

"Well, look, I'm sorry," Hillabrand answered. "In Toledo we have a lot of people who got their boards and haven't opened a book since they got them twenty years ago. And they drive Cadillacs."

As opinionated as Hillabrand may have seemed, an even stronger indictment of the Pill came from Dr. Herbert Ratner, his classmate at the University of Michigan Medical School (1934), now director of the Department of Public Health in Oak Park, Illinois, and editor of *Child and Family* (a quarterly journal that reprints articles about traditional concepts of family life). A graying crusader against "pill promoters and profiteers," Dr. Ratner stated, in a deposition introduced as evidence, that the same dosage of Enovid that had been taken by Mrs. Black can produce fatal blood clots and, from his viewpoint, would continue to do so. "The medical profession has not been given, for a variety of reasons, the objective story of this [the Pill]," he said, "and the patient has been less exposed as to the objective story. They could not determine whether there was or was not a causal relationship [between the Pill and blood clots]."

Ratner said his conjecture was based on the theory that the Pill simulates pregnancy by increasing the blood supply in order to prevent conception but, unlike a genuine pregnancy, does not simultaneously expand the uterus: "It's different in the sense that, during pregnancy, blood is now circulating through the enlarged uterus, which therefore makes the blood supply noncongestive. If blood is brought there by mimicking a natural process in which the enlarged uterus is absent, then the blood has nowhere to go but remain in its own area and this is what produces the congestion. . . ."

Ratner's testimony, like that of subsequent witnesses, fell into a predictable pattern. Black's attorneys continued to call upon anti-Pill physicians, such as Paul E. Haley, a retired surgeon from South Bend and veteran of 400 autopsies. Asked if he was "medically certain there was a causal connection between Enovid and Mrs. Black's death," he testified: "It had a causal relation to it. They [the Pills] can be fatal to a few women."

Searle's attorneys contradicted the theory that Enovid could cause blood clots by presenting such pro-Pill physicians as Dr. Celso Ramon Garcia, a member of the Searle-sponsored research team that tested an earlier form of the oral contraceptive on women in Puerto Rico. Now professor of obstetrics and gynecology at the University of Pennsylvania, Garcia testified: "There is no evidence whatsoever that there is any correlation with the thromboembolic phenomena [clotting] in the use of oral contraceptives. I have no hesitancy in prescribing this to any member of my family and, as a matter of fact, I have done so and am doing so."

Searle, meanwhile, continued to build its defense with testimony from physicians who had demonstrated, to their personal satisfaction, that the Pill has no known hazards. Initially, no such physician seemed more familiar with Enovid than Dr. Robert W. Kistner, a gynecologist in Brookline, Massachusetts, and member of the Harvard Medical School's faculty. Widely known for his positive articles and book* about the Pill, Dr. Kistner stated that he had used the Pill to treat infertility in women for four years before it was approved for general use by the Food and Drug Administration and sent his reports to Searle so that the company might conduct tests which "were about as extensive, if not the most extensive, that I have ever considered." Dr. Kistner testified that he continues to prescribe Enovid, dismissed reports of nausea, depression and bleeding by women using the Pill as minor effects and not hazards, then emphasized: "I have seen no patients who developed thromboembolic disease, including pulmonary embolism, in over three hundred patients upon whom I have operated [and] who received estrogen-progestin combinations [used in the Pill] prior to and subsequent to surgery."

Dr. Kistner's conclusions, though, were challenged in questions about an acquaintanceship with Searle's medical director (to which he responded: "I work closely with a number of companies").

Earlier in the trial, moreover, Dr. Kistner had been depicted in Dr. Ratner's deposition as being less than objective about the Pill. Asked if Dr. Kistner is "well recognized as an authority and expert," Dr. Ratner replied: "He is well known." Asked if he accepted Dr. Kistner as an expert on the Pill, Ratner answered: "I accept him as a biased person in this area. . . . I find he is not

* See GOOD HOUSEKEEPING, February, 1969.