



Errant Gene Therapeutics (EGT) Wins Major Victory in New York Court

New York Court Sanctions Bluebird Bio, Paves Way for EGT to Proceed with Massachusetts Lawsuit for Substantial Damages Against Bluebird CEO Nick Leschly and Third Rock Ventures

CHICAGO--(BUSINESS WIRE)-- Errant Gene Therapeutics (“EGT”) announces that the New York Supreme Court Justice Barry Ostrager sanctioned Bluebird Bio, Inc. (“Bluebird”) and rejected Bluebird’s efforts to prevent EGT from proceeding with its lawsuit in Massachusetts against Bluebird CEO Nick Leschly and Bluebird’s venture capital partner, Third Rock Ventures, LLC (“TRV”). Following the court’s decision, EGT served its complaint in Massachusetts yesterday, August 20, 2019, against Leschly and TRV.

EGT has been embroiled in a longstanding lawsuit in New York involving claims by EGT against Bluebird and Sloan-Kettering Institute for Cancer Research (“SKI”). EGT alleges that SKI, in cooperation with Bluebird, intentionally abandoned EGT’s potentially life-saving gene therapy solely for Bluebird’s benefit.

On June 7, 2019, EGT filed a complaint in Massachusetts against Leschly and TRV, alleging that they embarked upon an unlawful scheme to prevent EGT from bringing its gene therapy to market. EGT alleges that Leschly and TRV’s unfair and deceptive acts follow a troubling pattern of tortious business practices undertaken by pharmaceutical companies to secretly and systematically “kill” competing medical treatments.

In an effort to prevent the lawsuit from moving forward in Massachusetts, Bluebird sought to have the New York court hold EGT in contempt in connection with EGT’s filing of the Massachusetts complaint. The court denied Bluebird’s request, and also assessed monetary sanctions in the amount of \$25,000 against Bluebird for its meritless accusations against EGT.

Mr. Girondi stated that “EGT is very pleased by the New York court’s rulings on Monday. EGT believes that it has suffered in excess of a billion dollars in damages as a result of Leschly’s and TRV’s actions, and intends to vigorously pursue its claims and hold Leschly and TRV fully accountable.”

Monday’s decision comes on the heels of several recent rulings in favor of EGT, including the denial of Bluebird and SKI’s motion for summary judgment, a ruling that EGT’s damages claim is “not speculative as a matter of law,” and a ruling that EGT may proceed with its fraud claims against Bluebird based on allegations that Bluebird attended secret meetings with SKI in effort to “surreptitiously” obtain EGT’s drug therapy after EGT refused to sell it to Bluebird.

About Errant Gene Therapeutics, LLC

EGT is a privately held biopharmaceutical company established in 2003. For more information about EGT and its programs, please visit www.errantgene.com.

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