

## English Translation of SWR Story on Rath

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The state court in Cologne has rejected the case of the doctor Mathias Rath. Rath had accused the SWR (German TV channel) of false reporting in its prize winning documentary, 'The Fall of Dominik'. Specifically, Rath claimed that the documentary's assertion that the youth had 'a gigantic tumor in his lung' was incorrect.

The court made it clear that the SWR and its codefendant, author Beate Klein of Report Mainz, observed the journalistic principal of due diligence, since they had oriented themselves on a postmortem report conducted at the behest of state lawyers, as well as on several medical opinions that agreed with it. The 'farthest reaching agreement among the various reviewers suggests that it represented a reliable source.'

Rath's assertion that there could not be a tumor in Dominik's left lung, no less a 'gigantic tumor', because while he was alive, Dominik's left lung supposedly collapsed completely as a result of a puncture, did not convince the judges in Cologne. The judges countered Rath, saying that this could not be proved from the documents that were submitted during the trial.

The documentary, first broadcast on 2 Nov. 2005 by the ARD (TV channel), reported the fate of young cancer victim, Dominik, whose medical history the businessman Rath had promoted by treating him, with the consent of Dominik's parents, with Rath's own specially developed therapy of vitamins starting in Jan. 2004. The destiny of the nine year old created a great commotion through a national publicity campaign. In an interview with the Report Mainz in early 2004, Rath said that the boy would become 'a normal adolescent, he will become a doctor.' In fact, despite the vitamin treatment, Dominik died at the end of 2004 as a result of his cancer, a fact that Rath did not want to believe.

In 2004 Report Mainz covered the vitamin-doctor Rath and the case of Dominik a total of three times. In April 2006 the 45-minute SWR documentary received the 2005 European Journalism Prize from the Association of German Medical Journalists with respect to the framework of the series.

Rath can still appeal the verdict of the Cologne court.

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