

Former Langone staffer sues university

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by [Anna Sanders](#)

A former NYU professor is suing the university, claiming he was unlawfully fired after reporting research misconduct.

Dr. David O'Neill, formerly of NYU Langone's lab of Vaccine and Cell Therapy, appeared in front of the New York Supreme Court last Wednesday for the first time.

In his complaint, which was filed on Aug. 17, O'Neill accused the university of the "silencing and firing of an outstanding scientist after he alerted NYU to suspected research misconduct in a clinical trial comparing experimental vaccines for malignant melanoma."

However, Lisa Greiner, NYU Langone Medical Center spokesperson, said O'Neill's "termination was unrelated to the fact that he raised concerns about the way research was conducted."

O'Neill claimed in his statement that the research was successful in uncovering important scientific information, but it did not support the interests of his supervisor, who holds the patent for the tested technique.

In the complaint, O'Neill claimed supervisor Dr. Nina Bhardwaj told him "not to report underlying raw data." Bhardwaj has not been formally named as a defendant.

In an e-mail from Bhardwaj to O'Neill on Oct. 9, 2008, Bhardwaj told O'Neill she was discussing "how to spin [the results]" with Dr. Lloyd Old of Memorial Sloan Kettering Cancer Center. In the e-mail, she said, "We will have to be careful about what to say and how to say it in the paper."

Greiner said O'Neill brought to his supervisor "a dispute over statistical methodology to be used in describing the results of the trials." She said O'Neill should have insisted the paper be submitted without his name if he disagreed with its presentation.

NYU requires its employees to report suspected research misconduct and requires supervisors to investigate allegations. According to Greiner, these policies were directly followed.

"The administration convened a committee of the co-authors (with both members of the statistical group present) and was headed by the director of biostatistics and the department chair, [who] reviewed the dispute," she said.

Greiner said the committee believed the data clearly showed that the vaccine in question — a direct injection of dendritic cells pulsed with cancer-specific peptides and KLH — was "inferior to the Montanide vaccine."

O'Neill's representation, Debra Raskin with Vladeck, Waldman, Elias & Engelhard, said the doctor "will not be talking to any press" during the ongoing investigation.