



12 June 2013

## Memorandum

To: Trialists

Fr: Curtis Meinert

Re: Nathan R. Jessup as a trialist

Suppose *A Few Good Men* was instead a film about *A Few Good Trialists* with Nathan Jessup (Jack Nicholson) as Dean of the University of Clinical Trials and with Daniel Kaffee (Tom Cruise), assistant professor, and JoAnne Galloway (Demi Moore), associate professor, of the University of Systematic Reviews.

With deep apologies to Aaron Sorkin (writer of the play and screenplay) I have revised dialogue as it may have occurred had the screenplay been written for *A Few Good Trialists* for two of the more memorable scenes in the film.

### Scene 1

Early in the film Kaffee and Galloway travel to the University of Clinical Trials to meet with Jessup in an effort to acquire data for an unpublished drug trial done by Loudon Downey (James Marshall) and Harold W. Dawson (Wolfgang Bodison) at Jessup's University. Kaffee and Galloway are treated to a lunch with Dr. Jessup on a patio overlooking the campus. As Kaffee and Galloway prepare to leave they ask Jessup if they can have the data from Downey's and Dawson's trial.

*Jessup:* You can have all the data you want, [after a pause and then passive-aggressively] but you have to ask me nicely.

*Kaffee:* I beg your pardon?

*Jessup:* You have to ask me nicely. You see, Danny, I can deal with criticisms and pundits. I don't want money and I don't want honors. What I do want is for you to stand there with your Harvard degree and extend me some [expletive] courtesy! You gotta ask me nicely. [a pause as Kaffee swallows his disbelief]

*Kaffee:* Dr. Jessup, if it's not too much trouble, I'd like a copy of the protocol and data for Trial 786 done by Downey and Dawson, Sir.

*Jessup:* [politely] No problem.

### Scene 2

Much later in the film and sometime after Kaffee and Galloway discover that Trial 786 was finished three years back but never summarized on [ClinicalTrials.gov](http://ClinicalTrials.gov) within one year of completion, as required by the FDA.

Jessup, Kaffee, and Galloway are in a court room deposing Dr. Jessup in relation to a pending court case against his university for failure to comply with the FDA requirement. If the case is decided in favor of the FDA, the University faces a fine of \$10,000 a day for every

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day beyond the one year time limit. The dialogue that follows is after a heated exchange between Kaffee and Jessup as to Jessup's responsibility in making data from trials available to the public and the need for transparency and truth in trials.

*Kaffee:* We want the truth!

*Jessup:* You can't handle the truth! Son, we live in a world with uncertainty, and those uncertainties have to be attacked by people like us. Who's gonna do trials? You Kaffee? You, Galloway? I have a greater responsibility than you could possibly fathom. You weep because a trial is not published, and you curse trialists because they don't publish. You have that luxury. You have the luxury of not knowing what it takes to do a trial. You don't want the truth because deep down in places you don't talk about at parties, you want me doing trials, you need me doing trials so you have something to do. We use words like equipoise, ethics, integrity. We use these words as the backbone of trials. You speak of publication bias and wring your hands because a trial is not published. I have neither the time nor the inclination to explain myself to a man who rises and sleeps under the blanket of the very thing I provide, and then questions the manner in which I provide it. I would rather you just said thank you, and went on your way. Otherwise, I suggest you pick up a pencil and do a trial. Either way, I don't give a damn what you think you are entitled to.