



C L A R E L O C K E

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By Email

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Mr. Paul Levy  
Public Citizen Litigation Group  
[plevy@citizen.org](mailto:plevy@citizen.org)

*Re: Ridgeback Biotherapeutics' Letter to James Love*

Dear Paul:

Thank you for your note. We will be sending a response to Mr. Love's note later this week. In the meantime, we wanted to take a moment to address some of the issues you raised.

As an initial matter, there are two reasons that Ridgeback takes seriously Mr. Love's harmful commentary: **First**, Ridgeback is currently actively involved in developing a potential treatment for SARS-COV-2 (the virus that causes COVID-19) through clinical trials, and is investing in the production of hundreds of thousands of doses to ensure the medicine is rapidly available once it is proven effective. **Second**, the FDA has awarded Ridgeback Breakthrough Therapy Approval and Priority Review for a potential Ebola treatment that has life-changing impacts in Africa. The company also recently announced that it is providing the Ebola medicine free of charge to combat the current outbreak in the Democratic Republic of the Congo.

It is important to note that many of the scientific innovations used to combat the COVID-19 global pandemic are directly tied to efforts to curb the spread of Ebola. For instance, Professor Jean Jacques Muyembe-Tamfun MD, PhD, General Director of the Congolese INRB, was one of the first scientists to successfully treat and save the lives of his patients through the use of convalescent plasma. He advanced existing scientific practices by taking that plasma and working with Dr. Nancy Sullivan, a well-respected scientist at NIAD's Vaccine Research Center, who was able to isolate the key antibody that was saving his patients' lives. He never rested. He was never complacent. He risked his life to treat his patients and he led the world to a place where Ebola is no longer a death sentence or biological weapon. His work and the work of Dr. Sullivan should be



celebrated and applauded – the world owes these pioneers a tremendous amount of gratitude. Their commitment to developing treatment has saved hundreds of lives and has paved the path for COVID treatments which will hopefully save millions of lives. “Backwater” does not describe the work they have done and the contributions they have made.

Accordingly, Ridgeback is committed to setting the record straight when it comes to damaging statements that unfairly target Africa. But any suggestion that Ridgeback has threatened to sue Mr. Love is completely false. Rather, Ridgeback requested, quite reasonably, that Mr. Love “set the record straight,” and that he “retract [his] previous statements.” Under these circumstances, asking Mr. Love to retract his statements was both responsible and reasonable.

Your email references Ridgeback’s demand that *The Washington Post* correct its June 11<sup>th</sup> story about the company because it suffered from material omissions and serious defects that caused grave concerns, including the appearance of gender bias and racial insensitivity in the reporting. Ridgeback informed the newspaper of these flaws and *The Washington Post* ultimately agreed to issue an editor’s note and to correct the article (in which Mr. Love was quoted) in areas relating to race, gender, Ebola and the experienced Ridgeback team.

With this backdrop in mind, Ridgeback approached Mr. Love because the company believed that he would want to correct his previous statements that could be interpreted in a similar manner in an article *The Washington Post*’s own editor found to contain flaws that were serious enough to merit correction. Numerous people lost their lives while they were working with patients and conducting necessary clinical trials that generated data allowing scientists to develop therapeutics and a transformative vaccine for Ebola. Given these facts, Ridgeback believed that Mr. Love would want to distance himself from what *The Washington Post* itself viewed as a flawed article, and retract his earlier statements and replace them with accurate comments that are consistent with KEI’s mission and organizational values.

Make no mistake: Ridgeback does not shy away from setting the record straight and advocating for the truth. Even if that means confronting a newspaper that is controlled by one of the richest people in history. Thus, your suggestion that Ridgeback wrote to Mr. Love because he is unable to adequately defend himself is obviously false. Drug development is an inherently risky proposition and the likelihood of commercialization is always incredibly low. Ridgeback took its molecule, manufactured commercial quantities before treating even a single patient, designed and conducted a phase I clinical trial, designed and commenced three phase II clinical trials even before the phase I trial was complete, remains the only company to have treated a CoViD patient with Ridgeback’s medicine and proved potentially curative blood levels could be achieved with favorable tolerability and all in a timeframe that can only be described as remarkable. Ridgeback accomplished all of these achievements with 100% of its own money in record time. Given this record the comments made by Mr. Love about Ridgeback are clearly incorrect.

Based on these successes, Ridgeback partnered with Merck to ensure that its potential treatment could be manufactured in numbers that would permit global distribution if the medicine



succeeds in phase III trials—the basis of which were also designed by Ridgeback’s expert team. There is nothing unusual about Ridgeback’s collaboration with Merck and the fact that it came so late in the development process obviously contradicts any suggestion that Ridgeback is “molecule flipping.” The only outlier in this entire process is the accelerated timeline in which these benchmarks were made, an urgency necessitated by the ongoing global pandemic.

These meritless false news stories and demands for responses to false attacks have the potential to worsen public health outcomes by forcing Ridgeback to expend the precious resources of time that would be better spent rapidly bringing a hopefully life-saving, pandemic altering medicine to those in need.

We remain optimistic that Ridgeback will succeed in its efforts to change the course of this pandemic by potentially saving lives with its innovative medicine. If the company is successful, we trust that Professor Kesselheim and Mr. Love will change their opinions about the benefits of Ridgeback’s collaboration with Merck.

Please let us know how you will be including this additional information in your upcoming story so that we may have ample opportunity to provide additional information.

Very truly yours,

Thomas A. Clare, P.C.