullied Gerry Myers. (Gallo seemed to be surprised at this information). The conversation then ended with Gallo telling me that Dani Bolegnesi had told him that "Mal Martin was up to it again with Crewdsen" when he (Bolegnesi) got to Berlin "and I thought you were to blame for the article".



Malcolm A. Martin, M.D.