

Complaint Counsel's objections to Specifications 13-19⁷ are similarly based on their misapprehension as to the scope of discovery because Complaint Counsel fails to appreciate that in judging the challenged products and advertisements, the FTC is invoking a generalized standard that it believes and must prove exists. As discussed

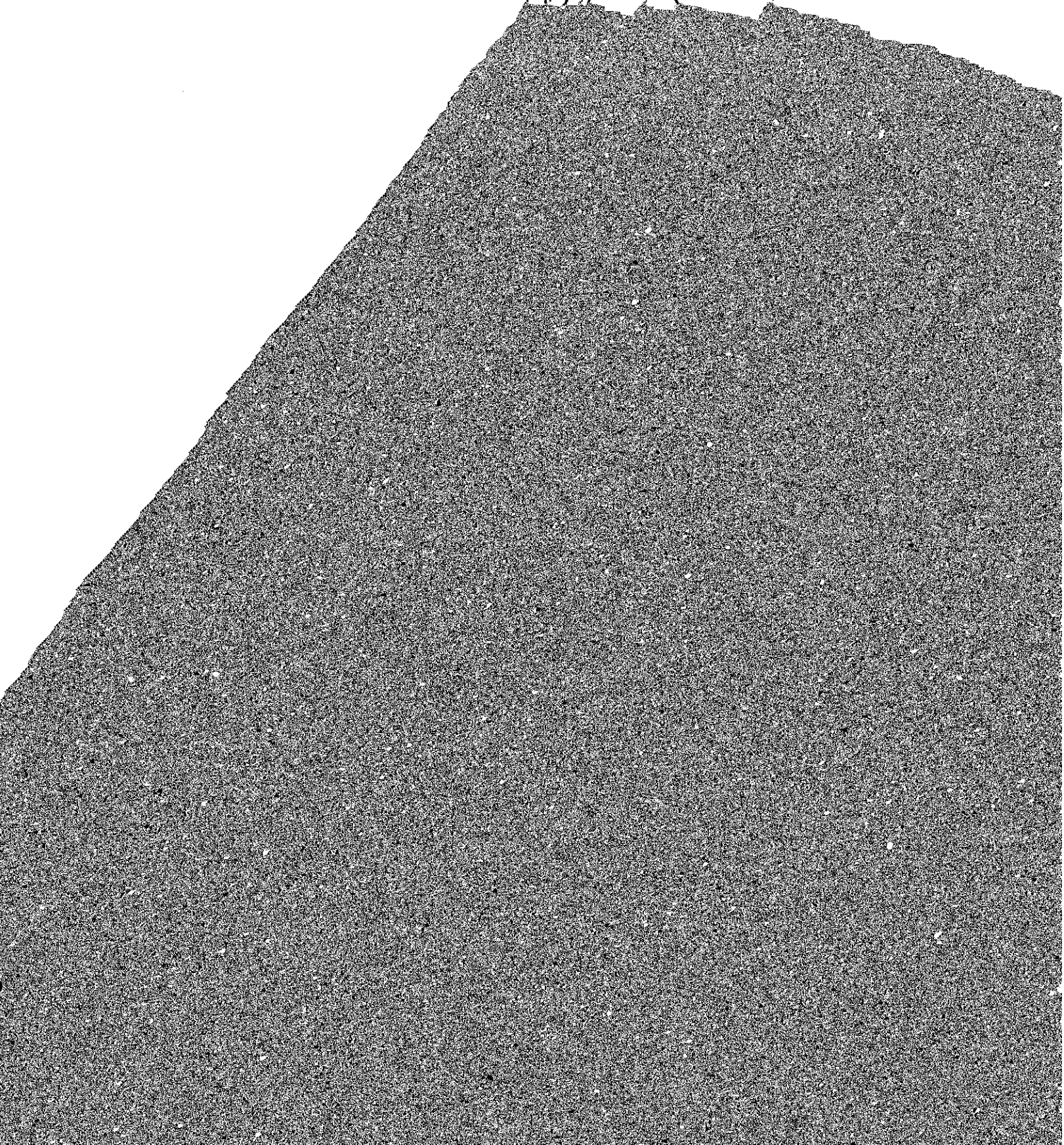
have Dr. Huseinof and Pakel have seized and are expected to testify at the trial.

witnesses with evidence of studies they themselves have designed and claimed to be adequate that failed to meet the standard they now propose. These Specifications elicit that information.

More specifically, Specifications 16-19 directly relate to another defense theory.



Ms



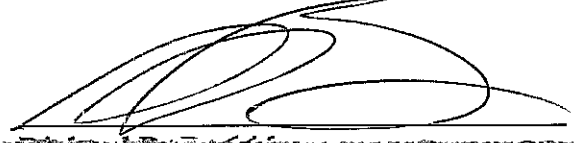
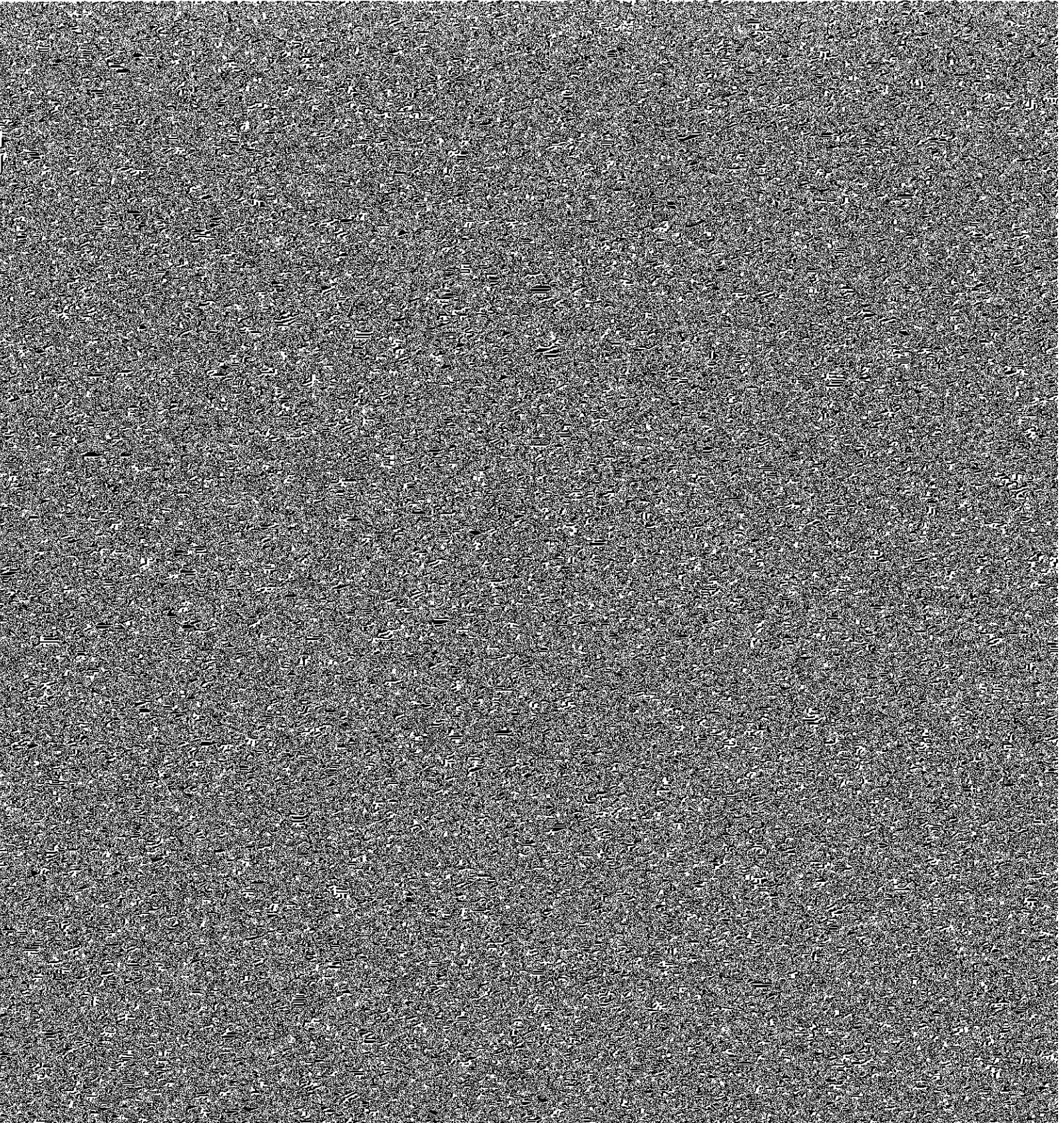


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DATED this 2nd day of December, 2004.

BURBIDGE & MITCHELL

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

CERTIFICATION FOR ELECTRONIC FILING

I HEREBY CERTIFY that the electronic version of the foregoing is a true and correct copy of the original document being filed this same day of December 2, 2004.

