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David Markiewicz  
The Atlanta Journal-Constitution



## Couple sues Georgia sperm bank, claims donor wasn't as advertised

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### STORY HIGHLIGHTS

A couple was told their sperm donor had an IQ of 160 and was working on a PhD in neuroscience engineering.

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The couple wants compensation to help cover the cost of future medical care for their son.

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The donor, according to a suit filed in Fulton County, had a criminal record and did not have a degree.

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A Canadian couple is suing a Georgia sperm bank, alleging that the donor the company provided for them is a schizophrenic with a criminal past whose photo was doctored to make him look more attractive.

Angela Collins and Margaret Elizabeth Hanson of Port Hope, Ontario, decided in 2006 to start a family by using donor sperm, according to a suit filed this week in Fulton County Superior Court. They chose to use the services of Xytex Corp., which is based in Augusta and has offices in Atlanta. The couple says they understood that the company thoroughly vetted potential sperm donors, screening them for their educational backgrounds and health history, among other things, and only selected the top prospects.

Collins and Hanson, according to the suit, were told that their then-anonymous donor had an IQ of 160, a bachelor of science degree in neuroscience and a master's degree in artificial intelligence, and that he was working on his PhD in neuroscience engineering. He also was described as an eloquent speaker, mature beyond his years, and healthy.

After intra-uterine insemination, Collins gave birth to a son on July 19, 2007.

According to the suit, Collins and Hanson first learned that "Donor 9623" was James Christian Aggeles in June, 2014 when Xytex sent them six emails that apparently inadvertently included his name.

In a statement issued Friday night, Xytex said it "absolutely denies any assertion that it failed to comply with the highest standards for testing."

The company said it "is reviewing and investigating the allegations asserted."

Collins and Hanson and other families who had used Aggeles as a donor and who received the same information subsequently discovered through their own research that he is, according to the suit, schizophrenic, had dropped out of college and had been arrested for burglary, and that his pictures had been doctored to remove a



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Statistics indicate that schizophrenia affects about 1% of Americans, according to hopkinsmedicine.org from Johns Hopkins. If a parent has schizophrenia, the chance for a child to have the disorder is 10% and risks increase with multiple affected family members.

The site notes it is likely that many factors – genetic, behavioral, and environmental – play a role in the development of this mental health condition.

Xytex said it tests donors before specimens are collected and after the release of specimens into the market and that recipients have access to a list of the genetic and infectious diseases for which donated specimens are tested.

Aggeles was charged with one count of burglary in 2005, said Kimberly Isaza, spokeswoman for the Cobb County District Attorney's office, and his case was discharged in 2014 under terms of the First Offender Act. The Superior Court Clerk's office said he served eight months in jail, with the rest of his 10-year sentence on probation.

He could not be reached for comment.

"Stories like this are not uncommon," said Wendy Kramer, director of the Donor Sibling Registry. The organization says it was founded to help people who have been conceived via sperm, egg or embryo donation make contact with other people with whom they share genetic ties, if it's mutually desired.

"There is currently no oversight and little to no regulation in the sperm banking industry," Kramer said. "Donors can say whatever they like about their academics, medical history and background."

She said it's not unusual for a single donor to have fathered dozens of children.

According to the suit, if Collins and Hanson had known their donor's history earlier, they would not have purchased his sperm from Xytex.

Nancy Hersh, a lawyer for the couple, said they love their son but want to make sure he can be properly cared for if he is diagnosed as having schizophrenia.

Collins and Hanson say in the suit that they have suffered emotional and financial damages and they now will have to spend more money to evaluate and care for their son to make certain that he receives any medical treatment and care he may require in the future. They are suing for fraud, negligent misrepresentation, breach of warranty, battery and unfair business practices.

Hersh said she is representing about 15 mothers who used Aggeles as a donor. Together they have more than 20 children by him, she said, and they are all concerned about the future health and care of their children because of Aggeles' medical history. Only Collins and Hanson have filed suit so far, she added.

Parents seeking a child through sperm donation, Hersh said, are "people at their most vulnerable. They want to have a baby. They are easily subject to manipulation and misrepresentation."



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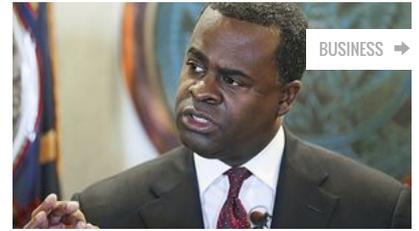
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