



UNION COUNTY PROSECUTOR'S OFFICE

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March 23, 2016

Peter Liguori, Deputy Public Defender Union Region
Office of the Public Defender
65 Jefferson Avenue
Elizabeth, New Jersey 07201

Re: State v. Caleb McGillvary
Indictment No.: 13-11-00946-I

Dear Mr. Liguori:

As you are aware, the above-captioned defendant has filed a pro-se civil lawsuit naming, among others, the Union County Prosecutor's Office, Dr. Robert Pandina and me, as named parties. In his civil complaint, defendant references a report issued to the State by Dr. Pandina. Please advise your client that Dr. Pandina did not issue a report. As you are aware, the grand jury testimony relevant to Dr. Pandina is brief. Most specifically, the State elicited that "Dr. Pandina opined that the effects of the date rape drugs typically last eight to ten hours after the ingestion," and "that any individual would be groggy, vomiting, not able to move around, and would be otherwise incapacitated." GJ Transcript, 92:19 to 93:1.

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During a recent conversation, in the presence of Sergeant Johnny Ho, I reviewed this portion of the grand jury transcript with Dr. Pandina. Dr. Pandina confirmed that the effects of a date rape drug include grogginess, vomiting, not being able to move around, and otherwise being incapacitated. Dr. Pandina, however, clarified that the immediate or acute effects of date rape drugs typically last between two to four hours, that residual effects can last longer (dependent on other factors such as dosage), and that the window of detection is eight to ten hours.

In addition, Dr. Pandina informed me that within the last year his research institute at Rutgers University, (The Center for Alcohol Studies), unexpectedly received charitable funds from the Estate of Joseph Galfy, (the victim in this case), meant to further the research of his team. Although Dr. Pandina reports never knowing or meeting Mr. Galfy, this presents a conflict of interest if the State were to call Dr. Pandina as an expert in any matters regarding this case. Therefore, the State will not be able to use Dr. Pandina as a witness in this case.



WITNESS TAMPERING: GALFY'S BROTHER CREATED A CONFLICT OF INTEREST TO COVER UP EXPERT TESTIMONY CONFIRMING MY STATEMENT

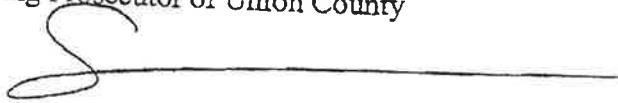
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In light of this new information, it is the State's intention to re-present this case to a new Grand Jury panel without any mention of the prior statements made by Dr. Pandina.

Should you have any questions or concerns please feel free to contact me at (908) 527-4682.

Very truly yours,

GRACE H. PARK  
Acting Prosecutor of Union County



By: SCOTT M. PETERSON  
Special Deputy Attorney General/  
Acting Assistant Prosecutor

c Dr. Robert Pandina  
File