

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

TRADE COM.

1. [REDACTED].
2. [REDACTED].
3. [REDACTED].
4. [REDACTED].
5. [REDACTED].
6. [REDACTED].
7. [REDACTED].
8. [REDACTED].
9. [REDACTED].
10. [REDACTED].

42. Leptoprin has been advertised in magazines.

43. Leptoprin has been advertised in television commercials.

44. Leptoprin was advertised through direct response television.

45. Leptoprin was advertised on television stations throughout the country.

46. Advertisements for Leptoprin have aired in numerous states of the United States.

47. A radio advertisement for Leptoprin aired.

48. Anorex has been advertised on Basic Research's Internet websites.

49. Anorex has been advertised in newspapers and tabloids.

50. Anorex has been advertised in magazines.

51. Anorex advertisements have appeared in national magazines such as Redbook and

63. [REDACTED].
64. In late 2002, APRL was renamed “DBM Enterprises.”
65. [REDACTED].
66. [REDACTED].
67. [REDACTED].
68. [REDACTED].
69. [REDACTED].
70. [REDACTED].
71. [REDACTED].
72. [REDACTED].
73. [REDACTED].
74. [REDACTED].
75. [REDACTED].
76. [REDACTED].
77. [REDACTED].
78. [REDACTED].
79. [REDACTED].
80. [REDACTED].
81. [REDACTED].
82. [REDACTED].
83. The Dermalin-APg Magazine Advertisement reproduced at Exhibit A to the Complaint contained the following language:

**“Dermalin-APG: The next generation fat emulsifier
Penetrating Gel Emulsifies Fat On Contact
Dissolves Deep-Stored Body Fat Wherever Applied.”**

“Dermalin-APg’s unique transdermal ‘gel’ formulation releases fat stores from any
problem area. When the gel is applied to the skin, it penetrates the skin and releases fat stores from any problem area.

“The Miracle of Dermalin-APg

Dermalin APg permits you to spot reduce. Put it on around your thighs - slimmer thighs.
Over thirty and getting thick around the middle? Just apply Dermalin APg’s transdermal

You apply CUTTING GEL topically, directly to the specific areas that need extra definition. CUTTING GEL penetrates the skin and goes to work directly on stubborn fat.

Now you can finally get rid of that last stubborn inch. CUTTING GEL is the answer.

“Apply CUTTING GEL to your glutes, biceps, triceps, or lats, and the fat literally melts away, leaving pure, ripped muscle behind! And let’s not forget, if you’re a man over 40 and have a problem with ‘love handles’ you can’t live without Cutting Gel!”

“All of us want flat, washboard stomachs, firm buns, and tight, smooth thighs. But no matter how many pills we swallow or how much we sweat, all over our skin,

will can’t get rid of that extra layer of body fat covering up the results of all our pain and

“Just apply Cutting Gel directly to any resistant pocket of surface body fat (the fat around

See Visible Results in Annroximately 19 Days Guaranteed!

visible results in approximately 19 days.”

NOTE: Many of our clients report...

ON SCREEN: When You Need to Lose More than 20 pounds...
Developed for the Significantly Overweight.

FEMALE ANNOUNCER: When you're more than 20 pounds overweight and tired of
wasting money on one ordinary diet pill after another and every diet plan has failed.
Now, there's Leptoprin.

ON SCREEN: (Scrolling on screen)
Specifically developed for the
significantly overweight,

States patents, two published
clinical trials, and an
ironclad 100 percent money back
guarantee. Leptoprin is
simply the most powerful,
clinically proven weight
control compound available...
Period!
1-800-460-2990
www.leptoprin.com

MALE ANNOUNCER: Specifically developed for the significantly overweight...

by two United States patents, two published clinical trials and an ironclad 100 percent
money back guarantee. Leptoprin is simply the most powerful, clinically proven weight
control compound available, period.

1-800-460-2990
www.leptoprin.com

RHONDA WILLIAMS: I've gone from 203 pounds down to 153 pounds.

Results May Not Be Typical
Rhonda Williams

1-800-460-2990
www.leptoprin.com

RHONDA WILLIAMS: I went from a size 18 down to a size 7 dress. If you had told me

that I would have dropped 50 pounds, I would never have believed it. And now look at

1-800-460-2990
www.leptoprin.com

AMY RICHARDSON: I'm currently down to 175.

ON SCREEN: LOST 60 LBS.
Results May Not Be Typical
Amy Richardson
St. Louis, Missouri
1-800-460-2990
www.leptoprin.com

* * *

MALE ANNOUNCER: So, when is a diet pill worth \$153 a bottle? When it works, really works.

ON SCREEN: LOST 60 LBS.
1-800-460-2990
www.leptoprin.com

AMY RICHARDSON: It's like you're a new person.

ON SCREEN: LOST 147 LBS.
1-800-460-2990
www.leptoprin.com

TONY TRUPIANO: It's been an amazing journey.

ON SCREEN: LOST 50 LBS.
1-800-460-2990
www.leptoprin.com

RHONDA WILLIAMS: It works.

92. The Leptoprin Website <www.leptoprin.com>, including the Website reproduced at Exhibit I to the Complaint, contained the following statements:

But now there's Leptonrin – the first weight-control compound designed to mitigate the

profound effect that variations in the human genetic code have on the storage, use, and disposition of body fat.

Leptonrin is an extremely powerful anorectic agent and is not intended for use by the casual dieter who is merely attempting to shed five or ten 'vanity' pounds. However, if substantial, excess body fat is adversely affecting your health and self-esteem, then it's time for you to discover Leptonrin – the first comprehensive weight-loss compound designed specifically to overcome your genetic predisposition.

Leptonrin: The Result of an Extraordinary Collaboration

Leptonrin (or more correctly, its patent-protected core compound, Leptonrin) is the result of an extraordinary collaborative effort between Dr. Daniel B. Mowrey, Director of Scientific Affairs, APRL (American Phytotherapy Research Laboratory), Salt Lake City, Utah, and Dr. Edward G. Fey, University of Massachusetts Medical Center, Worcester, Massachusetts. Though working independently, both doctors were keenly aware of the growing body of evidence linking obesity to certain genetic 'markers.' In September of

1998, Drs. Mowrey and Fey discovered each had access to compatible patents for variant methods of regulating obesity. As they familiarized themselves with each others' work, it

became clear that combining the patented formulations could overcome genetic anomalies responsible for significant overweight."

"Leptonrin: Now Available in The United States Without A Prescription

In a report dated February 19, 2000, Dr. Mowrey stated 'Although Leptonrin is much too

powerful for the 'casual dieter,' the ability of Leptonrin to help people overcome the genetic implications of obesity leads me to believe Leptonrin, and its base formulation Leptonrin, is the most effective means of providing considerable benefit to that vast population of American men and women who are significantly overweight. That is, until

But now there's Anorex – the first weight-control compound designed to mitigate the profound effect that variations in the human genetic code have on the storage, use, and disposition of body fat. Anorex is an extremely powerful anorectic agent and is not intended for use by the general public.

pounds. However, if substantial, excess body fat is adversely affecting your health and self-esteem, then it's time for you to discover Anorex – the first comprehensive weight-loss compound designed specifically to overcome your genetic predisposition.

Anorex: The Result of an Extraordinary Collaboration

Anorex (or more correctly, its patent-protected core compound, Leptoprin) is the result of an extraordinary collaborative effort between Dr. Daniel B. Mowrey, Director of

Scientific Affairs, APRL (American Phytotherapy Research Laboratory), Salt Lake City

If you're the parent or grandparent of one of the more than 11 million overweight or obese school-aged children in the United States, you know the pain and embarrassment this growing 'Epidemic' can cause. But now a revolutionary all-natural weight control

compound offers new hope. It's called PediaLean: the first and only clinically proven, safe, and effective weight-control compound designed for children and adolescents... and it's finally available in America exclusively from Klein-Becker." (Emphasis and

ellipses in original)

"Klein-Becker's proprietary micronization process guarantees that PediaLean is not only safe, but is the one and only weight-control compound designed, manufactured, and clinically proven safe and effective for use by overweight children and adolescents.

Does PediaLean work? You bet it does! In a well-controlled double-blind clinical trial,
each and every child who used PediaLean gained 11.4 pounds in 16 weeks.

107. [REDACTED].

108. [REDACTED].

109. The "DBM" in DBM Enterprises are Dr. M...
[REDACTED]

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products with Dr. Mowrey.

II. STIPULATIONS OF AUTHENTICITY

The parties stipulate to the authenticity of the following documents, but not to the

truthfulness of their contents. The parties agree that ...

11. Exhibit I to the Complaint is a genuine and authentic photocopy of advertising for the challenged product Leptoprin.
12. Exhibit J to the Complaint is a genuine and authentic photocopy of advertising for the challenged product Anorex.
13. Exhibit K to the Complaint is a genuine and authentic photocopy of advertising for the challenged product PediaLean.
14. Exhibit L to the Complaint is a genuine and authentic photocopy of advertising for the challenged product PediaLean.

15. ~~The documents produced by Respondents contained in the Anorex product binder are~~

genuine and authentic.

16. The documents produced by Respondents contained in the Cutting Gel product binder are genuine and authentic.
17. The documents produced by Respondents contained in the Dermalin product binder are genuine and authentic.
18. The documents produced by Respondents contained in the Leptoprin product binder are genuine and authentic.
19. The documents produced by Respondents contained in the PediaLean product binder are genuine and authentic.

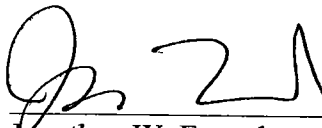
20. ~~The documents produced by Respondents contained in the Tamsin Plus product binder are~~

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Date submitted: November 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of November, 2005, I caused the Parties'

Stipulations of Fact and Authenticity to be served and filed as follows:

- (1) the original, two (2) paper copies filed by hand delivery on November 17, 2005; and one (1) electronic copy via email on November 16, 2005 to:

Donald S. Clark, Secretary
Federal Trade Commission
600 Penn. Ave., N.W., Room H-135
Washington, D.C. 20580

- (2)) two (2) paper copies served by hand delivery on November 17, 2005 to:

The Honorable Stephen J. McGuire
Administrative Law Judge
600 Penn Ave NW Room H-104

Washington, D.C. 20580

- (3) one paper copy by first class U.S. mail on November 17, 2005, and one electronic copy in PDF format by electronic mail on November 16, 2005 to:

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(4) one (1) electronic copy in PDF format via email on November 16, 2005 and one (1) paper copy by first class mail on November 17, 2005 to:

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