**FERTILITY FRAUD LAWSUIT: BOSTON IVF FOUNDER, HARVARD PROFESSOR SUED FOR SECRETLY IMPREGNATING PATIENT**

***Home DNA Test Reveals Mother’s Fertility Doctor is Biological Father; Dr. Merle Berger, Founder of Boston IVF, Taught at Harvard Medical School for Over 35 Years.***

**BOSTON – DECEMBER 13, 2023 –** A renowned fertility doctor and former Harvard Medical School professor, Dr. Merle Berger, was hit with a major lawsuit for secretly impregnating his patient, Sarah Depoian, with his own sperm. Sarah went to Dr. Berger for an intrauterine insemination (“IUI”). Dr. Berger told Sarah that the sperm would come from an anonymous sperm donor “who resembled her husband, who did not know her, and whom she did not know.” Sarah’s daughter, Carolyn Bester, discovered that Dr. Berger was her biological father after using a home DNA test kit this year.

[The lawsuit](https://lostembryos.com/wp-content/uploads/2023/12/20231212-Berger-Complaint.FINAL_.pdf) was filed against Dr. Berger in U.S. District Court District of Massachusetts by leading fertility attorney, Adam Wolf of the law firm Peiffer Wolf Carr Kane Conway & Wise (“Peiffer Wolf”).

Dr. Berger was a professor of Obstetrics, Gynecology and Reproductive Biology at [Harvard Medical School](https://www.fertilitytrust.com/merle-berger-md/) for over 35 years and founded one of the nation’s largest fertility clinics, [Boston IVF](https://www.bostonivf.com/).

Sarah Depoian said:**“This is an extreme violation. I am still struggling to process it. I trusted Dr. Berger fully. We thought he would act responsibly and ethically. I will never fully recover from his violation of me.”**

Adam Wolf, partner at Peiffer Wolf, said: **“Dr. Berger secretly inserted his own sperm into his patient, Sarah Depoian. He did so without her consent and against her wishes. Some people call this horrific act ‘medical rape.’ But regardless of what you choose to call it, Berger’s heinous and intentional misconduct is unethical, unacceptable, and illegal.”**

Carolyn Bester, daughter of Sarah Depoian, said: **“To say I experienced shock when I figured this out would be an extreme understatement. It feels like reality has shifted. I just want to say how proud I am of my mom for speaking out, and I’m honored to stand by her side.”**

According to the complaint, Sarah and her husband saw Dr. Berger for fertility services in 1980. In need of a sperm donor, Dr. Berger advised that he could perform an insemination that used the sperm of a medical resident who resembled her husband, who did not know her, and whom she did not know.

Sarah instructed Dr. Berger to use the anonymous sperm in order to become pregnant. But that is not what happened.

Dr. Berger’s misconduct was not a mistake. Dr. Berger needed to masturbate in his medical office, walk over to his patient while carrying his own sperm, and then deliberately insert that sperm into his patient’s body—all while knowing that she did not consent.

The artificial insemination that Dr. Berger performed resulted in a pregnancy, and Sarah’s daughter, Carolyn, was born in January 1981.

Now 42 years old, Carolyn purchased DNA kits from Ancestry.com and 23andMe in early 2023 to learn more about her family history. But the resulting family-history reports did not yield a direct result for the biological father of Carolyn.

Instead, Carolyn found out that she was related to two people who turned out to be Dr. Berger’s granddaughter and Dr. Berger’s second cousin. After speaking with one of her newfound relatives, Carolyn pieced together that Dr. Berger is her biological father.

Carolyn then discussed the DNA results with her mother. Sarah had not previously known the identity of the anonymous sperm donor. Sarah would not have consented to the insemination if Dr. Berger had told her that he was going to insert his own sperm into her body.

Sarah felt incredibly violated upon finding out that her doctor inserted his own sperm into her body. She feels like she is the victim of assault and is concerned that he may have violated other unsuspecting patients.

Shortly after learning of Dr. Berger’s conduct, Sarah contacted Dr. Berger through counsel. In response, Dr. Berger did not deny that Sarah consented only to an insemination with the sperm of a donor who did not know her and whom she did not know.

###

**MEDIA CONTACT:**

Max Karlin at (703) 276-3255 or mkarlin@hastingsgroupmedia.com.

**Peiffer Wolf Carr Kane Conway & Wise** is a national law firm with offices in San Francisco, Los Angeles, New York, Chicago, New Orleans, Cleveland, Youngstown, and St. Louis. Visit <https://lostembryos.com/> for more information.