

Morris Waxler, 88, Who Backed Lasik And Then Warned Against It, Is Dead

By SAM ROBERTS

Dr. Morris Waxler, who as a federal health official was instrumental in approving laser eye surgery as a quick fix to replace eyeglasses or contact lenses, and then reversed himself a decade later after concluding that the operation could actually impair a patient's vision, died on Jan. 2 in a hospital in Madison, Wis. He was 88.

The cause was a stroke, his wife, Carolyn Zahn-Waxler, said. From 1996 to 2000, Dr. Waxler managed a government team that evaluated and toughened engineering and clinical standards imposed on laser devices marketed for surgery. In 1999, he oversaw the original approval of those devices, which were subsequently used for Lasik surgery in the United States.

Patients who had undergone Lasik surgery soon began complaining to him, he said in a 2011 petition to the Food and Drug Administration, about how their sight had been distorted by halos, dryness and excessive glare; their night vision was impaired; and that chronic pain was contributing to depression and even suicide.

After Mr. Waxler decided to revisit the original data submitted by Lasik surgeons, according to Dr. Cynthia MacKay, a professor of ophthalmology at Columbia Presbyterian College of Physicians and Surgeons who has campaigned with Mr. Waxler to end Lasik, he "discovered what the surgeons had claimed were 'temporary and treatable side effects' were in fact devastating, untreatable, permanent complications."

By 2010, a decade after retiring as branch chief of the Food and Drug Administration's Center for Devices and Radiological Health, Dr. Waxler had admitted that he



VIA WEXLER FAMILY

Morris Waxler in 2018. Below, his 2024 book, which told of the potential effects of laser surgery on healthy eyes.



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had made a mistake about the procedure — that there were some serious safety concerns.

A year later, he unsuccessfully petitioned the F.D.A. to issue a

public health advisory to caution patients about the possible harmful effects of Lasik and to withdraw the devices from the market.

He noted how "many thousands of eyes have been damaged beyond repair by LASIK devices since the 1990s" and pointed fingers at the close relationship between surgeons and device manufacturers.

"Starting during my tenure, F.D.A. decision-making on LASIK devices was dominated by LASIK surgeons working hand-in-glove with LASIK manufacturers," Dr. Waxler wrote in his petition.

"Data recently brought to light exposes this partnership for what it was: a classic example of the fox guarding the henhouse, wherein the primary arbiters of safety and effectiveness of LASIK devices were the device manufacturers and its collaborators."

"As a consequence," he added, "the F.D.A. was deprived of knowledge of the full extent of Lasik injuries prior to and during F.D.A. reviews of documents submitted in support of the safety and effectiveness of Lasik devices."

In 2012, he continued to sound the alarm, writing in a public letter: "I have come to believe that the real risks associated with these devices are far higher than the F.D.A. would have originally approved, had important data not been distorted or withheld."

He asked the F.D.A. in 2014 to reconsider his original petition. But it again denied it, disagreeing with his assertion that the "F.D.A. did not adequately consider the record of prolonged industry pressure on the Agency or use the correct data to evaluate the risks of Lasik devices."

The agency told The New York Times last week that it was "working to collaborate with our stakeholders to determine the most appropriate path forward for com-



STORMI GREENER/STAR TRIBUNE, VIA GETTY IMAGES

While with the F.D.A., Dr. Waxler oversaw the approval of devices used for Lasik surgery, in 1999.

municating LASIK-related risks to patients and health care providers."

Though most studies note high levels of success after Lasik, including an oft-cited 2016 report that found 20/40 or better vision for 99.5 percent of patients, critics maintain that the evaluation of the operation should be held to a higher safety standard than other medical procedures because it is elective.

"There's nothing wrong with a person's eyes who goes to get Lasik," Dr. Waxler told CBS News in 2019. "They have healthy eyes. They could go and get a pair of glasses."

Morris Waxler was born on Jan. 25, 1937, in Washington, the son of Jewish immigrants from Russia. His father, Isadore, was an antiques dealer and cabinet maker. His mother, Fannie, whose maiden name was also Waxler, was a bookkeeper and managed the

household.

After graduating from high school and serving in the Coast Guard, he studied psychology at Howard University and received a bachelor's degree in 1962 and a

Urging people to avoid laser procedures and instead 'go and get a pair of glasses.'

master's degree in 1964. He obtained a master's degree in neuroscience from Michigan State University in 1966 and a doctorate in psychology from the University of Maryland in 1977.

After retiring from the F.D.A., he worked for two law firms and

then established a consultancy, Waxler Regulatory Affairs, in Madison.

In addition to his wife, whom he married in 1967, he is survived by a daughter, Rebecca Waxler Ramsey.

In 2024, Dr. Morris wrote a book about his crusade against Lasik, "The Unsightly Truth of Laser Vision Correction: LASIK Surgery Makes Healthy Eyes Sick," which also included accounts by Paula Cofer, the founder of a Lasik complications support group; Dr. Edward Boshnick, who spent more than two decades caring for patients with Lasik-damaged eyes; and Dr. MacKay.

"Even if it's 2 percent who are at risk for sight-threatening problems, that's thousands of people being put at risk every year," Dr. Waxler told The Times in 2018. "What is an acceptable level of risk when you're operating on healthy eyes?"

Laura Maioglio, 93; Ran an Iconic Theater District Eatery

By JULIE BESONEN

Laura Maioglio, the second-generation New York City restaurateur whose Barbetta became a theater district mainstay and, with its European-style grand décor and rich Piedmont-region cuisine, one of the city's first upscale Italian restaurants, died on Jan. 17 at her home in Manhattan. She was 93.

Her death was announced on Barbetta's website and confirmed by her lawyer, Eric M. Kutner. The business was founded about 120 years ago by Ms. Maioglio's father and is expected to remain open to the public through Feb. 27.

Ms. Maioglio (pronounced MAYOH-lee-oh), a Bryn Mawr-educated art student, initially had no plans to don the family mantle and instead had hoped to become an architect. As her father was dying, she recalled, she could not bear to see the restaurant sold and managed to scuttle the deal.

After his death in 1962, she took over Barbetta, at 321 W. 46th St., and directed its chiefly-male staff. The next year, the garrulous Elaine Kaufman opened Elaine's on the Upper East Side; few female restaurateurs have remained so intimately involved for as long as they did.

"She was as strong as a nail, the toughest woman I ever met in my life," Leopold Frokic, a former sommelier at Barbetta, said of Ms. Maioglio. "Imagine a woman managing 50 men, immigrants from countries where the woman doesn't tell them what to do. None of those men could take her for a ride."

With her background in art and architecture, Ms. Maioglio promptly set in motion her vision of Barbetta — transforming it from a modest Italian spot into an upscale establishment, starting with the addition of a cloistered

garden patio with a fountain. She acquired antiques, a palatial crystal chandelier and vintage Barolo and Barbaresco wines, going head-to-head with haute cuisine French rivals then commanding the attention of the city's fine-dining palates.

The public's interest was kindled, and opera stars, Broadway actors, theatergoers, musicians, ballet dancers, Pulitzer Prize recipients, politicians, contempo-

Barbetta was a city pioneer in Italian cuisine and elegance.

rary painters and Italophiles trouped in.

When Ms. Maioglio fell in love with Günter Blobel, a molecular biologist she married in 1976, scientists and Nobel laureates joined the mix, especially after Mr. Blobel was awarded the 1999 Nobel Prize in Physiology or Medicine. He died in 2018, and they had no children.

Barbetta stood at the forefront of genuine Italian cuisine, renouncing the banality of red-checked tablecloths and straw-covered Chianti bottles that had been the hallmarks of trattorias across America for decades. Her focus was the Northern Italian region of Piedmont, her parents' birthplace and where she spent holidays at the family's palazzo.

"Laura carved her own path," said Donatella Arpaia, a restaurateur and television personality whose father, Lello Arpaia, also a restaurateur, began taking her to Barbetta when she was young.

"Here's a woman who showed that authority could coexist with

grace. She went against the grain and brought history and her culture to New York and had the audacity to say, 'This is my story.' For sure, she moved the needle."

To acquaint her customers with white truffles from the Piedmont region, Ms. Maioglio connected with truffle hunters there and raised truffle hounds, enlisting friends to sneak the fragrant luxury to Barbetta in their suitcases. She did the same with her favorite fresh mozzarella and prosciutto before legal importation began.

New York Times critics were often mixed in their reviews of Barbetta but praised the atmosphere, and one story noted it offered, with its floral-covered garden patio "one of the city's most sought-after summer dining locations."

Ms. Maioglio presided over the restaurant through the city's economic hardships of the 1970s and the crime-ridden '80s and '90s, when she helped feed the Guardian Angels, a citizen patrol group that scared off drug dealers on Restaurant Row. She spurned all offers from developers, no matter how lucrative.

"She didn't like to talk directly about dying or the restaurant ever closing," said Carmen Coronado Lozano, Barbetta's longtime manager.

Laura Clara Maioglio, an only child, was born in Manhattan on March 17, 1932, to Sabastine Maioglio, known as Sebastiano, and Piera (Tomalino) Maioglio. Her father had emigrated from Fubine Monferrato, Italy, and saved money from working in restaurants until he could open his own in 1906, Maioglio Brothers, on West 39th Street. His success enabled him to buy four adjacent townhouses on West 46th Street in 1925, and he moved his restaurant there, renaming it Barbetta, or "little beard" in Italian, a nod to his brother Vincenzo's facial hair.

Ms. Maioglio, who grew up in an apartment above Barbetta, graduated from the Brearley School, an all-women's private school on the Upper East Side. At Bryn Mawr College in Pennsylvania, another all-women's school, she received a bachelor's degree in art history in 1954.

After her father's death, Ms. Maioglio's mother assisted her for more than two decades. The younger Ms. Maioglio recalled to The Times that when the Rolling Stones came in to eat one night, her mother had no idea who they were but was unfazed when they affectionately began calling her "Mum." They became regulars when they were in town.

Too unwell to oversee Barbetta in person since 2020, Ms. Maioglio kept a grip on operations through frequent phone calls to her staff, some of whom had stayed with the business for more than 30 years. Ms. Maioglio checked on the number of reservations and appraised the mozzarella di bufala, tagliarini with tomato sauce, broiled salmon, and panna cotta regularly delivered to her Park Avenue apartment.

"She would call the next day if the porcini mushroom risotto was too dry or anything was too salty," said Rocky Marentek, her chef de cuisine.

No alteration to the menu or décor was allowed without her approval, including the electric lamps atop linen-swathed tables whose trailing cords imperiled those prone to tripping.

"We always thought the cords were dangerous, but Laura didn't want to change anything," said her cousin Diana Schmidt-O'Brien.

In 1993, the Italian cultural association Locali Storici d'Italia designated Barbetta's interior a landmark. In 1996, the Italian gov-



JAMES ESTRIN/THE NEW YORK TIMES

Above, Laura Maioglio in 1999. Decades earlier, she chose running Barbetta over a career in architecture. That field and her art background informed her transformation of the restaurant.



DINA LITOVSKY FOR THE NEW YORK TIMES

ernment awarded Barbetta the Insegna del Ristorante Italiano, in recognition for serving the best authentic Italian food outside Italy.

"That restaurant was her," Mr. Frokic said. "It was her masterpiece, how she expressed her creativity. Let's put it this way: Money was not the motive. She

never cared about input from anybody else, the way a painter paints a painting. Why don't you make the shoes red? No."

Ms. Maioglio will be interred in her family's mausoleum in Fubine Monferrato, joining her husband and parents, in the truffle-scented land she spent her life championing.

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Deaths

Berger, Ted
Hahn, Phyllis
Kuhn, Edna

BERGER—Ted S.

Ted S. Berger, born 1940, to Freda and George Berger in Providence, R.I., passed away peacefully on January 29, 2026 surrounded by friends, his wife of 61 years, Asya (nee Eliash) and his son, Jonathan. Ted leaves an indelible legacy having shaped, supported, and fiercely protected the cultural and creative life for which NYC is known. Ted began a career in advocacy when as a recent graduate of Columbia University's Master's in Literature program, he was appointed an Asst. Dean - a position he resigned from in protest of the school's suppression of student activism in the late 1960s surrounding Civil Rights and the Vietnam War. In this same energy throughout his life and career in the arts - alongside his love of NYC's diverse and pluralistic communities. He saw art as an urgent tool for social progress and in 1973 he was hired by the New York Foundation for the Arts as the country's first statewide Artists-in-Schools coordinator - ensuring that every student,

particularly those who existed in communities which were marginalized, had access to the potential of art to describe realities and imagine new futures. Ted went on to serve as NYFA's Executive Director from 1980-2005 - stewarding the city and its artists through major crises that existentially threatened NY's reputation as a center of creativity, including the AIDS crisis, the Culture Wars, the Giuliani Administration, 9/11, and ongoing gentrification. Ted worked directly with artists, advocated for cultural and economic policies that ensured the survival of the city's creative communities and fought for artists' ability to make groundbreaking and avant-garde works in literature, film, theater, music and visual arts - including early works by Spike Lee, Tony Kushner, Suzan-Lori Parks, Meredith Monk, and Shirin Neshat. Ted's undeniable generosity led him to serve on the boards and committees of more than 15 arts organizations and advise on the creation of many more arts nonprofits. He was actively

Deaths

engaged with his synagogue, B'nai Jeshurun, and until his passing continued to advocate for art, artists, and justice. He will be missed by those who knew him; those who worked with him; and through the legacy of his impact - those who participate in a New York arts community which he helped shape and preserve.

HAHN—Phyllis. Women of Emanu-El, Board of Directors, of Congregation Emanu-El of the City of New York, mourns the death of our beloved board member, Phyllis Hahn. All who knew Phyllis loved and admired her. Our heartfelt condolences go out to her children and grandchildren.

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KUHN—Edna Berk. died at home on January 29, 2026. Born in 1925, she graduated from Mount Holyoke College (1946), Smith College School of Social Work (1946) and Columbia Law School (1970). She devoted her professional career to the well-being of children and families. Wife of the late Dr. Leslie A. Kuhn, she is survived by two daughters, Amy Kuhn and Karen Bailen, their husbands, Stuart Rosow and John Bailen, and six grandchildren, Jennifer, Katie and Kevin Bailen and Julian, Gabriel and Benjamin Rosow. She will forever be in our hearts.

ANNOUNCEMENTS OF DEATHS MAY BE TELEPHONED FROM WITHIN NYC TO 212-556-3900; OR OUTSIDE NYC TOLL FREE 1-800-458-5522; OR SENT BY EMAIL TO NYTIMESCLASSIFIEDPLUS.COM FOR THE FOLLOWING EDITIONS: Until 2:00 P.M. the day before for Monday through Saturday editions, until 4:00 P.M. on Friday for Sunday's National Edition, until 12:45 P.M. Saturday for Sunday's New York and late National editions. Photos must be submitted by noon the day prior to publication Tuesday through Friday. Photos for Saturday, Sunday and Monday must be submitted by 12 noon on Friday.