UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES



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	DECLARATION OF DANIEL B. MO	OWREY, PH.D. IN OPPOSITION TO COMPLAINT	
	COUNSEL'S <u>N</u>	MOTION FOR SANCTIONS	
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them in connection with forming my expert report/opinion in this matter. I will address each specific document below.

11. <u>Document Bates No. 91</u>. This document is an email string consisting of an email

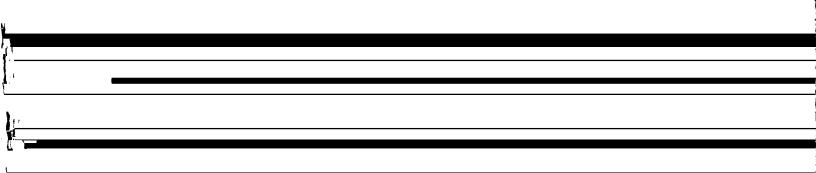
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to Luigi Rinaldo, a person who is an employee of the Corporate Respondents. This email has a subject listed as "placebo," and consists of a copy of a scientific study relating to placebos. The merific accountific study referenced in this email is not cited in my expert report Furthermore. I 1 🛥 Æ 1 ... Lunder 1 this case Moreover I ŧ. і Н μ ŧ, - ___ 1.5 16

expert witness, and at no time did I ever read, consider, review or rely upon these documents in my capacity as an expert witness, or in connection with my expert opinion/report.

Document Bates Nos. 92-93. These documents are an email string consisting of 17. (i) an email dated September 27, 2004, from Ms. Fobbs to Respondent Gay's counsel and his paralegal (and copied to my counsel and the Corporate Respondents' counsel), (ii) an email dated

Sentember 27 2004 from	my acural to Ma Eable and (in	i) an email dated Sentember 7'	7
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designated as an expert witness. Moreover, I did not read, consider, review or rely upon this

opinion/report.

Documents Bates No. 100, 106-107, 109-114. These documents consist of a 19.

	series of the following emails: (i) Ms. Fobbs to me dated October 7, 2004, (ii) me to Ms. Fobbs
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and (ix) Ms. Sprik to me dated 12/03/04. These emails all relate to a request by my counsel for copies of certain documents. Specifically, the emails concern a request for assistance in locating copies of materials previously published by me (my publications are identified on my CV). I

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I HEREBY CERTIFY that a true and correct copy of the foregoing DECLARATION OF DANIEL B. MOWREY, PH.D. IN OPPOSITION TO COMPLAINT COUNSEL'S MOTION FOR SANCTIONS was provided to the following as follows: (1) on September 2005, the original and two (2) paper copies sent via Federal	
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