

April 25, 2008

Barry L. Friedberg, M.D., A.M.C.
Anesthesia for Cosmetic Surgery
3535 E. Coast Hwy., PMB 103
Corona del Mar, CA 92625

Dear Dr. Friedberg-

We have carefully evaluated your response to Dr. Zeller's suggestion that you write a letter to the editor explaining your position regarding the comment"uses no advanced airway devices" ... contained in the review of your book, (Anesthesia in Cosmetic Surgery) published in *JAMA* (2008; 299: 1483-1484).

As Dr. Zeller explained, our standard approach for fostering scholarly discussion of scientific disagreements about information published in the journal is to publish a letter to the editor describing the point of concern, and to also have an accompanying reply from the author of the article in question.

Since it seems that your position is that the device in question is an advanced airway device, it should have been relatively easy for you to provide evidence from the scientific literature to support your position and to illustrate, as you suggest, that the phrase in the book review "is a clearly erroneous statement" about your work. However, it appears that you do not wish to participate in this scientific dialogue, and therefore, we will not be publishing any letters or corrections about your book.

In addition, it has come to our attention that you have an unauthorized and misleading posting of *JAMA* copyrighted material from that book review on your website, as follows: "...I recommend this book to those who provide anesthesia in office based surgery units." This quote is taken out of context, and as such misrepresents the content of the review.

As you know, the paragraph from which you inappropriately excerpted warned the procedure was low cost for physicians but in possible conflict with the interests of patients. The reviewer concluded: "Unfortunately, the deficiencies in this book are substantial. Of most interest to anesthesiologists and nurse anesthetists will be the information about the business and political issues of office-based anesthesia. For that information alone, I recommend this book to those who provide anesthesia in office-based surgery units."

In short, the book was not recommended for its discussion of evidence based medicine, but its discussion of business and political issues. You do not have permission from *JAMA* to post its copyrighted material on your website, and we have a procedure for permission requests.

Posting without permission is an unauthorized use of copyrighted *JAMA* material. We would not grant permission to post a false, incomplete and inaccurate excerpt from a book review, so the qualifiers before the recommendation must be included in any permitted posting. Accordingly, we expect that you will immediately remove the misleading statement, and its implied endorsement, from your website.

Sincerely yours,



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