


'It was very, very weird': A civil suit reveals new details in the case of Ellen Greenberg, whose death by 20 stab wounds was ruled suicide

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Philadelphia teacher Ellen Greenberg, 27, was found dead of 20 stab wounds at her Manayunk apartment on Jan. 26, 2011. Her parents have filed a lawsuit against the Philadelphia Medical Examiner's Office and the pathologist who conducted her autopsy seeking to have the manner of her death changed from suicide to homicide or undetermined. [Read more](#) Courtesy of the Greenberg family

A nor'easter was blanketing Philadelphia with snow when Samuel Goldberg's call came in to the city's 911 center at 6:30 p.m. on Jan. 26, 2011.

"Help! I need an ambulance now. I just walked into my apartment. My fiancée is on the floor with blood everywhere," he said.

Goldberg, then a 28-year-old TV producer, had left his fiancée, first-grade teacher Ellen Greenberg, 27, in the Manayunk apartment they shared to go to the gym in their building around 4:45 p.m. When he returned about half an hour later, he found the swing bar lock to their apartment was engaged from the inside.

Unable to gain entry, Goldberg tried to reach Ellen through phone calls and text messages. When she didn't respond, he asked the apartment building doorman on duty that night, Phil Hanton, to help him break the lock. Hanton said he told Goldberg it was against company policy.

So Goldberg forced the door open himself. Inside, he found Ellen on the kitchen floor and called 911. During the call, Goldberg is initially unable to tell the operator where Ellen is bleeding from, until the operator says she'll walk him through doing CPR, if he's willing.

"I have to, right?" he asks.

The operator then instructs Goldberg to lay Ellen on her back and take off her shirt. Goldberg, who noted that Ellen was already on her back, struggled.

"Her shirt won't come off. It's a zipper. Oh my God! She stabbed herself," Goldberg says of the 10-inch serrated kitchen knife lodged 4 inches into Ellen's chest. "She fell on a knife. I don't know. Her knife is sticking out. There's a knife sticking out of her heart."

"Oh, she stabbed herself?" the operator asks.

"I guess so, I don't know, or she fell on it. I don't know," Goldberg says.

The operator then tells him not to perform CPR and wait for police to arrive.

The 911 call from Goldberg, who declined to comment, was released for the first time last year as part of discovery in the ongoing civil suit Ellen's parents, Joshua and Sandra Greenberg of Harrisburg, have filed against the Philadelphia Medical Examiner's Office and the pathologist who conducted their daughter's autopsy, Marlon Osbourne.

After discovering a total of 20 stab wounds to her body, Osbourne initially ruled Ellen's death a homicide. But weeks later, he changed her manner of death to suicide, with no explanation to Ellen's parents, who learned about the reversal from media reports.

The 911 call paints a clearer picture about what the first chaotic moments were like after Ellen's body was found. But it also revealed an inconsistency with police's long-held stance that Ellen was never moved from the slumped position on the floor in which she was found when they arrived, with her head, neck, and shoulders propped against corner cabinets — not, as Goldberg said on the call, lying on her back on the floor.

“I think the consensus initially was that it was very, very weird.”

It's not the only inconsistency that has emerged during the Greenberg family's 11-year battle to gain insight into their daughter's death and the investigations that followed.

Unable to get answers from the city, the Greenbergs purchased their daughter's autopsy report and photos from the scene. They have amassed a cadre of experts, from forensic pathologists to a blood-splatter specialist, who have questioned the suicide ruling, as first detailed in [a March 2019 Inquirer report](#).

The Greenbergs and their attorney, Joseph Podraza Jr., filed their lawsuit against the city in October 2019, seeking to have the manner of Ellen’s death changed back to homicide or undetermined, a move that would allow for an investigation to be reopened and pave the way for a possible wrongful-death or misconduct lawsuit against the city.

“We’re asking to change the manner of death and open a new investigation with impartial people and an impartial prosecutor,” Joshua Greenberg said. “We’re not asking for the moon, just justice for our daughter.”

The Philadelphia Law Department is ardently defending the suit and the suicide ruling. Even if Osbourne’s findings were incorrect, which the city contends they were not, “... the law makes clear that a medical examiner can be wrong as to the manner of death yet cannot be compelled to change it,” city attorneys wrote in court filings.

The Greenbergs’ suit has unveiled new information about the unusual process around how Ellen’s death was classified and new testimony about whether one of the wounds to her neck was possibly administered after she died.

But will the civil suit, which is headed to Commonwealth Court, be enough to get the manner of death changed? And will that provide any more information about how Ellen Greenberg died — or provide closure to her family?

One thing is clear: Ellen Greenberg’s death remains a mystery. Even Osbourne, who stands by his suicide ruling, testified at deposition that the case was unusual.

“I think the consensus initially was that it was very, very weird,” he said.

‘Amazing new information’

The night Ellen was found, investigators on scene treated her death as a suicide because Goldberg was cooperative and stayed on the scene; there were no signs of an intruder; the apartment door was locked from the inside; and Ellen had no defensive wounds to indicate she’d fought off an attack, police have said.

It wasn’t until the next morning, when Osbourne conducted his autopsy, that all 20 of Ellen’s stab wounds — including 10 to the back of her neck — were discovered.

There were eight wounds to her chest, ranging from .2 centimeters to the final 4-inch wound of the knife still embedded in her chest; a 2-inch wound to her stomach; a 2.5-inch-long gash across her scalp; and 10 wounds — from nicks to two about 3 inches deep — to the back of her neck. There were also 11 bruises in various stages of healing on Ellen’s arm, abdomen, and leg.

Osbourne, who's now an associate medical examiner in Palm Beach County, Fla., and declined to comment for this story, testified at deposition that at the time of autopsy, "I did believe I had enough information" to rule Ellen's death a homicide.

But when he informed police of his findings, he said they asked him to list the case as pending while they continued investigating. In an unusual move two days later, a police spokesperson was already publicly disputing Osbourne's findings, saying police were leaning toward suicide and looking into some "mental issues" Ellen may have had.

Given the stark difference of opinion, Osbourne said he decided to have a neuropathologist examine Ellen's spinal cord to see whether it was damaged to the point it would have rendered her incapable of inflicting the subsequent wounds to herself, including the final wound to her chest.

Osbourne, who testified the spinal cord was "an important question," said he asked Lucy Rorke-Adams, a renowned neuropathologist who retired from the Children's Hospital of Philadelphia in 2015, to conduct the exam.

But instead of having her come to the ME's Office, Osbourne said he walked a section of Ellen's spinal cord over to Rorke-Adams at CHOP in "very heavy snow" for an informal "curbside exam." He said she didn't do a microscopic exam but was still able to tell him the dura, or the sheath covering the spinal cord, was cut, but not the spinal cord itself, and there was no indication Ellen lost motor function.

"I was flabbergasted by the absence of professionalism surrounding that review Dr. Osbourne testified he had Dr. Rorke-Adams do," Podraza, the family's lawyer, said. "Essentially, he's taking a pickle jar with Ellen's spine and brain stem through the piled-up snow, walking with that across the street or a couple of streets ... thrusting it into her hands, and saying give me a looksies."

No report by Rorke-Adams was created and a bill for her work has never been found. She told The Inquirer in 2018 that she had no recollection of conducting the exam and that without a report or bill for her services, "I would conclude that I did not see the specimen in question, although there is a remote possibility that it was shown to me."

Sometime after Rorke-Adams' alleged spinal cord exam, Osbourne and former Chief Medical Examiner Sam Gulino, who resigned in August 2021 amid controversy over his office's handling of the remains of MOVE bombing victims, said they were asked to attend a meeting with members of the District Attorney's Office and Philadelphia Police Department. Gulino said such a meeting was "unusual." Neither pathologist remembered another like it during their time in Philadelphia.

"[It's] clear that they were presenting information because they felt that the manner of death was different from what had been ruled," testified Gulino.

During the meeting, Osbourne said police confirmed a doorman was with Goldberg when the door was broken down, which played a role in his thinking about the case, he testified.

“[It] was important to find out if it was broken, if anyone was there to see it be broken, or is it just the story we’re getting from the decedent’s boyfriend that it was broken by him,” Osbourne said. “[It] doesn’t seem like anyone else could have been in the room to inflict those injuries other than Ms. Greenberg herself, and that is how I came to the conclusion of suicide.”

But Hanton, the lone doorman on duty that night, gave a signed declaration for the civil case stating he didn’t witness the door being broken, and video surveillance from the lobby obtained through discovery shows he didn’t accompany Goldberg upstairs.

At deposition, Podraza asked Osbourne if he would have changed his homicide ruling to suicide if there was still a dispute about whether someone was with Goldberg when he broke the door down, whether the door was broken at all, and whether the lock was engaged when Ellen was stabbed.

“No, I would not,” Osbourne testified, saying he would have been closer to ruling the death “undetermined.”

For the Greenbergs and Podraza, this was damning testimony.

“Dr. Osbourne said that if there was any doubt that the fiancé was escorted by the security guard or if it was untrue what he was being told then this cannot be a suicide,” Podraza said.

But Osbourne testified he also changed her manner of death to suicide because of the spinal cord exam; the lack of defensive wounds; the lack of incapacitating drugs in Ellen’s system; no signs of an intruder; the broken door; Goldberg’s statements; and police findings from the scene.

Gulino, who did not return requests for comment, testified that after reviewing the case, he also believed it “was possible for Ellen to have created all of these wounds” and found no reason to disagree with the suicide ruling.

His opinion was based, in part, he said, on a 2019 exam he asked Lyndsey Emery, a pathologist in his office who’s also certified in neuropathology, to conduct on a section of Ellen’s spinal column still in storage at the ME’s Office.

Emery, who left the ME’s Office last year and declined to comment, said that while she made no opinion as to the manner of Ellen’s death, she found nothing that would have incapacitated her.

| “If there are things they don’t want revealed, why?”

However, there was something unusual Emery discovered during the course of her exam. She observed three injuries of note to Ellen's spinal column. One, to the spinal cord tissue itself, was done during the course of Ellen's autopsy, she said.

But there were two other cuts — one to the bone and ligaments in the back of Greenberg's spinal column and a corresponding cut to the dura — that were from a “bona fide sharp force injury” and were not done at autopsy, she said.

What was notable about those injuries was there was no hemorrhaging around them, Emery testified, saying, “Lack of hemorrhage means no pulse.”

She offered three possibilities for the lack of hemorrhaging: There wasn't enough time between when the wound was inflicted and when Ellen died for it to hemorrhage; the wound didn't disrupt the tissue enough to cause a response — or Ellen was already dead when the wound was inflicted.

If the cut was administered while Ellen was still alive, Emery said she'd have expected to see hemorrhaging.

“And by the fact that now the dura is not demonstrating hemorrhage, as you found also the spinal column didn't, would that weigh a little bit more in suggesting Ellen was dead at the time this wound was administered?” Podraza asked.

“Yes,” Emery said.

Podraza called this “amazing new information.”

A month after her deposition, the city filed a written declaration by Emery, in which she said she didn't fully understand the scope of questions posed to her at deposition by the city's attorney, and presented several other possibilities for the lack of hemorrhaging including: that nothing was injured along the wound path; that bleeding in other areas of the body prevented bleeding in that area; or that the injury could have been done at the time of autopsy.

“I view the declaration as a deliberate submission to try and cloud her testimony, but it doesn't change what her testimony was,” Podraza said.

An uphill battle

Following the depositions, both the city and Podraza filed motions for summary judgment, which were denied in October, making way for the case to go to trial in the Philadelphia Court of Common Pleas.

But on Dec. 23, city attorneys, who declined to comment through a spokesperson, filed a rare pretrial petition in Commonwealth Court seeking permission to appeal the judge's ruling allowing the case to move forward, claiming it was “an egregious abuse of discretion that ignored binding precedent.”

The city argues that under the law, a medical examiner’s “inherently discretionary professional opinion” cannot be challenged and if the case were to move forward, it “will potentially open the door to any party unhappy with the determination of the medical examiner or coroner” and open the “floodgates to litigation.”

Temple University law professor Mary Levy, who specializes in appellate and civil procedures, said government officials can be compelled by law to perform a mandatory duty, such as determining a manner of death, but the law can’t be used to force an official to reach a particular conclusion.

“That finding is subject to the professional’s judgment, expertise, and discretion,” she said.

But Podraza believes Osbourne’s own testimony necessitates a change in the ruling. Given the doorman wasn’t with Goldberg when the door was broken, Podraza argues that by Osbourne’s own standards, suicide is no longer an option.

“Dr. Osbourne said if certain facts exist then he himself cannot agree with suicide and the determination must be changed,” Podraza said. “We’re just asking the court to effectuate and put into play what Dr. Osbourne said should happen now that these facts exist.”

On Feb. 4, the Commonwealth Court granted the city’s petition and ordered the civil trial be placed on hold, pending a decision in the appeal case.

Levy said Podraza and the Greenbergs likely face an uphill battle given significant, binding case law.

“There are decisions that are within the discretion and judgment of professionals and they cannot be compelled or forced to change those decisions, even if they’re wrong,” she said.

No date has been set for the appeal, but Podraza said no matter who prevails, if there are subsequent appeals, it “could be years” before a resolution.

Questions remain

In December, Podraza provided the civil case depositions and other records to Attorney General Josh Shapiro’s office, hoping it would reopen Ellen’s case.

The AG’s Office previously reviewed the case in 2019 and stood by the suicide ruling, citing suicide-related searches allegedly found on Ellen’s computer and text messages showing she was in distress.

The Greenbergs knew their daughter was suffering from what a psychiatrist described as “severe anxiety,” but that psychiatrist also told police “there was never any feeling of suicidal thoughts” according to the ME’s investigation report.

AG spokesperson Molly Stieber said the materials provided last year by Podraza “brought to light no new facts in this case,” and the AG’s Office stands by the suicide ruling.

For the Greenbergs, the irregularities are too glaring, and the secrecy around the case is still too stark.

To this day, authorities have refused to release the police files in Ellen’s case. They were not turned over in discovery and they are not subject to the state’s Right-to-Know Law.

“If there are things they don’t want revealed, why?” Sandra Greenberg said. “Let the truth set us free.”

How to find help

Reading discussions about suicide can be triggering for people experiencing emotional distress. If you or anyone you know is struggling, help is available 24/7:

- **The National Suicide Prevention Talk Line** offers help in over 150 languages. Call 1-800-273-8255 or text HELLO to 741741. **En Español**, marca al 1-888-628-9454. If you're **deaf or hard of hearing**, call 1-800-799-4889.
- **The Philadelphia Suicide and Crisis Center** offers guidance and assessment about depression, self harm, hopelessness, anger, addiction, and relationship problems, at 215-686-4420.
- **Veterans Crisis Chat** is available at 1-800-273-8255 or by text at 838255.
- **The Trevor Project** offers crisis support to LGBTQ+ youth 25 and under. Call 1-866-488-7386, text START to 678678, or start a chat.