

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

GREAT AMERICAN PRODUCTS, INC.,
PHYSICIAN'S CHOICE, INC.,
STEPHAN KARIAN, and
MICHAEL TEPLITSKY, M.D., a/k/a
MICHAEL TEPLISKY, M.D.,

Defendants.

Civil Action No.

COMPLAINT FOR PERMANENT INJUNCTION
AND OTHER EQUITABLE RELIEF

Plaintiff, the Federal Trade Commission ("FTC" or "Commission"), through its undersigned attorneys, for its Complaint alleges:

1. Plaintiff FTC brings this action under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101, *et seq.*, to secure injunctive and other equitable relief against Defendants for engaging in deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a)

and 52, and the FTC's Trade Regulation Rule entitled "Telemarketing Practices Sales Rule" ("TSR"), 16 C.F.R. Part 310.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter pursuant to 15 U.S.C. §§ 45(a), 52, 53(b), 6102(c), and 6105(b), and 28 U.S.C. §§ 1331, 1337(a), and 1345.

3. Venue in this District is proper under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b) and (c).

THE PARTIES

4. Plaintiff, the Federal Trade Commission, is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The Commission enforces Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52, which prohibit, respectively, unfair or deceptive acts or practices, and false advertisements for food, drugs, devices, services, or cosmetics in or affecting commerce. The Commission also enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive or abusive telemarketing acts or practices. The Commission, through its own attorneys, may initiate federal district court proceedings to enjoin violations of the FTC Act and the TSR, and to secure such equitable relief, including consumer redress, as may be appropriate in each case. 15 U.S.C. §§ 53(b), 6102(c) and 6105(b).

5. Defendant Great American Products, Inc. ("GAP") is a New York and Florida corporation, with its primary offices at 101 Mattie Kelly Boulevard, Destin, Florida 32541. GAP transacts business in this district.

6. Defendant Physician's Choice, Inc. ("PCI") is a New York and Florida corporation, with its primary offices at 101 Mattie Kelly Boulevard, Destin, Florida 32541. PCI transacts business in this district.

7. Defendant Stephan Karian ("Karian") is the sole officer and director of GAP, which he and his wife, Lori Karian, own as tenants by the entirety. Karian is president of PCI, in which he and his wife own a 50% interest. At all times relevant to the complaint, acting individually or in concert with others, he has formulated, directed, controlled, or participated in the policies, acts, or practices of GAP or PCI, including the acts or practices alleged in this complaint. He transacts business in this district.

8. Defendant Michael Teplitsky, M.D., a/k/a Michael Teplisky, M.D., ("Teplitsky") is the spouse of Ida Teplitsky, 50% owner of PCI. Since at least 2001, he has appeared in PCI's ads to promote its products. PCI's ads describe Teplitsky as the company's medical director and state that he developed the company's nutritional formulas. At all times relevant to the complaint, acting individually or in concert with others, he has formulated, directed, controlled, or participated in the policies, acts, or practices of PCI, including the acts or practices alleged in this complaint. Dr. Teplitsky resides or transacts business in this district.

COMMERCE

9. The acts and practices of defendants alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS' COURSE OF CONDUCT

10. Since at least 2001, defendants GAP and Karian have manufactured, labeled, offered for sale, advertised, and sold products to the public throughout the United States, including Ultimate HGH, Master HGH, Fat Blaster, and Ultimate Wild Oregano Oil. Defendants GAP and Karian primarily advertise and offer these products for sale through nationwide infomercials, radio ads, a newsletter, and a web site, www.greatamericanproducts.com. Further, once a consumer calls to order one of the defendants' products, GAP and Karian, through their telemarketing staff, attempt to make further sales ("upselling") to those consumers of Ultimate HGH and Liquid Master Multi products.

11. Since at least 2001, defendants PCI, Teplitsky, and Karian have manufactured, labeled, offered for sale, advertised, and sold products to the public throughout the United States, including Super HGH Booster, Super HGH, Super Carbo Blaster, and Super Wild Oregano Oil. Defendants PCI, Teplitsky, and Karian primarily advertise and offer these products for sale through nationwide infomercials and a web site, www.physicianschoice.net.

Ultimate HGH and Super HGH Booster

12. Ultimate HGH (sold by GAP) and Super HGH Booster (sold by PCI) are identical supplements containing glutamine, colostrum, tribulus terrestris and other ingredients. They sell for \$49.95 for a 30-day supply, and the defendants' gross receipts for these two products have exceeded \$70 million since 2001.

13. To induce consumers to purchase Ultimate HGH, defendants GAP and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibits A and B. These advertisements contain, among other things, the following statements and depictions:

a. Radio Infomercial (Exhibit A):

MALE ANNOUNCER: Welcome to the American Health Radio Show. Here's your host, Ron Turner.

RON TURNER: Well, welcome to another great program. Ron Turner with you. We have an exciting show for you today. Are you ready for this? What if you could live to be 100 years of age in as healthy and vigorous condition as you are now? . . . Well, according to my guest, it's absolutely possible, incredible as it may seem.

We're going to be discussing groundbreaking research proving that aging can not only be stopped but can actually be reversed, and one of the solutions may be as simple as taking a supplement that can cause your body to lose unwanted fat and cellulite, build muscle, remove wrinkles, improve skin elasticity, increase memory retention, cardio output, immune function and improve vision . . .

. . .

STEPHAN KARIAN: Well, HGH stands for human growth hormone . . . This is a hormone that's responsible for growing the body . . . Dr. [Hertoag's study showed that] out of 48 adults . . . taking HGH, he showed that 75 percent of adults had the sagging of the cheeks, the sagging got denser. Less wrinkles 71 percent of the time . . . You have a strengthening of your muscle, the fat decreases significantly, improving cardio output. Sexual performance is significantly enhanced . . . Improving of bone mass. Now, there are over 28,000 studies, Ron, that support this

. . . Dr. Rudman, in the New England Journal of Medicine . . . in 1990, he showed that there was an 8.8 percent increase in muscle mass on average after six months without exercise. And in addition to that . . . a 14.4 percent loss of fat . . . on average after six months without dieting . . . the

muscles in your face get stronger . . . thus, it looks like you had a face lift . . . HGH can be taken with injections, but I heard they're very, very expensive . . . good news is that you don't have to rely on the injection to increase the HGH levels in the body.

STEPHAN KARIAN: . . . this HGH formulation that I want to talk to you about called Ultimate HGH, it's made a huge difference for me . . . I'm talking about the results of wrinkling . . . a noticeably considerable difference . . . reducing body fat . . . increasing lean muscle mass . . .

MARK: Yes, I would like to know, does this also help to lower your cholesterol levels?

STEPHAN KARIAN: There actually have been studies with heart disease and cholesterol levels, and in addition to that, blood pressure levels. We're seeing people's cholesterol levels going down, the increasing of the good HGL cholesterol. Blood pressure, for those people with hypertension, are getting better readings . . . So, yes, for those people not just concerned about their cholesterol but also for cardiovascular benefits . . .

b. Television Infomercial (Exhibit B, transcript, Exhibit C, tape):

ON SCREEN: The following program is a paid presentation from
Great American Products
"Improving the quality of life for millions"
The makers of:

Ultimate HGH

KAREN EDWARDS: Hi, I'm Karen Edwards. Thank you for joining me on this edition of American Health . . . We're going to be discussing ground-breaking research, proving that the effects of aging can not only be stopped, but can actually be reversed. And one of the solutions may be as simple as taking a supplement that can cause your body to lose unwanted fat and cellulite, build muscle, remove wrinkles, improve skin elasticity, increase memory retention, cardio output, immune function, and improve vision . . .

STEVEN KARIAN: Human Growth Hormone is produced from the time we are born and it helps our body to grow, our bones to grow, our muscles to re-build its self up so we can mature. But in about our teens we start peaking out in our HGH levels . . . And we find that the first signs of aging

are really symptoms of lowered HGH . . . So higher levels of HGH, then, actually can reverse the aging process . . . what kind of signs do we see then? . . . Maybe your skin is suppler . . . the wrinkling is less . . . your short term memory is better, your mental acuity and concentration is better, your sexual energy is better, cardio output is better . . . muscle tone is better, fat reduction is better, without exercising . . .

[S]tudy, upon study have shown and proved that HGH helps to reverse the effects of aging . . . Daniel Rudman in 1980 (sic) showed his groundbreaking article that appeared in the New England Journal of Medicine that we can reduce body fat by 14.4% after six months. We can increase muscle mass by 8.8% after six months. We can increase cardio output, sexual output. We had anecdotal report[s] that hair re-growth was better . . . Now HGH can be taken with injections . . . It's about fifty thousand dollars a year . . . But fortunately we're finding now that there are some other . . . alternatives that we do to naturally increase the HGH levels . . .

KAREN EDWARDS: Now, Stephan, you've developed a product called Ultimate HGH. Why don't you explain a little bit about what makes this different from other products.

STEPHAN KARIAN: Ultimate HGH is like a secretagogue and that's a fancy term for a substance or nutrient that helps to stimulate the release of HGH . . . Ultimate HGH is naturally designed to support the increased levels of HGH without hormones . . .

CONSUMER: . . . I lost a hundred twenty-five pounds and feel more sexually alive than I've felt in years . . .

CONSUMER: I can't even begin to tell anyone of the fantastic results I've had since taking Ultimate HGH. I weighed 232 pounds. Four months later I'm at 197. I'm totally off the blood pressure pills . . . My wife has even had people ask her if she's had a face lift.

* * *

ON SCREEN: Order Now!

Ultimate HGH

Introductory Special

Buy 2 Bottles

Get 1 Bottle

FREE!

CALL NOW!

Not Available
In Stores
30-Day Money Back
Guarantee!
1-800-478-7535

[Print at bottom of page:] This is a paid advertisement for Ultimate HGH.
Results may vary.

NARRATOR: Would you like to look and feel ten years younger in ten weeks? Now there's proof that the effects of aging can be slowed down, and may even be reversed with HGH, human growth hormone. According to numerous scientific studies, higher HGH levels can help you look and feel better . . . If you goal is to lose unwanted fat, diminish wrinkles, help improve energy and stamina, enhance memory and immune function, then Ultimate HGH is for you . . .

14. To induce consumers to purchase Super HGH Booster, defendants PCI, Teplitsky, and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibits D and E. These advertisements contain, among other things, the following statements and depictions:

a. Website, www.physicianschoice.net (Exhibit D):

Welcome to Physician's Choice, an educational site dedicated to providing you with the latest in nutritional news. This site addresses today's health issues in a way that is reliable, informative and fascinating. Michael Teplitsky, M.D., the medical director of Physician's Choice is both a medical doctor and a nutritional expert.

...

SUPER HGH BOOSTER Click for Details

[hyperlink destination contents:]

What if you could help reverse some of the effects of aging on your physical and mental health? Now the breakthrough formula Super HGH Booster™ may actually support the anti-aging process.

Human Growth Hormone

Human Growth Hormone (HGH) is responsible for the health and vitality associated with our youth. As we age our pituitary gland in the brain produces less and less HGH, leading to the signs and symptoms of aging: wrinkled skin, hair loss, decreased energy, sex drive and poor general health.

New research has proven that by stimulating the pituitary gland to produce more HGH through natural HGH releasers, the signs of aging may be positively addressed!

Benefits of youthful HGH levels:

- Enhanced fat loss
- Increased muscle mass
- Higher energy levels
- Enhanced sexual performance
- Greater cardiac function
- Increased exercise performance
- Improved blood pressure
- Younger-looking, thicker skin
- Hair regrowth
- Reduction in wrinkle appearance
- Sharper vision

Numerous studies corroborate the many benefits of increased HGH levels in the body.

Related Articles: "Why Do So Many Doctors Support HGH?"

[[hyperlink destination contents:](#)]

How do many medical doctors feel about HGH? Over 8,500 doctors and scientists worldwide, including myself, believe that HGH is the single most important factor in anti-aging medicine. Thousands of studies confirm that increasing its levels can slow down and even reverse the effects of the aging process.

The prestigious *New England Journal of Medicine* reported on July 5th 1990: "Six months of HGH hormone therapy reversed the aging process from 10 to 20 years! . . ."

Now, when you call 1-800-324-5257 to order new Super HGH Booster™,

you will receive a third bottle Absolutely FREE when you order two at the special price of just \$49.95 each. That's a 3 month supply for only \$99.90, an amazing value when you compare it to inferior products selling for \$100 a month.

Additionally, if you are one of the first 2500 people to take advantage of this special offer, you will receive a FREE gift - Dr. Teplisky's audiocassette tape, Reverse The Signs Of Aging, (a \$20 value), on the incredible benefits of HGH, as a **FREE GIFT**.

b. Newsletter, *Physician's Choice News* (featuring Dr. Teplitsky)

(Exhibit E):

. . . I would like to remind you about the anti-aging and rejuvenating formulas, . . . the **Super HGH Booster™**. Scientific research has proven that elevating one's levels of *Human Growth Hormone (HGH)* significantly supports a more youthful body: fat loss, improved muscle tone, thicker, fuller and darker hair, plus smoother skin and dramatically increased energy!

Master HGH and Super HGH

15. Defendants also sell Master HGH (GAP) and Super HGH (PCI), identical homeopathic sprays containing purified water and minute quantities of other ingredients. They sell for \$59.95 for a 30-day supply, and the defendants' gross receipts for these two products have exceeded \$3 million since 2001.

16. To induce consumers to purchase Master HGH, defendants GAP and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibit F. These advertisements contain, among other things, the following statements and depictions:

- a. Newsletter, *Great American Health & Nutrition* (Exhibit F):

HGH (Human Growth Hormone) is a natural substance secreted in our bodies that regulates our vitality and youth. Numerous studies have proven the benefits of increased HGH levels: reduced body fat, increased lean muscle mass, higher energy levels, enhanced sexual performance, youthful immune function, stronger bones, lower cholesterol and blood pressure, smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function. Master HGH homeopathic spray was designed to stimulate the natural release of HGH from the pituitary gland. This unique formula combines homeopathic potencies of human growth hormone and other glandular extracts to address some of the symptoms that come with aging.

17. To induce consumers to purchase Super HGH, defendants PCI, Teplitsky, and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibits G, H, and I. These advertisements contain, among other things, the following statements and depictions:

- a. Radio Infomercial (Exhibit G, transcript, and Exhibit H, tape):

NARRATOR: Welcome to the American Health Radio Show. Here's your host, Ron Turner.

TURNER: Well, welcome to the show, Ron Turner with you. We have been hearing a lot lately about HGH but what do we actually know about it? . . . My guest today is Dr. Michael Teplisky, he's a medical doctor and nutritionist and he is a practicing physician in New York City. Dr. Teplisky, thanks for being with us on the program.

TEPLITSKY: Well, it's always a pleasure to be a guest on your program.

TURNER: . . . HGH, very important it seems and maybe you can help us understand a little bit about what it is just by defining it for us, let's start there.

TEPLITSKY: Sure, HGH stands for human growth hormone. The human growth hormone happens to be produced by the pituitary gland which is in

control of practically all the other glands that make hormones . . .

* * *

TEPLITSKY: There are literally thousands of studies that have shown the positive effects of the human growth hormone on supplementation. . . . if we were to summarize the findings of those studies it truly sounds something out of a science fantasy. Because, for instance, most people who take growth hormone find that there is an increase, a 9 to 10 percent increase in muscle mass and muscle strength, something that normally doesn't happen as we get older, the reverse is true. There is a loss of fat, 14, 15 percent of fat loss without dieting, without doing anything—

TURNER: Wow!

TEPLITSKY: -- increased energy level, increased immune system function, improved healing, enhanced sexual performance, improved size and function of various internal organs, blood flow, memory, emotional stability, LDL/HDL, better looking skin, I mean, you name it, it seems like the whole body gets better and the reason for that is very simple, it turns out that growth hormone is not just important for growth, its main function is repair and maintenance of the cell . . . as we get older and growth hormone levels go down, many things remain unrepaired which leads, which leads to the process that we call normal aging. . .

TURNER: Now, as we are youths, we know that there is obviously an abundance of this human growth hormone in our systems that is being produced. But at what point does it actually start declining in numbers that speed up that process?

* * *

TEPLITSKY: . . . So the natural decline in the growth hormone production leads to the situation where you see 40, 50 year olds whose levels are way older what they should be, according to their age group.

TURNER: What are the other symptoms that we would see to show that we have the lower HGH levels, or are not as high as they should be?

TEPLITSKY: If you look at the symptoms of the human growth hormone deficiency, you find that they mimic exactly those symptoms of the normal

aging, declining muscle mass, increasing fat, reduced circulation, reduced brain function, reduced immune system, reduced healing, hair loss, all the things that we associate with the aging process have been attributed to the declining levels of the human growth hormone, and that's why it's very interesting that replacing human growth hormone will reverse all those symptoms.

TURNER: If you're just joining us, we're speaking with Dr. Michael Teplisky. Dr. Teplisky is a medical doctor and nutritionist and practicing physician in New York City. . . Doctor, there are some folks who are on human growth hormone therapy, very expensive for them because they're getting injections. You explain that a little bit?

TEPLITSKY: Well, I happen to have some experience in that because I've been using injectable growth hormones too, in my practice. The reason for that is growth hormone is a protein in nature, it's a combination of 196 amino acids, which makes it a big molecule, and as such it cannot be taken orally. So the only way, up until recently, that a person could get extra growth hormone was by taking an injection. And, its pretty expensive, a little over a hundred dollars a week and that does put it effectively out of the range of most people and that's why I'm pretty excited about other opportunities to increase the level of growth hormone but that do not require the injections and of course the expenditure . . .

TURNER: Doctor, you've used a particular formula in your practice called Super HGH, and your patients have had some experiences with that. Would you tell us a little bit about what you have found, in your own practice?

TEPLITSKY: With both injectable with the homeopathic Super HGH I have found that the levels went up. The first thing that happened in most people is that they just feel better. And then if he or she is overweight there is invariably some weight loss, more in some people less in others, there is always, there is always an improvement in the muscle strength, especially if they also do any kind of physical activity. . . Energy level improves, and almost invariably there was an increase in libido, sexual performance, the skin gets better. You know the problem as you become older your skin becomes thinner, and wrinkled, and the reason is, the skin no longer retains the water. Growth hormone, and one of the actions of the growth hormone is to bring the water back into the skin and keep it nice and soft and young looking. And the result is that the skin just looks

better.

* * *

TURNER: Am I hearing kind of like a face lift in a bottle?

TEPLITSKY: That's right, that's exactly right. In fact, a couple of people who come to me, they want to get younger, they want to look better, and they come to get the growth hormone replacement and the patient will have the surgery and I always tell them to wait for the surgery, because you may find that you do not need it and very often that is exactly right.

* * *

TURNER: Lily, hang in there, we're going gonna get to you. Ed stay there. We're going to get to Eric right now, Eric's on a cell phone. Hi, Eric, thanks for calling into the program.

* * *

ERIC: How do I order it?

TURNER: Okay, I was going to give you the number, here it is, 888 454 3224. And if you mention this broadcast they'll give you a very special offer if you order 2 bottles of Super HGH they'll give you a third one absolutely free, that's about \$33 bucks a month, savings compared to the typical cost, there's some out there for \$80 to \$100 a month. There is 100% money back guarantee so at the end of 90 days, if you don't feel this has worked for you, send it back and get your money back. Plus make sure that you ask them for the book, "Ten Weeks to a Younger You," you'll get that absolutely free with your order as well but do mention this broadcast.

* * *

LILY: Hi, I was calling, I had the same question as Eric about where to get the product, I'm 48 and I've usually a lot of energy, but I want more mental energy.

TEPLITSKY: Well, it helps too, any kind of mental energy, that gets definitely better also. People say their memory improves, their retention improves, mood becomes better, even sleep becomes better, even vision improves, you know, anything has to do with the brain gets better.

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TURNER: Doctor, through the use of the homeopathic spray, the Super HGH, what other types of benefits have you seen, through your practice?

TEPLITSKY: All sorts of benefits, and most of them, along the lines of the benefits that we have discussed previously, such as improved muscle tone, improved body shape because there is a loss of fat, loss of cellulite, you know, that cellulite that everyone is trying to do something about, this gets better, mental clarity, improved memory, improved retention, concentration, mood is better, sleep is better, vision improves, some people say there is regrowth of hair, didn't work for me--

TURNER: [chuckles]

TEPLITSKY: --I've been trying. Healing. Healing gets so much better, if you cut yourself, older people don't usually heal as fast as the younger one, it definitely gets better, I have so many people, well, not so many, close to 50, who got chronic bruises who got so much better, using the growth hormone, the function of internal organs, there are many studies showing let's say that people with congestive heart failure will benefit from growth hormone supplementation, heart gets better, heart muscle gets stronger, it pumps the blood better, a lot better, circulation improves, many people who are trying or struggling to keep their cholesterol normal find that it is a lot easier when they take the HGH. So these are the findings that are pretty typical if you look at the studies of human growth hormone, you find that pretty much every aspect of human body, every function gets better when you supplement human growth hormone, and this is basically what I've seen in my practice as well.

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TURNER: Doctor, thanks so much for all of your research, for being on with us today. We look forward to having you on again in another program.

TEPLITSKY: Thank you, Ron, always a pleasure.

* * *

NARRATOR: This concludes another American Health Radio Show.

- b. Electronic Newsletter, *Physician's Choice E-Newsletter* (featuring Dr. Teplitsky) (Exhibit I):

From the Desk of Michael Teplisky, M.D. . . .

. . . I hope this finds you in good health. Human Growth [Hormone] is getting a great deal of attention lately. Can it really do all it promises? Read on to find out just what the benefits to you can be!

HGH – Anti-Aging Secret

Who hasn't wished to turn back time? . . . Well, let me share with you something so revolutionary that most people initially refuse to accept it: "getting older does not equal aging." What if I told you that you could grow older and not lose your present vitality, appearance and function? Or, if you are no longer young, you can feel the way you did 10 to 20 years ago. . .

You Can Regain Your Youth

. . . Thousand of studies confirm that HGH can prevent and even reverse the aging process. According to a study published in *The New England Journal of Medicine*, taking growth hormone for just six months produced the equivalent of 10 to 20 years of aging reversal. . .

. . . What Can HGH Actually Do For You?

Some established benefits of HGH:

- 14.4% average fat lost after only 6 [months] – without dieting
- 8.8% average increase in muscle [mass] after only 6 [months] – without exercising
- Younger, more elastic, thicker skin . . .
- Enhanced sexual performance
- Re-growth of heart, liver, spleen, kidneys and other organs that

- naturally shrink with age
- Lowered blood pressure
- Improved cholesterol profile. . .
- Sharper vision and hearing. . .
- Increased memory retention. . .

How Can You Boost Your HGH Levels?

. . . Until now, the only reliable way to increase your HGH levels was to take daily injections. . . Now, you can take advantage of a remarkable product that comes in an easy-to-swallow spray. **Super HGH Homeopathic Oral Spray** contains a special blend of nutrients that support your pituitary gland to naturally produce higher amounts of HGH.

Your Personal Fountain of Youth

. . . **Super HGH Homeopathic Oral Spray** effectively combines all these nutrients and more into a single formula to support the goal of elevated HGH levels in your body. Whether your goal is to decrease fat, improve skin elasticity, improve your immune system, increase muscle, improve memory or experience one of the many other health benefits associated with youthful levels of HGH. . .

Fat Blaster and Super Carbo Blocker

18. Fat Blaster (GAP) and Super Carbo Blocker (PCI) are identical supplements, containing hydroxycitric acid, citrus aurantium extract, green tea extract, and chromium. They cost \$29.95 for a 30-day supply. Since 2001, defendants' sales of these products have exceeded \$7 million.

19. To induce consumers to purchase Fat Blaster, defendants GAP and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibit J. These advertisements contain, among other things, the following statements and depictions:

a. Radio Infomercial (Exhibit J):

MALE ANNOUNCER: Welcome to the American Health Radio Show . . .

RON TURNER: . . . today, we're going to discuss ways that you can rid yourself of those love handles once and for all. In fact, by the end of this show, you're going to learn of a metabolic advantage that will allow you to lose weight – are you ready for this – regardless of your caloric intake . . .

STEPHAN KARIAN: . . . The extract of the garcinia cambogia fruit is . . . HCA . . . And HCA has been studied since the early 1970s in reducing the conversion of glucose to triglycerides, and if we can do that, we can reduce fat.

RON TURNER: . . . there is a product out there that Stephan has developed and put together, actually, that includes this garcinia cambogia . . . and it's called Fat Blaster . . .

STEPHAN KARIAN: And another aspect about that, in the Fat Blaster that Ron was talking about, not only do you get your garcinia cambogia, but you also get citrus aurantium. Studies have shown that it can help you increase your metabolism, the rate at which you burn off calories . . . With the Fat Blaster, you can eat the typical foods that you would not be able to eat and you'll effectively be eating a lower carbohydrate diet . . . The results are fast. Now, I'm not saying unhealthy fast, but dramatically fast . . .

RON TURNER: Wow. Let's go to Serine . . .

SERINE: It is – I have tried everything, done everything . . . after trying the Fat Blaster, I have been on it going on two weeks now and I've almost lost 10 pounds.

RON TURNER: . . . Have you changed what you're eating?

SERINE: To tell you the truth, not really . . . I still go to lunch with my friends at work and we eat what we want and I just don't eat as much of it . . .

RON TURNER: So, it has, indeed suppressed your appetite?

SERINE: Oh, yeah, definitely.

20. To induce consumers to purchase Super Carbo Blocker, defendants PCI, Teplitsky, and Karian have widely disseminated advertisements, including but not limited to the attached Exhibits K, L, and E. These advertisements contain, among other things, the following statements and depictions:

- a. Product Label (Exhibit K):
Helps Suppress Appetite+
Inhibits Conversion of Carbohydrates to Fat+
Enhances Metabolism+

+These statements have not been evaluated by the Food and Drug Administration.

- b. Website, www.physicianschoice.com (Exhibit L):

Obesity plagues the nation as a leading risk factor for heart disease, cancer, diabetes, hypertension and depression . . . most of our life-threatening health problems are associated with excess weight. Shedding those extra pounds will not only help you look good, more importantly, it will help prevent serious medical conditions.

...

The next consideration is how do you actually [lose] the weight? Here we rely on the same tried and true method – eating less and exercising more to burn more calories. Unfortunately, this requires lifestyle changes. It takes a lot of patience, support and perseverance to make permanent changes.

...

The good news is that a number of natural substances are available to help combat weight problems.

...

Garcinia Cambogia: Nature's Perfect Diet Ingredient

Garcinia Cambogia is a sour fruit indigenous to southern Asia and India. It can help curb appetite, reduce food intake and inhibit the production of fats and cholesterol.

Why Does HCA Help Weight Loss? . . .

HCA reduces the syntheses of fat from carbohydrates by 40-70% and forces glucose to form additional glycogen. As glycogen levels increase, the body sends a satiety ("full") signal to the brain, which decreases appetite and food intake. In animal studies, HCA reduced food intake by about 10%. . . .

Citrus Aurantium: A Natural Metabolism Booster

Citrus Aurantium, a fruit also known as bitter orange, has a long history of medicinal use. One recently discovered quality of Citrus Aurantium is its ability to stimulate the burning of fat within the body. This is known as thermogenesis, or production of heat from fat for energy.

Citrus Aurantium increases energy levels and stimulates the accelerated breakdown of fat, causing weight loss. This effect is enhanced even more by moderate physical activity.

- c. Newsletter, *Physician's Choice News* (featuring Dr. Teplitsky) (Exhibit E):

Research shows that HCA reduces the conversion of carbohydrates to stored fat by inhibiting certain enzyme processes.

Hydroxycitric acid (HCA), extracted from the fruit of and rind of the Garcinia Cambogia and Citrus Aurantium are key components of the **Super Carbo Blocker™**; a natural weight loss supplement. They produce heat in the muscles and fat cells which your body uses for energy. The result is enhanced metabolism and high energy levels without nervous side effects.

Chromium was also added to **Super Carbo Blocker™**. Chromium not only reduces sugar cravings, it also helps retain lean muscle tissue and regulate blood sugar levels, which are essential for achieving healthy weight loss.

In addition, the extract of Green Tea, a powerful antioxidant, was added to enhance the thermogenic activity of Citrus Aurantium and the fat-burning action of HCA.

....

Help control your appetite while raising your metabolism with **Super Carbo Blocker™**. Without the burden of excess weight on your body, you will no doubt enjoy a higher quality of life and perhaps save your life as well.

Ultimate Wild Oregano Oil and Super Wild Oregano Oil

21. Defendants also sell Ultimate Wild Oregano Oil (GAP) and Super Wild Oregano Oil (PCI) at a cost of \$29.95 per half-ounce bottle. The products consist of an unspecified quantity of wild oregano extract in an olive oil base.

22. To induce consumers to purchase Ultimate Wild Oregano Oil, defendants GAP and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibit M. These advertisements contain, among other things, the following statements and depictions:

a. Website, www.greatamericanproducts.com (Exhibit M):
Ultimate Wild Oregano Oil™
Concentrated Antibacterial Support

...

Are You Prepared For The Cold And Flu Season?

[hyperlink destination:] Cough, snuffle and sneeze. If there's one thing you can generally count on every year, it's that sometime during the months of September through February, you will get sick at least once

You Don't Have to Get Sick this Flu Season! . . .

Oregano: Nature's Protection

There exist in nature herbs that have been used for ages to help fight off and shorten the duration of various cold and flu symptoms . . .

The extract derived from wild oregano is capable of bringing fast relief from various cold and flu symptoms, such as runny nose, congestion, chills, sore throat, ear aches, cough, fever, fatigue, stuffiness and muscle aches, because it is able to kill the virus

which is their cause - something antibiotics CANNOT. . . oregano extract helps boost the function of the white blood cells, thus strengthening the immune system . . .

. . . Wild oregano oil has been used to quiet coughs, fight infections (viral and bacterial) and combat fevers. Many have used it for protection against colds and flus . . . Simply place 1-2 drops under your tongue for maximum absorption. . .

Don't get caught with a cold or flattened by the flu – protect yourself and your loved ones with. . . Ultimate Wild Oregano Oil today!

23. To induce consumers to purchase Super Wild Oregano Oil, defendants PCI, Teplitsky, and Karian have widely disseminated, or caused to be disseminated, advertisements, including but not limited to the attached Exhibits N and E. These advertisements contain, among other things, the following statements and depictions:

a. Website, www.physicianschoice.com (Exhibit N):

Natural Virus Protection

Wild Oregano, particularly its oil, has been used to help address cough, fever, chills, fatigue, congestion, sore throat, muscle aches and more . . .

* * *

Protect Yourself From Colds And Flu! . . .

Natural Protection against the Viruses

Fortunately, there are a number of natural substances that help the immune system fight the viruses causing colds and flu. They have been used in folk medicine long before the first antibiotic was even discovered . . .

Wild Oregano possesses superior antimicrobial powers, capable of bringing fast relief from cold and flu symptoms (runny nose, congestion, chills, sore throat, ear aches, cough, fever, fatigue, stuffiness and muscle aches) because it is able to kill the virus which is their cause. Oregano oil has incredible antiviral, antibacterial and antifungal effects . . .

b. Newsletter, *Physician's Choice News* (featuring Dr. Teplitsky) (Exhibit E):

The Wild Oregano Oil in **Super Wild Oregano Oil™** is one of the strongest, most comprehensive, sources of natural health support available today. It has proven to be extremely potent in its antiviral, antibacterial

and antiseptic qualities

. . . It is also capable of bringing fast relief from various cold and flu symptoms, such as runny nose, congestion, chills, sore throat, cough, fever, fatigue, stuffiness and muscle aches, because it is able to kill the virus which is their cause – something antibiotics CANNOT.

Upselling by GAP

24. In numerous instances, GAP and Karian, through their telemarketing staff, have attempted to “upsell” consumers. “Upselling” is a telemarketing technique whereby the seller solicits the purchase of additional goods or services following an initial transaction during a single telephone call. The telemarketer submits charges for upsold products to the credit card provided during the initial transaction.

25. Advertising for GAP products provides a telephone number where consumers can place orders. In many instances, when a consumer calls to place an order for an advertised product, such as Ultimate HGH or Fat Blaster, GAP’s telemarketing staff immediately asks for the consumer’s name, address, and credit card number and expiration date. Once it has acquired the consumer’s account information and completed this initial sales transaction, GAP’s telemarketing staff attempts to upsell two separate products.

26. First, the telemarketing staff announces that it has placed the consumer on GAP’s “preferred customer program.” The telemarketing staff member advises that the program is free and simply guarantees that the consumer will obtain the lowest price on the product just purchased; that he/she will receive a free quarterly newsletter; and that

the product guarantee will be extended from 30 to 90 days. The telemarketer states that the program is “designed to have the product shipped out to you every 90 days,” or “designed to have the product shipped and billed to the credit card every 90 days.” It states that if the consumer does not want that, they can call the customer service number, which is provided, to cancel.

27. The telemarketer does not identify what account will be charged for continuity shipments with sufficient specificity for the consumer to understand. It does not disclose material terms and conditions of the negative option feature; for example, although it states that shipments will occur and sometimes states that charges will be submitted for payment “every 90 days,” it does not identify the date from which the initial 90-day period will start to run. Finally, it neither seeks nor obtains the consumer’s consent to be billed for the continuity shipments. Thus, although the telemarketing staff provides a customer service number to cancel the program, defendants fail to make clear that it is essential for the consumer to write down the number because the defendants will make further charges to the account unless the customer calls that number to cancel. Instead, unless the consumer affirmatively refuses the offer, the telemarketer enrolls him/her into an automatic shipment program whereby he/she is charged for an additional 90-day supply of product every 90 days.

28. Billing statements demonstrate that unless the consumer calls to cancel the continuity program, the defendants place a charge on the consumer’s credit accounts for a continuity shipment approximately 90 days after the initial shipment.

29. Thereafter, the telemarketing staff announces that it is sending the consumer an “absolutely free” one-month supply of a separate product, the Liquid Master Multi dietary supplement. The telemarketer then says that if the consumer likes the product, “within one month of the day you receive this package,” GAP can send out a full supply of the product. It explains that if the consumer does not like the Liquid Master Multi, the consumer can call and so advise them, but if the customer likes Liquid Master Multi, GAP “could” send out a full supply every three months or every 90 days. In some instances, the telemarketer states that the price for future Liquid Multi shipments will be \$59.90; in other instances, it does not identify a price. In fact, bills show that it charges \$59.90 for the product plus \$5.95 for shipping and handling.

30. The telemarketer does not disclose truthfully the total costs to purchase Liquid Master Multi. It does not disclose all material terms and conditions of the free-to-pay conversion feature of the Liquid Master Multi program, specifically, the dates that charges will be submitted for payment and the specific steps the consumer must take to avoid those charges. It does not seek or obtain the consumer’s consent to this free-to-pay conversion transaction. The telemarketer does not obtain from the consumer the last four digits of the card to be charged. Instead, unless the consumer affirmatively refuses the offer, the telemarketer enrolls the consumer in the free-to-pay conversion program.

31. Billing statements demonstrate that unless the consumer calls to cancel future shipments of Liquid Master Multi, the defendants placed charges for the product approximately one month after the initial shipment and 90 days thereafter.

SECTIONS 5 AND 12 OF THE FTC ACT

32. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits unfair or deceptive acts or practices in or affecting commerce. Section 12(a) of the FTC Act, 15 U.S.C. § 52(a), prohibits the dissemination of any false advertisement in or affecting commerce for the purpose of inducing, or which is likely to induce, the purchase of food, drugs, devices, services, or cosmetics. For the purposes of Section 12 of the FTC Act, Ultimate HGH, Super HGH Booster, Master HGH, Super HGH, Fat Blaster, Super Carbo Blocker, Ultimate Wild Oregano Oil, and Super Wild Oregano Oil are either “foods” and/or “drugs” pursuant to Section 15(b) and (c) of the FTC Act, 15 U.S.C. § 55(b) and (c). As set forth below, the Defendants have engaged in and are continuing to engage in such unlawful practices in connection with the marketing and sale of Ultimate HGH, Super HGH Booster, Master HGH, Super HGH, Fat Blaster, Super Carbo Blocker, Ultimate Wild Oregano Oil, and Super Wild Oregano Oil.

VIOLATIONS IN THE COURSE OF MARKETING GAP AND PCI PRODUCTS

COUNT I (Ultimate HGH Claims)

33. Through the means described in Paragraph 13, Defendants GAP and Karian have represented, expressly or by implication, that:

- a. Ultimate HGH significantly increases a consumer’s growth hormone levels;
- b. Ultimate HGH provides the benefits purportedly shown in studies

involving HGH injections;

- c. Ultimate HGH reverses the effects of aging on body composition, skin, memory, and other physical functions;
- d. Ultimate HGH provides physical benefits such as loss of unwanted fat, increased muscle mass, reduction of wrinkles, improvement in memory, improved heart function, improved immune function, lower cholesterol and blood pressure, improved sexual function, and/or improved vision; and
- e. Clinical studies show that Ultimate HGH reduces body fat, increases lean muscle mass, provides higher energy levels, enhances sexual performance, provides youthful immune function, lowers cholesterol and blood pressure, and causes smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function.

34. The representations set forth in Paragraph 33 are false or were not substantiated at the time the representations were made. Among other things, the substantiation relied on by defendants involved HGH injections, not amino acid supplements. Therefore, the making of the representations set forth in Paragraph 33, above, constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT II

(Super HGH Booster Claims)

35. Through the means described in Paragraph 14, Defendants PCI, Teplitsky, and Karian have represented, expressly or by implication, that:

- a. Super HGH Booster significantly increases a consumer's growth hormone levels;
- b. Super HGH Booster provides the benefits purportedly shown in studies involving HGH injections;
- c. Super HGH Booster reverses the effects of aging on body composition, skin, memory, and other physical functions;
- d. Super HGH Booster provides physical benefits such as loss of unwanted fat, increased muscle mass, reduction of wrinkles, improvement in memory, improved heart function, improved immune function, lower cholesterol and blood pressure, improved sexual function, and improved vision; and
- e. Clinical studies show that Super HGH Booster reduces body fat, increases lean muscle mass, provides higher energy levels, enhances sexual performance, provides youthful immune function, lowers cholesterol and blood pressure, and causes smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function.

36. The representations set forth in Paragraph 35 are false or were not substantiated at the time the representations were made. Among other things, the

substantiation relied on by defendants involved HGH injections, not amino acid supplements. Therefore, the making of the representations set forth in Paragraph 35, above, constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT III
(Master HGH Claims)

37. Through the means described in Paragraph 16, Defendants GAP and Karian have represented, expressly or by implication, that:

- a. Master HGH significantly increases a consumer's growth hormone levels;
- b. Master HGH provides the benefits purportedly shown in studies involving HGH injections;
- c. Master HGH reverses the effects of aging on body composition, skin, memory, and other physical functions;
- d. Master HGH provides physical benefits including reduced body fat, increased lean muscle mass, enhanced sexual performance, youthful immune function, stronger bones, lower cholesterol and blood pressure, smoother, tighter skin, regrowth of hair, sharper vision, and improved cognitive function; and
- e. Clinical studies show that Master HGH reduces body fat, increases lean muscle mass, provides higher energy levels, enhances sexual performance,

provides youthful immune function, provides stronger bones, lowers cholesterol and blood pressure, and causes smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function.

38. The representations set forth in Paragraph 37 are false or were not substantiated at the time the representations were made. Among other things, the substantiation relied on by defendants involved HGH injections, not a homeopathic spray. Therefore, the making of the representations set forth in Paragraph 37, above, constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT IV
(Super HGH Claims)

39. Through the means described in Paragraph 17, Defendants PCI, Teplitsky, and Karian have represented, expressly or by implication, that:

- a. Super HGH significantly increases a consumer's growth hormone levels;
- b. Super HGH provides the benefits purportedly shown in studies involving HGH injections;
- c. Super HGH reverses the effects of aging on body composition, skin, memory, and other physical functions;
- d. Super HGH provides physical benefits including reduced body fat,

increased lean muscle mass, enhanced sexual performance, youthful immune function, stronger bones, lower cholesterol and blood pressure, smoother, tighter skin, regrowth of hair, sharper vision, and improved cognitive function; and

- e. Clinical studies show that Super HGH reduces body fat, increases lean muscle mass, provides higher energy levels, enhances sexual performance, provides youthful immune function, provides stronger bones, lowers cholesterol and blood pressure, and causes smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function.

40. The representations set forth in Paragraph 39 are false or were not substantiated at the time the representations were made. Among other things, the substantiation relied on by defendants involved HGH injections, not a homeopathic spray. Therefore, the making of the representations set forth in Paragraph 39, above, constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT V
(Fat Blaster Claims)

41. Through the means described in Paragraph 19, Defendants GAP and Karian have represented, expressly or by implication, that Fat Blaster causes weight loss

by suppressing appetite, reducing conversion of carbohydrate to fats, and enhancing metabolism.

42. The representations set forth in Paragraph 41 are false or were not substantiated at the time the representations were made. Therefore, the making of the representations set forth in Paragraph 41 constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT VI
(Super Carbo Blocker Claims)

43. Through the means described in Paragraph 20, Defendants PCI, Teplitsky, and Karian have represented, expressly or by implication, that Super Carbo Blocker causes weight loss by suppressing appetite, reducing conversion of carbohydrate to fats, and enhancing metabolism.

44. The representations set forth in Paragraph 43 are false or were not substantiated at the time the representations were made. Therefore, the making of the representations set forth in Paragraph 43 constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

COUNT VII
(Ultimate Wild Oregano Oil Claims)

45. Through the means described in Paragraph 22, Defendants GAP and Karian have represented, expressly or by implication, that:

- a. Ultimate Wild Oregano Oil prevents colds and flu; and
- b. When taken orally, Ultimate Wild Oregano Oil treats and relieves bacterial and viral infections and their symptoms.

46. The representations set forth in Paragraph 45 are false or were not substantiated at the time the representations were made. Therefore, the making of the representations set forth in Paragraph 45 constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

**COUNT VIII
(Super Wild Oregano Oil Claims)**

47. Through the means described in Paragraph 23, Defendants PCI, Teplitsky, ~~Investment~~ and Karian have represented, expressly or by implication, that:

- a. Super Wild Oregano Oil prevents colds and flu; and
- b. When taken orally, Super Wild Oregano Oil treats and relieves bacterial and viral infections and their symptoms.

48. The representations set forth in Paragraph 47 are false or were not substantiated at the time the representations were made. Therefore, the making of the representations set forth in Paragraph 47 constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

**COUNT IX
(Deceptive Format)**

49. Through the means described in Paragraphs 13 and 19, defendants GAP, PCI, Karian, and Teplitzky have represented, directly or by implication, that the radio and television programming regarding Ultimate HGH, Super HGH, and Fat Blaster contained in Exhibits A, B, C, G, H, and J are independent radio or television programs and not paid commercial advertising.

50. In truth and in fact, the radio and television programming regarding Ultimate HGH, Super HGH, and Fat Blaster contained in Exhibits A, B, C, G, H, and J are not independent radio or television programs and are paid commercial advertising. Therefore, the making of the representations set forth in Paragraph 49 constitutes a deceptive practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a) and 52.

THE FTC'S TELEMARKETING SALES RULE

51. In 1994, Congress directed the Federal Trade Commission to prescribe rules prohibiting abusive and deceptive telemarketing acts or practices pursuant to the Telemarketing Act, 15 U.S.C. §§ 6101-6108. On August 16, 1995, the FTC adopted the Telemarketing Sales Rule, 16 C.F.R. Part 310, which became effective on December 31, 1995 ("Original TSR"). Commencing in 1999, the Commission conducted a rule review to evaluate the effectiveness of the Original TSR in protecting consumers from deceptive and abusive telemarketing practices. 68 Fed. Reg. 4580, 4581. The rule review identified marketplace changes, including an increase in preacquired account telemarketing and

upselling, that gave rise to a need for additional provisions to curtail abusive or deceptive practices. *Id.* at 4581-83. Accordingly, on January 29, 2003, the FTC amended the Original TSR by issuing the final amended TSR (“TSR”). *Id.* at 4580, 4669.

52. As amended, the TSR provides that it is a deceptive telemarketing act or practice for a seller or telemarketer to fail to disclose truthfully, in a clear and conspicuous manner, before a customer pays for good or services offered, the following material information:

- a. the total costs to purchase, receive, or use, and the quantity of, any goods or services; and
- b. if the offer includes a negative option feature, all material terms and conditions of the negative option feature, including, but not limited to, the fact that the customer’s account will be charged unless the customer takes an affirmative action to avoid the charge(s), the date(s) the charge(s) will be submitted for payment, and the specific steps the customer must take to avoid the charge(s).

16 C.F.R. § 310.3(a)(1)(i) and (vii).

53. As amended, the TSR provides that it is an abusive telemarketing act or practice for a seller or telemarketer to cause billing information to be submitted for payment, directly or indirectly, without the express, informed consent of the customer.

16 C.F.R. § 310.4(a)(6). In any telemarketing transaction involving preacquired account information, the requirements of 16 C.F.R. § 310.4 (a)(6)(i) through (ii) of this section

must be met to evidence express informed consent:

- a. In any telemarketing transaction involving preacquired account information and a free-to-pay conversion feature, the seller or telemarketer must obtain from the customer, at a minimum, the last four (4) digits of the account number to be charged, and must obtain from the customer his or her express agreement to be charged for the goods and services and to be charged using the account so identified. 16 C.F.R. § 310.4 (a)(6)(i).
- b. In any other telemarketing transaction involving preacquired account information not described in 16 C.F.R. § 310.4 (a)(6)(i), the seller or telemarketer must, at a minimum, identify the account to be charged with sufficient specificity for the customer to understand what account will be charged and obtain from the customer his or her express agreement to be charged for the goods or services and to be charged using the account so identified. 16 C.F.R. § 310.4 (a)(6)(ii).

54. The provisions of the amended TSR identified above apply to “upselling,” that is, soliciting the purchase of other goods or services following an initial transaction during a single telephone call, including inbound calls from consumers in response to an advertisement. 16 C.F.R. §§ 310.2(dd), 310.6(b)(5).

55. The provisions of the amended TSR identified above became effective on March 31, 2003.

56. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. § 6102(c),

and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), violations of the TSR constitute unfair or deceptive acts or practices in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a). The Telemarketing Act provides that the Commission has the same jurisdiction, powers, and duties under the Telemarketing Act as it has under the FTC Act. 15 U.S.C. § 6105.

57. Defendants GAP and Karian are “sellers” or “telemarketers” engaged in “telemarketing” as these terms are defined in the amended TSR, 16 C.F.R. § 310.2(z), (bb), and (cc).

VIOLATIONS OF THE TELEMARKETING SALES RULE

COUNT X

(TSR Violations - Deceptive Telemarketing Acts or Practices)

58. In numerous instances, as described in Paragraphs 24 through 31, following an initial transaction during a phone call, defendants GAP and Karian, through their telemarketing staff, have engaged in upselling, as defined in 16 C.F.R. § 310.2(dd), within the scope of the TSR. During these transactions, they have:

- a. Violated 16 C.F.R. § 310.3(a)(1)(i) by failing to disclose truthfully, in a clear and conspicuous manner, the total costs to purchase products shipped under the continuity programs for Ultimate HGH and Fat Blaster and the free-to-pay conversion program for Liquid Master Multi.
- b. Violated 16 C.F.R. § 310.3(a)(1)(vii) by failing to disclose truthfully, in a clear and conspicuous manner, in connection with the negative option

offers for Ultimate HGH and Fat Blaster continuity programs and the negative option offers for the Liquid Master Multi free-to-pay conversion program, all material terms and conditions of the negative option feature, including, but not limited to, the dates the charges will be submitted for payment and the specific steps the customer must take to avoid the charges.

COUNT XI
(TSR Violations - Abusive Conduct)

59. In numerous instances, as described in Paragraphs 24 through 31, following an initial transaction during a phone call, defendants GAP and Karian, through their telemarketing staff, have engaged in upselling, as defined in 16 C.F.R. § 310.2(dd), within the scope of the TSR, where they seek to use preacquired account information, as defined in 16 C.F.R. § 310.2 (w). In so doing, they have:

- a. Violated 16 C.F.R. § 310.4(a)(6)(i)(A) and (B) by causing billing information to be submitted for payment, in transactions involving a free-to-pay conversion sale program for Liquid Master Multi, without obtaining from the customer, at a minimum, the last four (4) digits of the account number to be charged, and his or her express agreement to be charged for the goods using the identified account number.
- b. Violated 16 C.F.R. § 310.4(a)(6)(ii) by causing billing information to be submitted for payment, without obtaining from the customer his or her

express agreement to be charged for continuity shipments of Ultimate HGH and Fat Blaster using an identified account number.

INJURY

60. Consumers throughout the United States have suffered and continue to suffer substantial monetary loss as a result of Defendants' unlawful acts or practices. In addition, Defendants have been unjustly enriched as a result of their unlawful practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers, reap unjust enrichment, and harm the public interest.

THIS COURT'S POWER TO GRANT RELIEF

61. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), empower this Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of the FTC Act and the TSR. The Court, in the exercise of its equitable jurisdiction, may award other ancillary or other relief, including, but not limited to, rescission of contracts and restitution, and the disgorgement of ill-gotten gains.

PRAYER FOR RELIEF

Wherefore, Plaintiff requests that this Court, as authorized by Section 13(b) of the

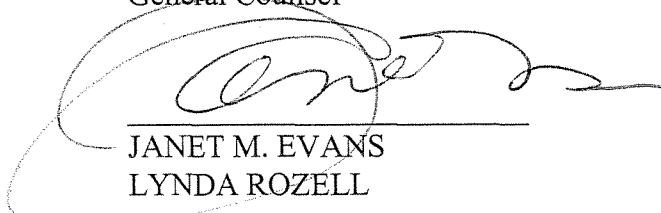
FTC Act, 15 U.S.C. § 53(b), Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), and pursuant to its own equitable powers:

- (1) Award Plaintiff all temporary and preliminary injunctive and ancillary relief that may be necessary to avert the likelihood of consumer injury during the pendency of this action;
- (2) Enjoin Defendants permanently from violating the FTC Act and the TSR as alleged herein;
- (3) Award such equitable relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act and the TSR, including, but not limited to, rescission of contracts and restitution, and the disgorgement of ill-gotten gains; and
- (4) Award Plaintiff the costs of bringing this action and any other equitable relief the Court may determine to be just and proper.

DATED: May 10, 2005

Respectfully submitted,

WILLIAM BLUMENTHAL
General Counsel



JANET M. EVANS
LYNDA ROZELL

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MATTER NO. 0323247

TITLE GREAT AMERICAN PRODUCTS, INC.

DATE RECORDED: DATE UNKNOWN

TRANSCRIBED: DECEMBER 12, 2003

CD-ROM - GREAT AMERICAN PRODUCTS

ORDER NUMBER 1-888-857-7841

1. Youth :28

(GA99D114)

ULTIMATE HGH

1 PROCEEDINGS

2 - - - - -

3 CD-ROM - ULTIMATE HGH

4 MALE ANNOUNCER: Welcome to the American Health
5 Radio Show. Here's your host, Ron Turner.

6 RON TURNER: Well, welcome to another great
7 program. Ron Turner with you. We have an exciting show
8 for you today. You ready for this? What if you could
9 live to be 100 years of age in as healthy and vigorous
10 condition as you are now? Or if you already suffer from
11 the ill effects of aging, you could turn back the clock
12 20 to 30 years. Well, according to my guest, it's
13 absolutely possible, incredible though it may seem.

14 We're going to be discussing groundbreaking
15 research proving that aging cannot only be stopped but
16 can actually be reversed, and one of the solutions may be
17 as simple as taking a supplement that can cause your body
18 to lose unwanted fat and cellulite, build muscle, remove
19 wrinkles, improve skin elasticity, increase memory
20 retention, cardio output, immune function and improve
21 vision.

22 Well, if you're just joining us, you certainly
23 don't want to touch that dial because today's show could
24 literally change your life. My guess is Stephan Karian,
25 Senior Editor of Great American Health and Nutrition and
26 Director of Research at Great American Products.

27 Stephan, thanks for being with us on the

1 program.

2 STEPHAN KARIAN: Ron, it's a pleasure.

3 * * *

4 RON TURNER: Okay. Now, there has been a lot
5 of press on HGH. You mentioned that earlier, too, and
6 just now. Let's talk about exactly what that is, what it
7 does.

8 STEPHAN KARIAN: Well, HGH stands for human
9 growth hormone.

10 * * *

11 This is a hormone that's responsible for growing the
12 body.

13 * * *

14
15 STEPHAN KARIAN: Yeah. You know, if we can
16 increase our life span, but the quality of our life span,
17 10, 20, 30 years, then this is something we definitely
18 need to look at. And I read that one of the world-
19 leading experts who was on the Oprah Winfrey Show was
20 quoted as saying that, you're going to reach a stage of
21 adulthood at about 45 and stay there for another 50 to 60
22 years, and this is the next technology, the next paradigm
23 of health care.

24 And HGH, along with the 28,000 studies that
25 back it up, has been shown to be the most pronounced.
26 I'm talking the most distinctive where you can see the
27 different results in anywhere from six to eight weeks --

1 RON TURNER: Wow, that's a --
2 STEPHAN KARIAN: -- for people.
3 RON TURNER: -- very, very short period of
4 time. How do the higher levels of HGH actually reverse
5 the aging process? What signs can we see?
6 STEPHAN KARIAN: HGH stimulates the growth, the
7 rejuvenation of a cell. As a matter of fact, Dr. Hertoag
8 (phonetic) -- he's a physician.
9 RON TURNER: Um-hum.
10 STEPHAN KARIAN: Out of 48 adults in his study
11 taking HGH, he showed that 75 percent of adults had the
12 sagging of the cheeks, the sagging got denser. Less
13 wrinkles 71 percent of the time. People that had pouches
14 under the eyes were less visible 65 percent of the time.
15 Loose skin folds under the chin tightened --
16 RON TURNER: Wow.
17 STEPHAN KARIAN: -- 62 percent of the time.
18 You have a strengthening of your muscle, the fat
19 decreases significantly, improving cardio output. Sexual
20 performance is significantly enhanced.
21 RON TURNER: Wow.
22 STEPHAN KARIAN: You rejuvenate the body.
23 RON TURNER: Um-hum.
24 STEPHAN KARIAN: Restoring of the hair and the
25 hair color. These are some of the anecdotal --
26 RON TURNER: Um-hum.
27 STEPHAN KARIAN: -- reports that we've had

1 people where the graying of the hair suddenly got back to
2 its normal darker state.

3 RON TURNER: Really?

4 STEPHAN KARIAN: Yes.

5 RON TURNER: Wow.

6 STEPHAN KARIAN: Improving of the memory.

7 RON TURNER: Um-hum.

8 STEPHAN KARIAN: And wound healing enhancement.

9 RON TURNER: Yeah.

10 STEPHAN KARIAN: Improving of bone mass. Now,
11 there are over 28,000 studies, Ron, that support this.
12 This is not some, you know, hocus pocus science over
13 here.

14 RON TURNER: Right, right.

15 STEPHAN KARIAN: We're talking about naturally
16 stimulating the release of HGH in the body.

17 RON TURNER: Um-hum.

18 STEPHAN KARIAN: And if we can naturally
19 increase the levels of HGH in the body, we can see a
20 whole turnaround -- distinctive turnaround for people in
21 their appearance, in the way that they feel --

22 RON TURNER: Um-hum.

23 STEPHAN KARIAN: -- in their quality of life
24 and their step-to-it-ness.

25 RON TURNER: Yeah, yeah.

26 STEPHAN KARIAN: Their punch in life.

27 RON TURNER: Um-hum.

1 STEPHAN KARIAN: You literally look younger, in
2 some cases 10, 20, 30 years younger.

3 RON TURNER: Wow.

4 STEPHAN KARIAN: HGH is almost like having
5 plastic surgery for your body --

6 RON TURNER: Yeah, yeah.

7 STEPHAN KARIAN: -- without getting an
8 incision.

9 RON TURNER: Wow.

10 STEPHAN KARIAN: According to Daniel Rudman, or
11 Dr. Rudman, in the New England Journal of Medicine, and
12 he reported this in 1990, he showed that there was an 8.8
13 percent increase in muscle mass on average after six
14 months without exercise. And in addition to that --

15 RON TURNER: Wow.

16 STEPHAN KARIAN: -- a 14.4 percent loss of
17 fat --

18 RON TURNER: Um-hum.

19 STEPHAN KARIAN: -- on average after six months
20 without dieting.

21 RON TURNER: Wow.

22 STEPHAN KARIAN: In addition to that, the
23 muscles in your face get stronger --

24 RON TURNER: Yeah.

25 STEPHAN KARIAN: -- so thus, it looks like you
26 had a face lift.

27 RON TURNER: Wow, look out, girls.

1 STEPHAN KARIAN: If you're just joining us,
2 once again, I'm speaking with Stephan Karian, Senior
3 Editor of Great American Health and Nutrition and
4 Director of Research at Great American Products. We're
5 talking about aging and anti-aging medicine.

6 * * * HGH can be taken with
7 injections, but I heard they're very, very expensive.
8 Let's talk about that for a moment.

9 * * * Is that it's very expensive and
10 you're looking at about \$1,000 a month --

11 RON TURNER: Wow.

12 STEPHAN KARIAN: -- with the HGH injections.

13 RON TURNER: Um-hum.

14 STEPHAN KARIAN: And it's an effective means of
15 increasing your HGH levels.

16 RON TURNER: Yeah.

17 STEPHAN KARIAN: And if you look at the --
18 actually, in 1990, it was about \$50,000 a year. So, the
19 prices are coming down if you could afford \$1,000 a
20 month, which many people cannot. The good news is is
21 that you don't have to rely on the injection to increase
22 the HGH levels in the body.

23 RON TURNER: Right.

24 RON TURNER: There are nutrients that we can
25 take that can stimulate the release of HGH in the body.
26 Now, by taking amino peptides and amino acid supplements,
27 specifically glutamine, along with the other amino acids,

1 we can stimulate the release of HGH from the pituitary
2 and actually increase the levels of HGH in the
3 bloodstream. And by doing that, people are seeing some
4 dramatic results. You literally see and feel a
5 difference.

6 * * *

7 STEPHAN KARIAN: When I started taking this HGH
8 formulation that I want to talk to you about called
9 Ultimate HGH, it's made a huge difference for me.

10 RON TURNER: Now, you've seen results
11 relatively quick then, is what you're saying?

12 STEPHAN KARIAN: Absolutely.

13 RON TURNER: Okay.

14 STEPHAN KARIAN: This is really a breakthrough,
15 and I'm talking about the results of wrinkling --

16 RON TURNER: Um-hum.

17 STEPHAN KARIAN: -- and aging.

18 RON TURNER: Yeah.

19 STEPHAN KARIAN: Feeling better and having that
20 stamina.

21 RON TURNER: Um-hum.

22 STEPHAN KARIAN: Having that pep in your step
23 that you had when --

24 RON TURNER: Right, right.

25 STEPHAN KARIAN: -- you were in your younger
26 years.

27 RON TURNER: Um-hum.

1 STEPHAN KARIAN: I'm talking about making a
2 noticeably considerable difference, and not only that,
3 but also reducing body fat --

4 RON TURNER: Yeah.

5 STEPHAN KARIAN: -- increasing lean muscle
6 mass.

7 * * *

8 JEAN: Could I have the phone number again?

9 RON TURNER: Let me give it to you. You ready?
10 Okay. It's 888-857-7841.

11 JEAN: Right.

12 RON TURNER: Okay.

13 STEPHAN KARIAN: Jean, before you get off, I
14 just want to mention this. When you call that number
15 that Ron had mentioned, 1-888-857-7841, there's a special
16 going on. When you order two, you get the three. You
17 get a three-month supply. When you order two bottles,
18 you get the third one free.

19 JEAN: Right.

20 STEPHAN KARIAN: I wanted to make this where
21 this was affordable to everyone.

22 RON TURNER: Mmm, yeah.

23 STEPHAN KARIAN: Because there's some
24 comparable products out there that are costing people
25 \$100 a month.

26 JEAN: Um-hum.

27 RON TURNER: . . .Hi, Mark, thanks for calling.

1 MARK: Yes, I would like to know, does this
2 also help to lower your cholesterol levels?

3 STEPHAN KARIAN: There actually have been
4 studies with heart disease and cholesterol levels, and in
5 addition to that, blood pressure levels. We're seeing
6 people's cholesterol levels going down, the increasing of
7 the good HGL cholesterol. Blood pressure, for those
8 people with hypertension, are getting better readings.

9 RON TURNER: Um-hum.

10 STEPHAN KARIAN: So, yes, for those people not
11 just concerned about their cholesterol but also for
12 cardio vascular benefits.

13 RON TURNER: Um-hum.

14 STEPHAN KARIAN: And think about this, the
15 heart is a muscle and if we can rejuvenate the muscles
16 and make them stronger --

17 RON TURNER: Yeah.

18 STEPHAN KARIAN: -- what do you think that's
19 going to do to the level of circulation in our body --

20 RON TURNER: Exactly.

21 STEPHAN KARIAN: -- and making sure that our
22 heart doesn't give away.

23 RON TURNER: Absolutely. Thanks --

24 STEPHAN KARIAN: You know, I just want to
25 mention something and that is Dr. Julian Whitaker --

26 RON TURNER: Um-hum.

27 STEPHAN KARIAN: He's got the largest-selling

1 newsletter on the planet, you know.

2 RON TURNER: Mmm.

3 STEPHAN KARIAN: Here's a quote that he said.

4 "In the 20 years I've practiced nutritional and
5 rejuvenative medicine, I have not seen anything that even
6 comes close to the restorative power of HGH
7 supplementation."

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P R O C E E D I N G S

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VIDEOTAPE - ULTIMATE HGH

ON SCREEN: The following program is a paid presentation from

Great American Products

"Improving the quality of life for millions"

The makers of:

Ultimate HGH

(Music playing.)

ON SCREEN: American Health

Your Guide to Optimum Health

Natural Remedies

Breakthroughs in Nutrition

Human Growth Hormone

KAREN EDWARDS: Hi, I'm Karen Edwards. Thank you for joining me on this addition of American Health. We have an exciting show for you today. Are you ready for this? What if you could live to be 100 years of age in as healthy and vigorous condition as you are now? Or if you already suffer from the ill effects of aging, you could turn back the clock 20 to 30 years?

Well, according to my guest, it's absolutely possible. Incredible though it may seem, we're going to be discussing ground-breaking research proving that the

1 effects of aging cannot only be stopped but can actually
2 be reversed, and one of the solutions may be as simple as
3 taking a supplement that can cause your body to lose
4 unwanted fat and cellulite, build muscle, remove
5 wrinkles, improve skin elasticity, increase memory
6 retention, cardio output, immune function and improved
7 vision.

8 You certainly don't want to miss this program
9 because it could literally change your life.

10 * * *

11 MALE ANNOUNCER: Scientific studies have shown
12 that increased HGH levels may help diminish wrinkling,
13 reduce body fat, enhance muscle tone, support mental
14 function and more.

15 KAREN EDWARDS: Welcome to American Health. My
16 guest is Stephan Karian, Senior Editor of Great American
17 Health and Nutrition, and Director of Research of Great
18 American Products.

19 Stefan, thanks for joining us today.

20 STEPHAN KARIAN: Karen, thanks for having me.

21 KAREN EDWARDS: We have a very fascinating
22 subject today, HGH. Why don't you explain a little bit
23 about what it is?

24 STEPHAN KARIAN: Well, even before we go into
25 that, Karen, let's look at anti-aging medicine. Let's
26 take a contextual look at where anti-aging as a whole
27 generation, where we're going. Anti-aging medicine is

1 used in nutraceuticals or nutritional therapies, using
2 exercise, using hormones to slow down the effects of
3 aging, to help us to live longer. And if you look at it,
4 anti-aging medicine -- medical technology has been
5 doubling every three-and-a-half years.

6 KAREN EDWARDS: Wow.

7 ~~Stephan Karian: So, that means in the next 14~~
8 years, we'll know 16 times more the medical technology
9 than we will today.

10
11 KAREN EDWARDS: Now, there's been a lot of
12 press lately on HGH. Why don't you explain what it is
13 and what it does?

14 STEPHAN KARIAN: Sure. HGH is getting a lot of
15 attention. As a matter of fact, thousands of studies,
16 articles and abstracts have been written on HGH. What
17 HGH really is, it stands for Human Growth Hormone. Human
18 Growth Hormone is produced from the time we're born and
19 it helps our body to grow our bones, to grow our muscles,
20 to build itself up so that we can mature.

21 In about our teens, we start peaking out in our
22 HGH levels. Let me show you this chart over here and
23 this gives us an idea.

24 ON SCREEN: HGH Levels Decline chart

25 Stephan Karian: At the time when we reach our
26 teens, we find that our levels of HGH start to peak. At
27 that point, your HGH levels drop dramatically --

1 KAREN EDWARDS: Wow.

2 Stephan Karian: -- over the next 10, 12 years.
3 And from there on, it levels out 'til about you're in
4 your 60s, 70s and 80s. And we find that the first signs
5 of aging are really symptoms of lowered HGH levels.

6 KAREN EDWARDS: That's amazing. So, higher
7 levels of HGH, then, actually can reverse the aging
8 process or the effects of the aging process? What kind
9 of signs do we see, then, other than some of the ones
10 you've mentioned?

11 Stephan Karian: Maybe your skin is more
12 supple, the wrinkling is less. Your short-term memory is
13 better. Your mental acuity and concentration is better.
14 Your sexual energy is better; cardiac output is better;
15 self-esteem is better; muscle tone is better; fat
16 reduction is better without exercising. And I'm -- this
17 is not just some highfalutin science here, Karen. I'm
18 talking about study upon study upon study have shown and
19 proved that HGH helps to reverse the effects of aging.

20 ON SCREEN: American Health

21 NOTE

22 Studies show higher levels of HGH help decrease body
23 fat, reduce appearance of wrinkles, increase energy and more.

24 STEPHAN KARIAN: And it wasn't until Dr. Daniel
25 Rudman in 1990 showed in his groundbreaking article that
26 appeared in the New England Journal of Medicine that we
27 can reduce body fat by 14.4 percent after 6 months; we

1 can increase muscle mass 8.8 percent after 6 months; we
2 can increase cardio output, sexual output. We have
3 anecdotal reports that hair regrowth was better.

4 But even more important, when you see the signs
5 of the aging of someone, what happens? They're a little
6 gray. Maybe you see that they don't have that youthful
7 spark --

8 KAREN EDWARDS: Right. In their eye.

9 STEPHAN KARIAN: -- in their eye. What we
10 found in that study by Dr. Daniel Rudman is that the
11 participants in their 60s --

12
13 ON SCREEN: American Health

14 NOTE

15 Rudman, Daniel, M.D., New England Journal of Medicine,
16 July, 1990.

17 STEPHAN KARIAN: -- which at that point 80
18 percent of us are truly deficient in youthful levels of
19 HGH, they stood upright. They had that punch in the eye.
20 When you shook their hand, they had that vigor. And
21 actually in a study he wrote that the effects of
22 increasing the HGH levels to youthful levels was
23 equivalent to reversing the aging process 10 to 20 years.

24 KAREN EDWARDS: Wow. Now, HGH can be taken
25 with injections. Is that expensive?

26 STEPHAN KARIAN: It's very expensive. It was
27 about \$50,000 a year.

1 KAREN EDWARDS: Wow.

2 STEPHAN KARIAN: And that's a lot of --

3 KAREN EDWARDS: That's a lot of money.

4 STEPHAN KARIAN: It's a lot of money. And so,
5 as a result, many people really weren't able to get the
6 benefits of it. However, now it's only \$12,000 a year,
7 which is still expensive.

8 KAREN EDWARDS: Oh, that sure is expensive.

9 STEPHAN KARIAN: I mean, an extra \$12,000 a
10 year is a lot. But fortunately we're finding now that
11 there's some other -- there's alternatives that we can
12 use that can naturally increase the HGH levels and that's
13 why I'm real excited to be on with you today because
14 there are ways that we can do it and ways instead of the
15 conventional facelifts and cosmetics and so forth. That
16 really does not get to the root of the problem. All it
17 does is mask the aging process.

18 KAREN EDWARDS: Now, Stephen, you developed a
19 product called Ultimate HGH. Why don't you explain a
20 little bit about what makes this different from the other
21 products?

22 STEPHAN KARIAN: Gladly. Ultimate HGH is a
23 secretagogue and that's a fancy term for a substance or
24 nutrients that help to stimulate the release of HGH. And
25 to give you a little history on it, aside from doing the
26 injections where you're injecting the synthetic hormones,
27 the other strategy to increase the HGH level is to

1 stimulate the release of HGH that's already produced in
2 the body.

3 If you look at this chart over here, at the
4 base of the brain, right behind our nose, we have a gland
5 called the pituitary. By increasing the HGH output at
6 the base of the brain, it's released into the circulatory
7 system, picked up by the liver and then the liver
8 converts that into what's called Insulin Growth Factor 1
9 or IGF-1. That Insulin Growth Factor 1 is so important
10 in rejuvenating the cells and Ultimate HGH is naturally
11 designed to support the increased levels of HGH without
12 hormones. So, just incredible what we're seeing by using
13 HGH or increasing the HGH levels in the body.

14 KAREN EDWARDS: Amazing.

15 ON SCREEN: Paragraph from letter

16 I lost 125 pounds. I have no more pain or inflammation
17 in my joints. It eliminated age spots and cellulite and it's
18 turning my fat to muscle. I look and feel younger. I'm stronger
19 and more energetic. I'm a lot healthier and feel more sexually
20 alive than I've felt in years. I'm very thankful for Ultimate HGH.
21 Connie

22 CONNIE: I lost 125 pounds. I have no more
23 pain or inflammation in my joints. It eliminated age
24 spots and cellulite and it's turning my fat to muscle. I
25 look and feel younger. I'm stronger and more energetic.
26 I'm a lot healthier and feel more sexually alive than I
27 have felt in years. I'm very thankful for Ultimate HGH.

1 ON SCREEN: Paragraph from letter

2 I can't even begin to tell anyone of the fantastic
3 results I've had since taking Ultimate HGH. I weighed 232 pounds.
4 Four months later, I'm at 197. I'm totally off the blood pressure
5 pills. It's just unreal. My energy level is out of sight. I
6 don't have anything in rheumatism or sore spots from these old
7 injuries in this old 60-year-old body. My wife has even had people
8 ask her if she's had a facelift. The biggest problem I might have
9 is overloading this 60-year-old body with this 35-year-old
10 attitude. I can't say enough for these pills.

11 Morgan Smith

12 MORGAN SMITH: I can't even begin to tell
13 anyone of the fantastic results I've had since taking
14 Ultimate HGH. I weighed 232 pounds. Four months later,
15 I'm at 197. I'm totally off the blood pressure pills.
16 It's just unreal. My energy level is out of sight. My
17 wife has even had people ask her if she's had a facelift.

18 * * *

19 ON SCREEN: Order Now!

20 Ultimate HGH

21 Introductory Special

22 Buy 2 Bottles

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24 FREE!

25 CALL NOW!

26 Not Available

27 In Stores

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3 1-800-478-7535

4 [Print at bottom of page:] This is a paid advertisement
5 for Ultimate HGH. Results may vary.

6 MALE ANNOUNCER: Would you like to look and
7 feel 10 years younger in 10 weeks?

8 ON SCREEN: [Above product information]

9 Call in the next 10 minutes for free book with your
10 purchase

11 MALE ANNOUNCER: Now there's proof that the
12 effects of aging can be slowed down and may even be
13 reversed with HGH, Human Growth Hormone. According to
14 numerous scientific studies, higher HGH levels can help
15 you look and feel younger.

16 That's why you should take Ultimate HGH, an
17 all-natural formula designed to help boost your body's
18 own production of HGH. If your goal is to lose unwanted
19 fat, diminish wrinkles, help improve energy and stamina,
20 enhance memory and immune function, then Ultimate HGH is
21 for you.

22 And through this special television offer, when
23 you order two bottles of Ultimate HGH, you'll get a third
24 bottle absolutely free. Plus when you call right now,
25 you'll also receive a book on the incredible anti-aging
26 benefits of increased HGH levels, a \$20 value absolutely
27 free. So, call now. Guaranteed to work or your money

1 back. And it's not available in stores. So, call right
2 now to take advantage of this very special television
3 offer. Buy two bottles, get one free. Call now.

4 KAREN EDWARDS: If you're just joining us, I'm
5 speaking with Stephan Karian, Senior Editor of Great
6 American Health and Nutrition and Director of Research at
7 Great American Products. We're talking about aging and
8 anti-aging medicine.

9 Now, listen to this. What if you could turn
10 back the clock 20 to 30 years and it may be as simple as
11 taking a supplement that will cause your body to lose
12 unwanted fat and cellulite, build muscle, help improve
13 cardio output, immune function, improve vision and
14 increase your memory retention?

15 Stephan Karian is with us to help us understand
16 how HGH works.

17 * * *

ultimate HGH 7/15/01

Exhibit C



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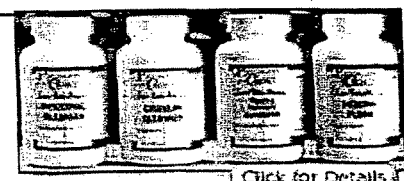
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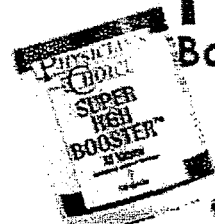
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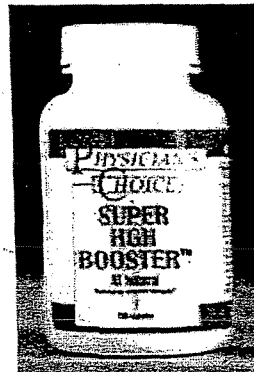
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Exhibit D, p. 2

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Exhibit D, p. 3

Saponins)		
Citrus Complex (Contains 18% Naringinine)	50 mg	*
Chrysin (98% pure 5,7 Dehydroxyflavone)	10 mg	*
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Hello my friend,

I hope this finds you and yours in good health. Spring is traditionally the season of growth, renewal and rejuvenation. Spring is the beginning of the life cycle, with many plants and animals being born. Spring is regarded as the time of optimism, positive expectancy and hopeful outlook for the future.

With that in mind, I would like to remind you about the anti-aging and rejuvenating formulas, Super HGH™ Homeopathic Oral Spray and the Super HGH Booster™. Scientific research has proven that elevating one's levels of *Human Growth Hormone (HGH)* significantly supports a more youthful body: fat loss, improved muscle tone, thicker, fuller and darker hair, plus smoother skin and dramatically increased energy!

I am also particularly excited about the brand new Super HA™ formula with *Hyaluronic Acid (HA)*; a nutrient essential to maintaining proper fluid balance and retaining vital moisture within the cells (*see cover article*). Cellular hydration is vital to your joints, eyes and skin, supporting reduced appearance of wrinkles, easy, fluid joint movement and healthy vision. Until very recently it was only available by injecting it directly into the joints. Thanks to recent scientific advances, one of the purest sources of HA available can now be used as an easy, oral preparation!

Spring is also the best time to go through the process of body cleansing; the process that can be greatly enhanced by combining the Super Detox Program™ with the new Super Liver™ formula to detoxify your body and your blood, for a significant increase in energy and a stronger immune system. As you know, I recommend periodic detoxification for everyone by using the Super Detox Program™ every 3 months.

I am also pleased to introduce Super Slim™ PM, a nighttime weight loss formula to promote weight loss while you are at rest (*see page 25*); SnorMed™, a formula to help naturally deter the noise of snoring (*see page 28*) and Super Silk Serum™ with vitamin C and vitamin E, a luxurious hydrating serum to help moisturize the skin, making it look and feel silky soft, smooth and young (*see page 27*)!

It is my sincere hope that these new formulas, as well as the previously established ones, will help to make your life healthier and happier. I use these products in my practice and take most of them myself.

Yours in good health,

Michael Teplisky, MD
Medical Editor

P.S. It is very gratifying to me to hear about your success stories after using Physician's Choice formulas, so please continue to write and share your experiences with me. Here is one such letter:

"I was diagnosed as having BPH and evaluated with a 2 plus prostate size. Also, many urinary problems resulted from this condition. As of last month, after taking the recommended dosage of the Super Prostate Formula™, all symptoms have been alleviated. Yesterday, I saw my urologist and the examination revealed that my prostate size was reduced to a 1 plus. A normal prostate was observed, including the normal groove dividing the 2 lobes of a normal prostate. Needless to say, I am ecstatic with the success of the Super Prostate Formula™."

Gratefully yours,
Roy M. S."

P.P.S. Please keep in mind that all Physician's Choice products are covered by the unconditional 100% money back guarantee. Try them for 3 months and if they do not live up to your highest expectations, simply return the unused portion for a refund.

Exhibit E

CALL TOLL FREE 1-800-227-9972

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These statements have not been evaluated by the Food and Drug Administration. The information above is not intended to diagnose, treat, cure or prevent any disease. It is suggested that you consult with your physician before beginning any nutritional program.

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Master HGH™ Homeopathic Oral Spray



HGH (Human Growth Hormone) is a natural substance secreted in our bodies that regulates our vitality and youth. Numerous studies have proven the benefits of increased HGH levels. They include: reduced body fat, increased lean muscle mass, higher energy levels, enhanced sexual performance, youthful immune

function, stronger bones, lower cholesterol and blood pressure, smoother, tighter skin, regrowth of hair, sharper vision, elevated mood and improved cognitive function.

The Master HGH™ Oral Spray

Thanks to the recent advances in the homeopathic field (natural remedies), it is now possible to use a scientifically designed oral spray to support elevated HGH levels. The Master HGH™ homeopathic spray was designed to stimulate the natural release of HGH from the pituitary gland. This unique formula combines homeopathic potencies of human growth hormone and other glandular extracts to address some of the symptoms that accompany aging.

Because Master HGH™ is homeopathic, you know that it gentle and effective.

Special Offer!

As a special offer, you can now get one

FREE bottle of this revolutionary homeopathic spray when you order two. That breaks down to just \$33.30 per month, a tremendous savings compared to the typical monthly cost of \$80 to \$100! Plus, as a special bonus, the first 2,500 orders will also receive a book on HGH and anti-aging, as a **FREE GIFT!**

<p>Master HGH™ Homeopathic Oral Spray 1 FL. Oz. Suggested Usage: Adults spray twice under the tongue 3 times daily. 1 serving contains: Active Ingredients: HGH 6x, 12x; Coenzyme Q10 8x; L-Acetylcarneine 3x; Creatine Monohydrate 6x; GABA 6x; Phosphatidyl Serine 6x; AVTH 6x; Adrenal Cortex 3x; Ant. Pituitary 3x; Hypothalamus 3x; Deer Antler 6x; Glutamine 6x; Arginine 3x; ONG 3x; Lysine 3x; Tryptophan 6x; DHEA 6x; Pregnenolone 6x. Inactive Ingredients: Alcohol 20% (v/v), Purified Water USP</p>

100% MONEY BACK GUARANTEE

CALL TOLL FREE 800-320-4565 23

These statements have not been evaluated by the Food and Drug Administration. The products above are not intended to diagnose, treat, cure or prevent any disease. Please consult your physician before beginning any nutritional program.

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Exhibit F

Physician's Choice

Transcript of Radio Ad: Super HGH

NARRATOR: Welcome to the American Health Radio Show. Here's your host, Ron Turner.

TURNER: Well, welcome to the show, Ron Turner with you. We have been hearing a lot lately about HGH but what do we actually know about it? . . . My guest today is Dr. Michael Teplisky, he's a medical doctor and nutritionist and he is a practicing physician in New York City. Dr. Teplisky, thanks for being with us on the program.

TEPLITSKY: Well, it's always a pleasure to be a guest on your program.

TURNER: . . . HGH, very important it seems and maybe you can help us understand a little bit about what it is just by defining it for us, let's start there.

TEPLITSKY: Sure, HGH stands for human growth hormone. The human growth hormone happens to be produced by the pituitary gland which is in control of practically all the other glands that make hormones . . .

* * *

TEPLITSKY: There are literally thousands of studies that have shown the positive effects of the human growth hormone on supplementation. . . . if we were to summarize the findings of those studies it truly sounds something out of a science fantasy. Because, for instance, most people who take growth hormone find that there is an increase, a 9 to 10 percent increase in muscle mass and muscle strength, something that normally doesn't happen as we get older, the reverse is true. There is a loss of fat, 14, 15 percent of fat loss without dieting, without doing anything--

TURNER: Wow!

TEPLITSKY: -- increased energy level, increased immune system function, improved healing, enhanced sexual performance, improved size and function of various internal organs, blood flow, memory, emotional stability, LDL/HDL,

better looking skin, I mean, you name it, it seems like the whole body gets better and the reason for that is very simple, it turns out that growth hormone is not just important for growth, its main function is repair and maintenance of the cell as we get older and growth hormone levels go down, many things remain unrepaired which leads, which leads to the process that we call normal aging. . .

TURNER: Now, as we are youths, we know that there is obviously an abundance of this human growth hormone in our systems that is being produced. But at what point does it actually start declining in numbers that speed up that process?

* * *

TEPLITSKY: . . . So the natural decline in the growth hormone production leads to the situation where you see 40, 50 year olds whose levels are way older what they should be, according to their age group.

TURNER: What are the other symptoms that we would see to show that we have the lower HGH levels, or are not as high as they should be?

TEPLITSKY: If you look at the symptoms of the human growth hormone deficiency, you find that they mimic exactly those symptoms of the normal aging, declining muscle mass, increasing fat, reduced circulation, reduced brain function, reduced immune system, reduced healing, hair loss, all the things that we associate with the aging process have been attributed to the declining levels of the human growth hormone, and that's why it's very interesting that replacing human growth hormone will reverse all those symptoms.

TURNER: If you're just joining us, we're speaking with Dr. Michael Teplisky. Dr. Teplisky is a medical doctor and nutritionist and practicing physician in New York City . . . Doctor, there are some folks who are on human growth hormone therapy, very expensive for them because they're getting injections. You explain that a little bit?

TEPLITSKY: Well, I happen to have some experience in that because I've been using injectable growth hormones too, in my practice. The reason for that is growth hormone is a protein in nature, it's a combination of 196 amino acids, which makes it a big molecule, and as such it cannot be taken orally. So the only way, up until recently, that a person could get extra growth hormone was by taking an injection. And, its pretty expensive, a little over a hundred dollars a week and that does put it effectively out of the range of most people and that's why I'm pretty excited about other opportunities to increase the level of growth

hormone but that do not require the injections and of course the expenditure . .

TURNER: Doctor, you've used a particular formula in your practice called Super HGH, and your patients have had some experiences with that. Would you tell us a little bit about what you have found, in your own practice?

TEPLITSKY: With both injectable with the homeopathic Super HGH I have found that the levels went up. The first thing that happened in most people is that they just feel better. And then if he or she is overweight there is invariably some weight loss, more in some people less in others, there is always, there is always an improvement in the muscle strength, especially if they also do any kind of physical activity. . . Energy level improves, and almost invariably there was an increase in libido, sexual performance, the skin gets better. You know the problem as you become older your skin becomes thinner, and wrinkled, and the reason is, the skin no longer retains the water. Growth hormone, and one of the actions of the growth hormone is to bring the water back into the skin and keep it nice and soft and young looking. And the result is that the skin just looks better.

* * *

TURNER: Am I hearing kind of like a face lift in a bottle?

TEPLITSKY: That's right, that's exactly right. In fact, a couple of people who come to me, they want to get younger, they want to look better, and they come to get the growth hormone replacement and the patient will have the surgery and I always tell them to wait for the surgery, because you may find that you do not need it and very often that is exactly right.

* * *

TURNER: Lily, hang in there, we're going gonna get to you. Ed stay there. We're going to get to Eric right now, Eric's on a cell phone. Hi, Eric, thanks for calling into the program.

* * *

ERIC: How do I order it?

TURNER: Okay, I was going to give you the number, here it is, 888 454 3224. And if you mention this broadcast they'll give you a very special offer if you order 2 bottles of Super HGH they'll give you a third one absolutely free, that's about

\$33 bucks a month, savings compared to the typical cost, there's some out there for \$80 to \$100 a month. There is 100% money back guarantee so at the end of 90 days, if you don't feel this has worked for you, send it back and get your money back. Plus make sure that you ask them for the book, "Ten Weeks to a Younger You," you'll get that absolutely free with your order as well but do mention this broadcast.

* * *

LILY: Hi, I was calling, I had the same question as Eric about where to get the product, I'm 48 and I've usually a lot of energy, but I want more mental energy.

TEPLITSKY: Well, it helps too, any kind of mental energy, that gets definitely better also. People say their memory improves, their retention improves, mood becomes better, even sleep becomes better, even vision improves, you know, anything has to do with the brain gets better.

* * *

TURNER: Doctor, through the use of the homeopathic spray, the Super HGH, what other types of benefits have you seen, through your practice?

TEPLITSKY: All sorts of benefits, and most of them, along the lines of the benefits that we have discussed previously, such as improved muscle tone, improved body shape because there is a loss of fat, loss of cellulite, you know, that cellulite that everyone is trying to do something about, this gets better, mental clarity, improved memory, improved retention, concentration, mood is better, sleep is better, vision improves, some people say there is regrowth of hair, didn't work for me—

TURNER: [chuckles]

TEPLITSKY: --I've been trying. Healing. Healing gets so much better, if you cut yourself, older people don't usually heal as fast as the younger one, it definitely gets better, I have so many people, well, not so many, close to 50, who got chronic bruises who got so much better, using the growth hormone, the function of internal organs, there are many studies showing let's say that people with congestive heart failure will benefit from growth hormone supplementation, heart gets better, heart muscle gets stronger, it pumps the blood better, a lot better, circulation improves, many people who are trying or struggling to keep their cholesterol normal find that it is a lot easier when they take the HGH. So these

are the findings that are pretty typical if you look at the studies of human growth hormone, you find that pretty much every aspect of human body, every function gets better when you supplement human growth hormone, and this is basically what I've seen in my practice as well.

* * *

TURNER: Doctor, thanks so much for all of your research, for being on with us today. We look forward to having you on again in another program.

TEPLITSKY: Thank you, Ron, always a pleasure.

* * *

NARRATOR: This concludes another American Health Radio Show.



Exhibit H

Physician's Choice E-Newsletter
A FREE publication by <http://www.PhysiciansChoice.net>

August 3, 2003

Issue 183

From the Desk of Michael Teplisky, M.D.

Hello my friend,

I hope this finds you in good health. Human Growth Hormones is getting a great deal of attention lately. Can it really do all it promises? Read on to find out just what the benefits to you can be!

Yours in Good Health,
Michael Teplisky, M.D.

* * *

HGH - Anti-Aging Secret

Who hasn't wished to turn back time? To feel stronger, lose that middle-aged spread, have fewer aches and pains, or just look a few years younger. For most of us, the ever-elusive fountain of youth remains a mystery, a myth. We find temporary ways to have these youth-restoring advantages for our outward appearance, but still search for ways to have that youthful exuberance inside.

Why not have it all? You can regain that energy and zest for life you once had and at an age when you can appreciate and make the most of it. As we get older we experience those pesky changes in appearance that we most hope to avoid. Our hair starts to thin out and our waist starts to thicken. We find our memory, concentration and libido (sex drive) subsiding and our aches, pains and wrinkled skin taking over our bodies. It is possible to grow older without aging.

Growing older simply means that you have lived more years. Aging means a slow deterioration of function, appearance and body composition. Aging is a process of

becoming frail, sick, weak and unable to take care of yourself, with death as the final outcome.

Well, let me share with you something so revolutionary that most people initially refuse to accept it: "getting older does not equal aging." What if I told you that you could grow older and not lose your present vitality, appearance and function? Or, if you are no longer young, that you could feel the way you did 10 to 20 years ago.

As Hormone Levels Decline, Health Can Too

One of the major contributing factors to the process of aging is the declining level of certain key hormones. Latest scientific research shows that the body's maintenance, repair and regulating systems are damaged as these hormones drop to low levels.

According to Vladimir Dilman, Ph.D., "hormones are vital for repairing and regulating our bodily functions. As we age... the body produces lower levels of hormones, which can result in disastrous effect, including the decline of self-repair and self-regulation" and also that increased hormonal levels "help to reset the body's hormonal clock and thus can reverse or delay the effects of aging."

By far the most important among these hormones is the Human Growth Hormone (HGH), which is produced naturally by the pituitary gland. This hormone was named "growth hormone" because the highest levels of production come during adolescence when our bodies grow at their fastest rate. Because of this link, HGH was initially used as a treatment for children who were failing to grow properly because of a hormone.

Later it was discovered that HGH affected more than normal growth patterns, it also regulated other body functions such as tissue repair, injury recover, cell replacement, organ health, bone strength, brain function and the overall health of nails, hair and skin. The single most abundant hormone produced in the body, HGH literally affects almost every cell in our bodies. It is effective in preventing and eliminating many common conditions resulting from aging such as decreases in flexibility, bone strength, and skin elasticity; hair loss and thinning; and decreases in the immune system and mental function, and sexual dysfunction. HGH is responsible for the health and vitality associated with our youth.

You Can Regain Your Youth

When we are teenagers our levels of HGH are at their highest - reaching 1,000 to 1,100 ng/ml between the ages of 12 and 16 years. By the age of 18 those levels can drop to 700, while those of 40-year-olds can sink to 400-500. By the time we reach the age of 55, HGH levels have fallen to an alarming 90-225. I have seen many 40 and 50 year olds whose levels were under 100!

In most studies concerning HGH, the goal was to achieve a level that is consistent with a healthy 40-year-old or somewhere around 400-500 ng/ml. It is safe to say that most people over 40 need some help in raising their HGH levels and if you are over 50, you definitely require supplementation.

One clinical study showed that 75% of those tested experienced an increase in potency and libido when HGH levels were effectively raised. HGH has come to be known as an aphrodisiac; restoring sexual potency and improving overall sexual function and greater ability to attain and enjoy orgasms. Women have reportedly experienced a marked

increase in arousal, enjoyment of sexual intercourse and the ability to achieve multiple orgasms. Men also experience increased arousal and libido. In addition, they have been able to attain more frequent, successful erections.

Numerous studies have shown that HGH promotes a feeling of wellness and vigor; many older couples who have successfully raised their HGH levels often report feeling like newlyweds again! Plus, this feeling of well-being is not limited to only physical qualities. Incredibly, even the symptoms of depression improve once HGH levels are successfully elevated. HGH helps uplift mood and improve mental focus, concentration and brings relief from stress. Raising your body's HGH levels may also help to reduce the frequency of illnesses requiring hospitalization and increase immune system function and longevity.

The decline of HGH, fortunately, is neither irreparable, nor permanent. We can now control our hormonal levels. Literally thousands of medical studies have shown that HGH may actually reverse the symptoms of what we think of as "normal aging." Edmund Chein, MD has said that HGH is "the only hormone that can actually reverse all the parameters of biological aging."

After six months of HGH supplements, HGH-deficient adults involved in a Swedish study, lost 20% body fat. Most of this fat loss occurred in the abdomen. Large amounts of abdominal fat are strongly correlated with increased incidences of heart attack, hypertension (high blood pressure) and diabetes. HGH increases the process of fat burning, utilizing fat as fuel for energy production. This helps speed up your metabolism, giving you more energy and helps to naturally slim down the hips, thighs, waist, buns and abdomen.

Thousands of studies confirm that HGH can prevent and even reverse the aging process. According to a study published in *The New England Journal of Medicine*, taking growth hormone for just six months produced the equivalent of 10 to 20 years of aging reversal.

Dr. Julian Whitaker of California prescribes HGH for his elderly patients and even takes it himself. "I have not seen anything that even comes close to the restorative power of HGH supplementation," Dr. Whitaker said. He further states that HGH is most effective in combating the effects of chronic diseases that involve muscle wasting: stroke, chronic obstructive pulmonary disease and even AIDS.

A study performed at the Palm Springs Life Extension Institute reported that significant improvements in new hair growth, skin appearance, muscle strength and mass, wound healing, joint flexibility, and arthritis symptoms were seen in participants after taking HGH supplements for as little as one month.

What Can HGH Actually Do for You?

Some established benefits of HGH:

- 14.4% average fat loss after only 6 month – without dieting
- 8.8% average increase in muscle mass after only 6 month – without exercising
- Younger, more elastic, thicker skin
- Re-growth and thickening of hair
- Disappearance of wrinkles

- Increase in energy levels
- Enhanced sexual performance
- Re-growth of heart, liver, spleen, kidneys and other organs that naturally shrink with age
- Greater cardiac output
- Superior immune function
- Increased ability to perform exercises
- Better function of the kidneys
- Lowered blood pressure
- Improved cholesterol profile – higher HDL (good) and lower LDL (bad) levels
- Stronger bones
- Faster healing of wounds
- Elimination of cellulite
- Sharper vision and hearing
- Faster wound repair
- Mood elevation and stability
- Improved sleep patterns and quality
- Increased memory retention

The word “hormone” may have negative connotations for many people. We’ve all heard too many stories about people using hormones indiscriminately and developing all kinds of problems as a result. However, there is a reason why the body goes to a great deal of trouble to produce various hormones. Hormones are essential to good health and longevity. It is not a coincidence that when we have the highest levels of hormones, usually in our 20s, we are also in the best of health.

Special organs, called endocrine glands, produce hormones in our bodies. Each hormone has a number of functions. Some hormones you may be more familiar with include estrogen, progesterone, testosterone, thyroid hormone and others. By far, the most important is HGH. It is produced by the pituitary gland and has such a wide range of beneficial effects on the body that some experts refer to it as “the fountain of youth.”

How Can You Boost Your HGH Levels?

A nutritional, low-fat and low-starch diet along with regular aerobic exercise will help promote HGH production. However, this is not enough to experience the age-reversing effects of HGH. The body must be stimulated into producing HGH levels similar to those when we were younger.

Until now, the only reliable way to increase your HGH levels was to take daily injections. Besides the incredible inconvenience, it was also quite expensive, costing as much as \$12,000 annually. Now, you can take advantage of a remarkable product that comes in an easy-to-swallow spray. **Super HGH™ Homeopathic Oral Spray** contains a special blend of nutrients that support your pituitary gland to naturally produce higher amounts of HGH. **Super HGH™ Homeopathic Oral Spray** is an effective combination of all-natural ingredients that are based on the most current scientific research. Whether your goal is to decrease fat, remove wrinkles, increase muscle, improve memory or

immune function, or to experience any of the many other health benefits associated with youthful levels of HGH, your optimum health is positively supported with **Super HGH™ Homeopathic Oral Spray**.

* * *

Your Personal Fountain of Youth

Super HGH™ Homeopathic Oral Spray effectively combines all of these nutrients and more into a single formula to support the goal of elevated HGH levels in your body. Whether your goal is to decrease fat, improve skin elasticity, improve your immune system, increase muscle, improve memory or experience one of the many other health benefits associated with youthful levels of HGH. **Super HGH™ Homeopathic Oral Spray** may help to provide the benefits you desire.

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PROCEEDINGS

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CD-ROM - FAT BLASTER

MALE ANNOUNCER: Welcome to the American Health Radio Show. Here's your host, Ron Turner.

RON TURNER: Well, welcome to the program. We've got a great show lined up for you today. Stay tuned, especially if you're interested in losing those extra pounds. Well, today, we're going to discuss ways that you can rid yourself of those love handles once and for all. In fact, by the end of this show, you're going to learn of a metabolic advantage that will allow you to lose weight -- are you ready for this -- regardless of your caloric intake.

Now, you'll succeed even though you may have always been hungry, tired, depressed, even unsuccessful in other diets, and you won't need willpower. Wow, sounds pretty amazing.

My guest today is Stephan Karian, Senior Editor of Great American Health and Nutrition, and Director of Research at Great American Products.

Stephan, thanks for being with us on the program.

STEPHAN KARIAN: Ron, it's a pleasure.

RON TURNER: Why is it so difficult for Americans to lose weight?

1 STEPHAN KARIAN: Well, I think the conventional
2 notion that we intake a greater amount of calories than
3 what we burn off is somewhat true, and I think there's,
4 you know, a lot of applications in that consideration as
5 far as weight loss is concerned.

6 But you know what, Ron, there is some
7 breakthrough information for people that have just been
8 frustrated, even though they've tried all these diets,
9 they've tried some of these low-calorie diets --

10 RON TURNER: Right.

11 STEPHAN KARIAN: -- and they found it just has
12 not worked.

13 * * *

14 STEPHAN KARIAN: . . . You need to reduce the
15 carbohydrate intake. And one of the ways that you can do
16 that, there's a specific nutrient called garcinia
17 cambogia. Are you familiar with it?

18 JULIO: No, I'm not.

19 STEPHAN KARIAN: Garcinia cambogia is a very
20 key component in helping to reduce this process. The
21 extract of the garcinia cambogia fruit is hydroxy citric
22 acid, which is known as HCA.

23 JULIO: Okay.

24 STEPHAN KARIAN: And HCA has been studied since
25 the early 1970s in reducing the conversion of glucose to
26 triglycerides, and if we can do that, we can reduce fat.
27 And significant studies -- Dr. Pontay (phonetic) out in

1 Hilton Head did a study with participants that showed
2 simply by supplementing with the garcinia extract with
3 some chromium, which also is a key to unlocking the
4 insulin resistance, at one point, when people get really
5 obese, what happens is the insulin is not even able to
6 convert your glucose into fat.

7 * * *

8 RON TURNER: Now, I can tell you, Julio, that
9 there is a product out there that Stephan has developed
10 and put together, actually, that includes this garcinia
11 cambogia --

12 JULIO: Uh-huh.

13 RON TURNER: -- and it's called Fat Blaster,
14 very simple. And you can pick that up. Let me give you
15 this 800 number.

16 JULIO: Sure.

17 RON TURNER: Do you -- you ready? Write this
18 down.

19 JULIO: Yes.

20 RON TURNER: It's 800 --

21 JULIO: 800.

22 RON TURNER: -- 242 --

23 JULIO: 242.

24 RON TURNER: -- 1223.

25 JULIO: 1223.

26 * * *

27 STEPHAN KARIAN: And another aspect about that,

1 in the Fat Blaster that Ron was talking about, not only
2 do you get your garcinia cambogia, but you also get
3 citrus aurantium. Studies have shown that it can help
4 increase your metabolism, the rate at which you burn off
5 calories --

6 RON TURNER: Um-hum.

7 STEPHAN KARIAN: -- metabolically without
8 making you jittery, without giving you any side effects
9 or any of that other stuff.

10 RON TURNER: Well, that's key.

11 STEPHAN KARIAN: That's very key.

12 RON TURNER: Yeah.

13 STEPHAN KARIAN: With the Fat Blaster, you can
14 eat the typical foods that you would not be able to eat
15 and you'll effectively be eating a lower carbohydrate
16 diet --

17 RON TURNER: Mmm.

18

19 STEPHAN KARIAN: -- because your body is taking
20 more of that glucose --

21 RON TURNER: Yeah.

22 STEPHAN KARIAN: -- converting it into
23 glycogen, which your body, over the years, has been more
24 resistant to do so.

25 RON TURNER: Yeah, yeah.

26 STEPHAN KARIAN: The results are fast. Now,
27 I'm not saying unhealthy fast, but dramatically fast.

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RON TURNER: Wow. Let's go to Serine. Hi, Serine, thanks for calling in. You have some amazing testimony here. Let's talk about your experience with Fat Blaster.

SERINE: Oh, Fat Blaster is awesome.

RON TURNER: Um-hum.

SERINE: It is -- I have tried everything, done everything. After I had my two children, I just could not seem to lose weight. And after trying the Fat Blaster, I have been on it going on two weeks now and I've almost lost 10 pounds.

RON TURNER: Wow.

STEPHAN KARIAN: That's amazing.

SERINE: Yeah.

RON TURNER: In how many weeks?

SERINE: Less than two weeks.

RON TURNER: Wow.

STEPHAN KARIAN: How fast did you notice results? When did you -- I mean, when did you start noticing it?

SERINE: Well, I actually started taking it religiously on a Wednesday.

RON TURNER: Um-hum.

SERINE: And by that Friday, I had lost four pounds.

RON TURNER: Wow.

1 STEPHAN KARIAN: It's significant, Ron.
2 SERINE: Oh, yes.
3 RON TURNER: Wow.
4 STEPHAN KARIAN: This is significant.
5 RON TURNER: Um-hum.
6 STEPHAN KARIAN: Not only will you help stop --
7 stop the production of fat in the body --
8 RON TURNER: Right.
9 STEPHAN KARIAN: -- but you'll have more energy
10 as well.
11 RON TURNER: What has it done for your energy?
12 Do you feel more perked up?
13 SERINE: Oh, definitely.
14 RON TURNER: Really?
15 SERINE: By the time I get home, I had been
16 dead to the world and couldn't do anything. But with
17 this, I actually -- can actually wash the clothes, feed
18 the kids.
19 RON TURNER: Oh, wow. So, after a full day's
20 work, you're still up and ready to go.
21 SERINE: Definitely.
22 RON TURNER: That's incredible, that's
23 wonderful. Now, so, you've been on it just less than two
24 weeks, you've lost 10 pounds. Have you changed what
25 you're eating?
26 SERINE: To tell you the truth, not really.
27 RON TURNER: Really?

1 SERINE: I still go to lunch with my friends at
2 work and we eat what we want and I just don't eat as much
3 of it. I'm just not as hungry.

4 RON TURNER: Um-hum.

5 SERINE: After taking it about 30 minutes
6 before my meals --

7 RON TURNER: Um-hum.

8 STEPHAN KARIAN: -- I might take about four or
9 five bites and I'm like, I really could do without that.

10 RON TURNER: Wow.

11 SERINE: But after a while, you just don't want
12 it anymore.

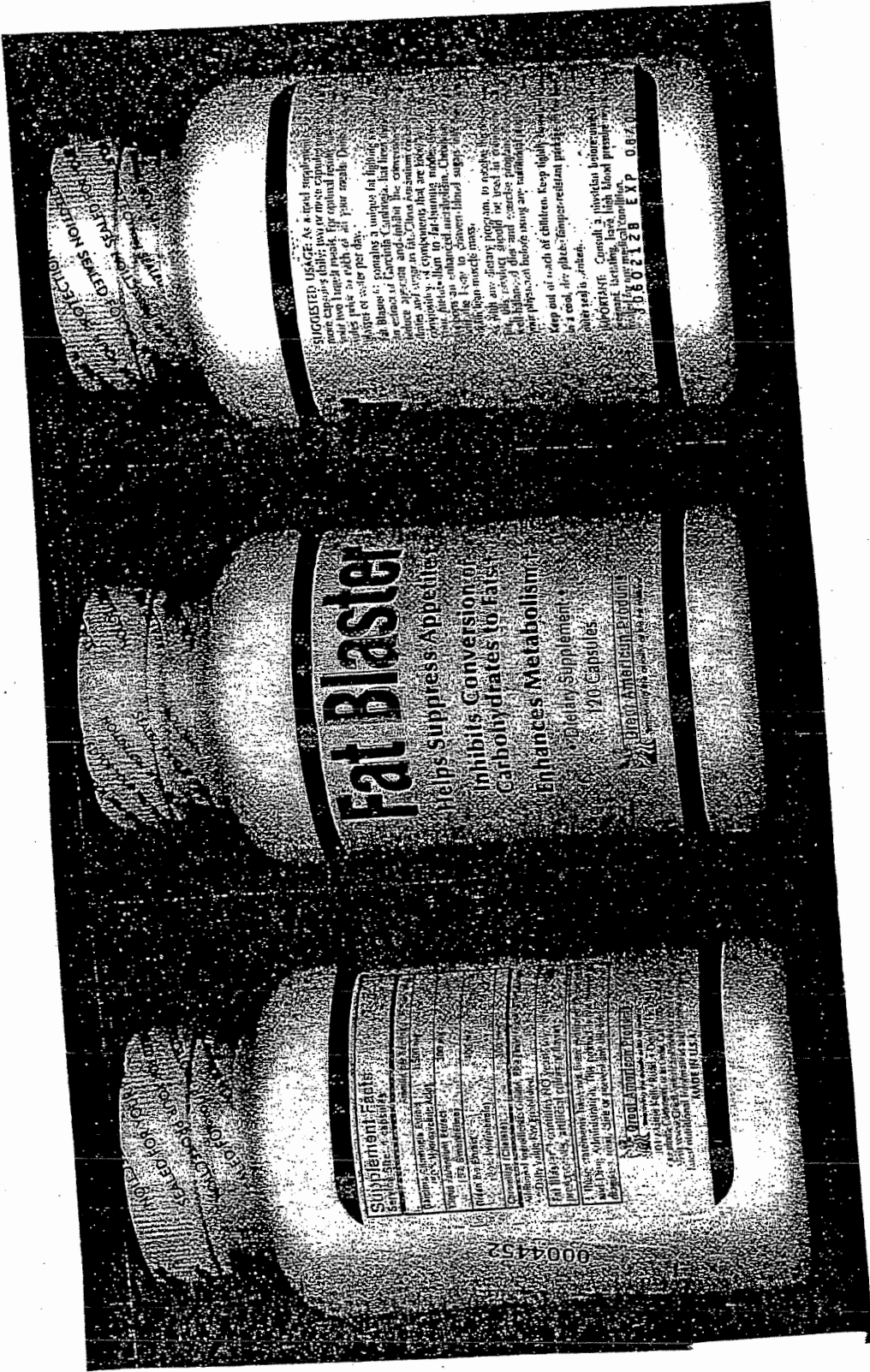
13 RON TURNER: So, it has, indeed, suppressed
14 your appetite?

15 SERINE: Oh, yeah, definitely.

16

17

18 * * *



SUGGESTED USAGE: As a food supplement, take one capsule daily, two or more capsules may be taken as needed, for optimal results, take one with each meal. Do not take capsules with coffee or alcohol. Do not take capsules with water per day.

Directions: Contains a unique fat burning formula that is clinically proven to increase metabolism and burn fat. Contains a unique formula that is clinically proven to increase metabolism and burn fat. Contains a unique formula that is clinically proven to increase metabolism and burn fat.

Keep out of reach of children. Keep tightly capped. Do not use if the plastic tamper-resistant cap is broken or missing. Contains 120 capsules. Net weight 1.25 oz (35.23 g).

Fat Blaster
 Helps Suppress Appetite
 Inhibits Conversion of Carbohydrates to Fat
 Enhances Metabolism
 Dietary Supplement
 120 Capsules
DIAN AMERICAN PRODUCT

Supplement Facts:

Proprietary Fat Burning Blend	100 mg
Proprietary Appetite Suppressant	50 mg
Proprietary Metabolism Enhancer	25 mg
Proprietary Fat Burning Blend	100 mg
Proprietary Appetite Suppressant	50 mg
Proprietary Metabolism Enhancer	25 mg

Fat Blaster contains 120 capsules. Each capsule contains 100 mg of the proprietary fat burning blend, 50 mg of the proprietary appetite suppressant, and 25 mg of the proprietary metabolism enhancer. **Fat Blaster** is a dietary supplement. It is not intended to diagnose, cure, mitigate, treat, or prevent any disease. It is not intended to be used in conjunction with any other dietary supplement or medication. **Fat Blaster** is a dietary supplement. It is not intended to diagnose, cure, mitigate, treat, or prevent any disease. It is not intended to be used in conjunction with any other dietary supplement or medication.

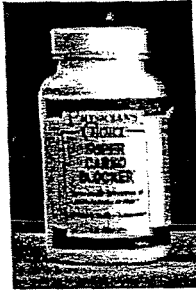
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Exhibit K

Products

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"Obesity: An American Epidemic"

Carbohydrates are the majority of the foods we eat – pasta, potatoes, white bread and rice. When our body digests carbohydrates they are converted first to sugar and then to energy and fat. Even though you may eat a low-fat diet, if the foods are high in carbohydrates, you may still actually gain fat rapidly.

Hydroxycitric Acid (HCA), found in a fruit called Garcinia Cambogia, has been shown to help inhibit the conversion of carbohydrates to fat. As a result, carbohydrates may get converted into energy more readily!

Along with Garcinia Cambogia, Citrus Aurantium (bitter orange extract) is a weight loss enhancer. It has a thermogenic effect, meaning the metabolic rate in the body is increased and more calories are burned.

Garcinia Cambogia and Citrus Aurantium combined with Chromium and Green Tea extract complete the breakthrough formula called **Super Carbo Blocker™**.

If you absolutely have to lose weight, try **Super Carbo Blocker™** today and take advantage of the Buy 2, Get 1 FREE special offer!

Related articles:

"Obesity: An American Epidemic"

Super Carbo Blocker™		
Suggested Use: Take 2 or more capsules with your 2 largest meals.		
120 capsules per bottle.		
4 capsules contain:		
	Amount	%
	Per Serving	DV
Garcinia Cambogia (50% HCA)	1,500 mg	*
Citrus Aurantium Extract (6% Synepherine)	300 mg	*
Chromium (chelate)	300 mcg	0
Green Tea Extract (20% Polyphenols)	400 mg	*
* Daily value not established.		

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Articles and Health Tips

Obesity: An American Epidemic

Obesity plagues the nation as a leading risk factor for heart disease, cancer, diabetes, hypertension and depression

Do you have a weight problem? You are not alone. An average American gains between one-half pound to one pound every year. According to some estimates, almost one out of every 3 adults in the United States (about 97 million people) are classified as overweight or obese.

This is almost double what it was in 1960, which means that more of us are getting heavier. An alarming trend is that weight problems begin earlier in life than ever before. Millions of kids are overweight and research shows that obese children are very likely to become obese adults.

Why this emphasis on obesity? For most people it's just a matter of not looking as good as they would like. The real problem of obesity is that it poses serious dangers to your health.

The Impact of Obesity on Health

Last year the American Heart Association (AHA) officially recognized obesity as a definite risk factor for heart disease. The National Heart, Lung and Blood Institute (NHLBI), after a 3-year review of medical studies, concluded that obesity is associated with:

- Cancer of the breast, uterus, prostate and colon
- Depression
- Diabetes
- Gallbladder disease
- Heart Disease
- Hypertension
- Elevated cholesterol and triglycerides
- Incontinence
- Osteoarthritis
- Pregnancy complications
- Sleep apnea

In other words, most of our life-threatening health problems are associated with excess weight. Shedding those extra pounds will not only help you look good, more importantly, it will help prevent serious medical conditions.

Treatment for Obesity

First of all, set realistic objectives. The latest guidelines reflect the goal of rapidly losing weight in a short period of time. The current recommendation is to achieve a 5-10% reduction in body weight over a six-month period and every six months thereafter until you've reached your ideal body weight.

A 5-10% weight reduction every six months is more achievable, sustainable and sufficient enough to reduce the risk of associated diseases. Gradual and steady weight loss will lead to better blood sugar control, lower blood pressure, decreased cholesterol and less stress on weight-bearing joints.

The next consideration is how do you actually lost the weight? Here we rely on the same tried and true method - eating less and exercising more to burn more calories. Unfortunately, this requires lifestyle changes. It takes a lot of patience, support and perseverance to make permanent changes.

What is the "Yo-Yo" Syndrome?

Most people have tried numerous diets without success. The dieting results in the dreaded "yo-yo" syndrome. The "yo-yo" syndrome begins when you start a diet, lose some weight, go off the diet and then gain back all of the weight you lost. Sometimes even more weight. Over time it becomes more and more difficult to lose even a few

reduction.

Clearly, this is not the way to do it. In order to lose 5-10% of your body weight over a six-month period you must, by definition, stick to the diet for six months. Since most of us will stop dieting after one or two months, we need help in order to see the results we desire most.

Appetite suppressing medications are popular because we need help in controlling food intake. Relying on drugs does not solve the problem. Often these over-the-counter and prescription medications work for a few weeks, becoming ineffective as the body learns to ignore them—a process known as tolerance.

Additionally, drugs have side effects, some quite serious, such as insomnia, nervousness, depression, high blood pressure and rapid heartbeat. Fen-phen had to be withdrawn by the Food and Drug Administration because it caused dangerous complications, including heart problems and pulmonary hypertension. However, there are real alternative diet aids that offer real benefits without any risks.

What to Look for in a Diet Aid...

When choosing a diet aid, it is extremely important to know what the ingredients of the product are and what actions they perform in the body. This is true for any dietary supplement you choose. For a weight loss aid to be effective it must:

1. Be completely harmless, even over long-term use
 2. Be physiological, in other words, work with the body instead of suppressing some vital metabolic process
- The good news is that a number of natural substances are available to help combat weight problems.

Chitosan: Fiber From the Sea

Chitosan is a special fiber found in the shell of shellfish like crabs and lobsters. Fiber and its use as a weight loss aid have been the topic of considerable study in the last several decades. Increasing dietary fiber intake naturally decreases fat intake, because fiber-rich foods are relatively low in fat and cholesterol. In addition, increasing fiber usually decreases LDL (bad cholesterol) and increases HDL (good cholesterol), reducing the risk of heart disease.

Just like plant fibers (brans, gums, pectin), Chitosan inhibits absorption of fat and bile acids, but it does so a lot more effectively. This happens because Chitosan has two unique properties:

- Unlike most plant fibers, it has a positive charge
- It is the only natural fiber that is soluble in the stomach

Since fats and bile acids have a negative charge, Chitosan actively attracts and binds them, making them unavailable for absorption. It actually binds up to 12 times its weight of lipids (fats). It's as if you are not eating the fat at all!

Eating less is a key factor in weight loss, lowering cholesterol and reducing the risk of heart disease. Even if you eat a regular diet, which for many of us is loaded with fat, the addition of Chitosan makes it a low-fat, low-calorie diet. The taste buds are happy because it tastes good, and the body is happy because less fat is absorbed.

Garcinia Cambogia: Nature's Perfect Diet Ingredient

Garcinia Cambogia is a sour fruit indigenous to southern Asia and India. It can help curb appetite, reduce food intake and inhibit the production of fats and cholesterol.

The people of India and Asia have used Garcinia for culinary and medicinal purposes for hundreds of years. The active ingredient in Garcinia is hydroxycitric acid (HCA), which is chemically very similar to the citric acid in citrus fruits, and it is considered just as harmless.

Why Does HCA Help Weight Loss?

Carbohydrates from food are broken down into the sugar glucose, which is used as a source of energy. Once the energy needs are fulfilled, glucose molecules are stored in the liver and muscles as glycogen, a special energy starch. When glycogen stores become full, extra glucose is converted into fat and cholesterol.

HCA reduces the syntheses of fat from carbohydrates by 40-70% and forces glucose to form additional glycogen. As glycogen levels increase, the body sends a satiety ("full") signal to the brain, which decreases appetite and food intake. In animal studies, HCA reduced food intake by about 10%.

HCA is not a stimulant; it works with the body's natural processes. As a result, it continues to be effective even with long term use and does not lead to the "yo-yo" syndrome.

Citrus Aurantium: A Natural Metabolism Booster

Citrus Aurantium, a fruit also known as bitter orange, has a long history of medicinal use. One recently discovered quality of Citrus Aurantium is its ability to stimulate the burning of fat within the body. This is known as thermogenesis, or production of heat from fat for energy.

Citrus Aurantium increases energy levels and stimulates the accelerated breakdown of fat, causing weight loss. This effect is enhanced even more by moderate physical activity.

Because Citrus Aurantium does not stimulate the brain, it is very safe and is not associated with adverse side effects. The role of Chromium in weight reduction

The body uses this mineral to produce a substance known as Glucose Tolerance Factor (GTF), which is important in regulating blood sugar and triglycerides. Chromium supplements are used to reduce cravings for sweets and carbohydrates, to increase muscle tone and elevate energy levels.

Now You Have a Choice

As you can see, it is possible to lose extra weight safely, reliably and permanently. All you need is a sensible diet, moderate physical activity and proven natural diet aids.

The choice of diet aid depends on the types of food you usually eat. If your diet is fairly high in fat, your best bet is the new Super Lipo Blocker™ that combines Chitosan, Vitamin C and Chromium.

If you eat a lot of carbohydrates (bread, pasta, potatoes), have not successfully lost weight on other programs, or hit a weight loss plateau, try Super Carbo Blocker™ that consists of Garcinia Cambogia, Citrus Aurantium, Chromium and Green Tea extract.

If your diet is both high in fats and carbohydrates, you may want to use both Super Lipo Blocker™ and Super Carbo Blocker™ together. Moderate exercise or any physical activity along with a sensible diet and plenty of water will enhance the effects of both Super Lipo Blocker™ and Super Carbo Blocker™. If you want to lose weight there is no better time to try Super Lipo Blocker™ and Super Carbo Blocker™.

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The Full Story:
"Are You Prepared For The Cold And Flu Season?"



Millions get sick during the cold and flu season. Where can you turn for help? Introducing the all-natural Ultimate Cold & Flu™ formula!

Natural Virus Protection

Wild Oregano, particularly its oil, has been used to help address cough, fever, chills, fatigue, congestion, sore throat, muscle aches and more. Wild Oregano oil has been used topically to help fight blemishes, yeast infections and used sublingually for added health protection. Olive Leaf has also been used in the fight against colds and fevers.

Special Offer!

When you order two bottles of Ultimate Cold & Flu™, you will receive a FREE bottle of Ultimate Wild Oregano Oil™ (\$29.95 value) for added protection!

The Full Story:
"Are You Prepared For The Cold And Flu Season?"

Ultimate Cold and Flu™	
Suggested Use: Take 1 capsule 3 times daily.	
90 capsules per bottle.	
3 capsules contain:	
Amount	%
Per Serving	%

- Ultimate HGH
- Master HGH Oral Spray
- Ultimate Slim
- Ultimate Slim 2
- Ultimate Slim PM
- CalAbsorb Plus
- CalAbsorb
- Coral CalAbsorb
- Ultra HA
- Master Youth Formula
- Ultimate Pain Restrain
- Ultimate Glucose Advantage
- Maximum Liver Advantage
- Essential Eye Support
- Ultimate Allergy Relief
- Passionex
- Snore Relieve
- ArthroMSM
- Master Detox Program
- Fat Blaster
- Fat Blaster System
- ChitoSlim
- SatinEsque
- Ultimate Wild Oregano Oil
- Ultimate Cold & Flu
- Green Spectrum
- Ultimate Hair, Skin & Nails
- Ultimate Slim Soy Protein Shakes
- Peak Libido
- Master Omega Oils
- Liquid Mineral Boost
- Arthritis Assist
- Arthritis Assist Pain Relief Cream
- Green Supreme Multi
- Digest Relief
- Oxygizer
- Osteo Assist
- Master Cell Protector
- Master Cell Protector Replenishing Cream
- harmony

Oregano 0.875% volatile oils (from extract)	600 mg	*
Olive Leaf 3% Oleuropein (from extract)	600 mg	*
Echinacea Angustifolia 4% Echonoside (from extract)	300 mg	*
Golden Seal 5% Hydrastine (from extract)	600 mg	*
Astragalus 0.4% Isoflavones	75 mg	*
Garlic Allicin 8000 Pure-Gar®	75 mg	*
Vitamin C	300 mg	500
Zinc (gluconate)	15 mg	100
Citrus Bioflavonoids	15 mg	*
* Daily value not established.		

- Female Balance
- Cholesterol Assist
- Prostate Assist
- Mood Assist
- ThermaSlim
- Sleep Assist
- Ultimate Memory
- Ultimate Cardio Program
- Valued Customer 99¢ Club
- Fat Blaster Gourmet Meal Bars

Ultimate Wild Oregano Oil™		
Suggested Use: 1 to 2 drops, 2-3 times daily.		
160 servings per container.		
1 serving contains:		
	Amount	%
	Per Serving	DV
Extra Virgin Olive Oil, Oregano Oil	0.085 ml	*
* Daily value not established.		



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Exhibit M, p. 2

Are You Prepared For The Cold And Flu Season?

Cough, sniffle and sneeze. If there's one thing you can generally count on every year, it's that sometime during the months of September through February, you will get sick at least once. Your throat will feel sore and scratchy, your nose will be either stuffy, runny or both, you'll sneeze uncontrollably, your body will ache and your head may feel disconnected from the rest of your body.

The peak of the season begins when the kids go back to school, sharing food, fun and germs. Then, it picks back up again with the stressful holiday season.

You Don't Have to Get Sick this Flu Season!

Infectious diseases are a main cause of illness, disability and death in America today. Recent surveys have found that about 90% of visits to the doctor are due to some type of infection.

Most adults suffer two to four colds each year while children come down with at least six to eight. Though colds and flus are usually not serious, they can cause much misery and suffering. As a result, the person that is sick is not the only one affected by their wretched condition. In addition, countless days of work are lost each year due to severe colds and flus alone!

Over 50,000 Americans, mainly elderly, die from the flu every year. Fortunately, these illnesses are largely preventable. Wouldn't it be nice to make it through the cold and flu season WITHOUT getting sick?

The Truth about OTC Drugs

Unfortunately, most people spend billions of dollars every year, buying over-the-counter (OTC) remedies to try to alleviate their cold and flu symptoms. The sad truth is, these drugs do very little to actually treat the cause of sickness - all they do is just mask the symptoms temporarily. Plus, OTC's can actually have negative side effects that may be worse than the symptoms that they were used to treat! Many sinus relief products, for example, can claim drowsiness as their main side effect. Most nasal sprays intended to hydrate and relieve stuffy noses could actually lead to dependence, making the nasal sinus tissues more dry and irritated than they were to begin with.

Children's remedies are no safer; in fact most children's cough syrups contain a significant amount of alcohol and sugar!

Can Your Doctor really Help?

Going to see your family physician will usually do you no better than using OTC drugs. Why? Because colds and flus are caused by viruses and for them there is no effective pharmaceutical treatment. Many doctors, however, will feel pressured by their patients to *do something* and will usually end up prescribing antibiotics - but they will do no good; antibiotics treat *bacteria*, not viruses!



In reality, this may actually do indirect harm, because the overuse and abuse of antibiotics is what is causing our bodies to become resistant to the very drugs created to help us. This is becoming increasingly serious, as bacteria constantly mutate to more and more dangerous strains of their former selves. Thus, our bodies' defenses are becoming weaker and more vulnerable as bacteria gain in strength. The outlook would appear much brighter if more physicians relied upon the antiseptics of nature.

Oregano: Nature's Protection

There exist in nature herbs that have been used for ages to help fight off and shorten the duration of various cold and flu symptoms.

Oregano possesses superior antimicrobial powers. It has been found in studies to have unsurpassed antiseptic qualities, making it a very effective pain killer.

Typical oregano, however, is not the same as that extracted from wild oregano for medicinal purposes. Your common store-bought or herb garden oregano is actually marjoram and thus does not equal wild oregano.

The extract derived from wild oregano is capable of bringing fast relief from various cold and flu symptoms, such as runny nose, congestion, chills, sore throat, ear aches, cough, fever, fatigue, stuffiness and muscle aches, because it is able

to kill the virus which is their cause - something antibiotics CANNOT. According to physician Cass Ingram, the oregano extract helps boost the function of the white blood cells, thus strengthening the immune system.

Other Cold-Fighting Herbs

There are other natural herbs that have traditionally been used to relieve the miserable symptoms of colds and flus. The olive leaf has been used medicinally since Biblical times! It is extremely useful in combatting fevers. In the 1960's, done at America's Upjohn pharmaceutical company found that the extract from the olive leaf was effective in fighting off several different viruses, most of which led to the common cold, by destroying them at the membrane level. This stops the virus in its tracks.

Native Americans have long used golden seal both as a tonic and to soothe sore throats. Recent studies have found that golden seal has antiviral qualities that help it to fight off infections.

Golden seal supports a strengthened immune system. Its active ingredients have been known to help reduce inflammation in mucous membranes, relieve pain and help prevent infection. Both garlic and echinacea are recognized as boosting the efficiency of golden seal.

Garlic has been used throughout history in a variety of ways; many medicinal in nature. It has been known to effectively kill the cold and flu viruses.

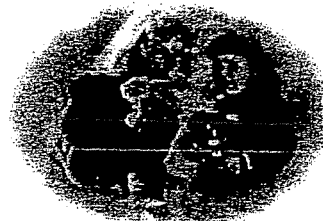
Allicin, a major component of garlic, is a powerful antioxidant. It has been proven to have incredible antiviral and antibacterial qualities. It may supercharge your immune system and help protect you from "germ warfare." Says Dr. Gilles Eillion, "Eating garlic may just make you feel better."

Echinacea was utilized by the Native Americans. They used it for its anti-inflammatory qualities, plus as an immune system booster. This helped them to help fight off and banish colds and flus. Astragalus is also known as the Chinese herb Huang Qi. It is a main constituent of Ancient Chinese medicine.

Astragalus is used to help fight fatigue, improve immune system weakness and fight internal infections.

Zinc has been proven to have strong antiviral qualities. Evidence suggests that zinc may significantly shorten the frequency, duration and severity of colds and flus.

Vitamin C has long been used to aid in the prevention of colds and flus. It helps boost the immune system, providing better protection against viruses.



A Powerful Cold-Fighting Formula!

Now there's a great new way to stay healthy, naturally - *despite* the germs in the air around you. Ultimate Cold and Flu™ formula combines Oregano, Golden Seal, Garlic, Echinacea, Astragalus, Olive Leaf, Zinc and Vitamin C to create a powerful, all-natural cold and flu protectant!

The Ultimate Cold and Flu™ formula supports a strengthened immune system, helping you to remain healthy throughout the cold and flu season - or anytime! Utilize the knowledge of ancient peoples and avoid the miserable symptoms that will affect so many thousands - even *millions* - of others this year. You don't have to suffer with the aches, pains, coughing, sneezing, fever, runny nose and sore throat that can be so painful.

Additional Protection!

The oil of wild oregano is extremely potent in its antiviral, antibacterial and antiseptic (pain-killing) properties, helping you to fight off attack from illness. Wild oregano oil has been used to quiet coughs, fight infections (viral and bacterial) and combat fevers. Many have used it for protection against colds and flus. In addition, according to a study published in the *International Journal of Food Microbiology*, oregano oil was found to inhibit the growth of all fungi tested, with only a minute concentration! Simply place 1-2 drops under your tongue for maximum absorption.

A One - Two Punch Against Colds & Flus!

Are You Prepared?

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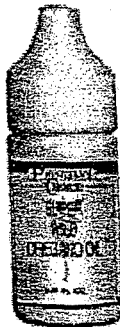
Don't let this season leave you sick and tired. With the Ultimate Cold and Flu™ formula and the Ultimate Wild Oregano Oil™, you and your loved ones can get the ultimate natural protection. Ideally, use Ultimate Cold and Flu™ formula and the Ultimate Wild Oregano Oil™ together to give you a one - two punch a-against colds and flus.

Products

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Only \$59.90! (reg.\$89.85)



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1 bottle - \$29.95

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Related articles:

Protect Yourself From Colds And Flu!

Natural Virus Protection

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Protect Yourself From Colds And Flu!

Super Wild Oregano Oil™		
Suggested Use: 1 to 2 drops, 2-3 times daily.		
160 servings per container.		
1 serving contains:		
	Amount Per Serving	% DV
Extra Virgin Olive Oil, Oregano Oil	0.085 ml	*
* Daily value not established.		

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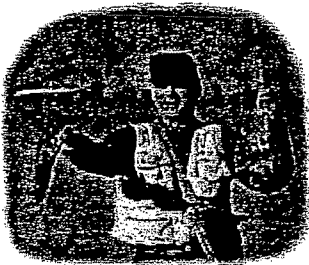
Exhibit N, p. 1

Articles and Health Tips

Protect Yourself From Colds And Flu!

As the summer ends, another season - the cold and flu season - begins. Most people will suffer 1 to 3 colds a year, usually during early September and late April. Doctors call them "viral upper respiratory infections" or "acute viral nasopharyngitis" because big words always sound impressive to patients.

Colds may be caused by any one of over 200 viruses that cause inflammation in the mucous linings of the nose and throat. They are more common in winter, possibly because the indoor heating dries out our nasal passages, which makes them more susceptible to cold and flu viruses. The familiar symptoms - nasal congestion, sneezing, coughing, runny nose, watery eyes and a sore throat - usually develop a day or two after exposure to the virus. The infection normally lasts about a week to 10 days. The symptoms are not caused by the virus itself, but by your body's attempts to get rid of the virus.



In addition to the hundreds of cold viruses, there are dozens of the viruses that cause flu or influenza. Flu symptoms are similar to those produced by the cold virus - coughing, sneezing, muscle aches, fatigue, fever and gastrointestinal distress. One or more flu virus will certainly make an appearance during this winter season.

Over 90 million Americans contract the flu every year at a cost of about 70 million lost work days and an annual \$12 billion in lost production during epidemics. Thankfully, most flu sufferers will recover after one to two weeks, but according to the Centers for Disease Control and Prevention (CDC) there are approximately 20,000 deaths in an average flu season.

Do Drugs Really Work against Colds and Flu?

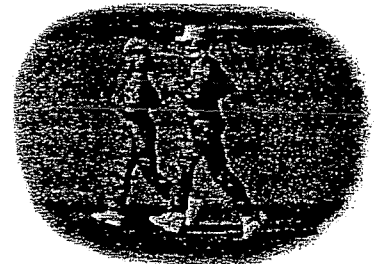
Cold and flu sufferers spend billions of dollars yearly on various over-the-counter medications that are designed to suppress cold symptoms. But since the symptoms actually represent your body's efforts to eliminate the virus, the conventional cold remedies that try to suppress the fever, runny nose, sneezing and coughing simply don't make any sense. Antibiotics, often requested by patients themselves, make even less sense because they fight bacteria, not viruses. These medications are not only useless, they are often harmful and even dangerous. They can cause a number of side effects, including drowsiness, elevation of blood pressure and increased chance of an allergic reaction. Some, especially nasal sprays, are addictive and can lead to dependence.

Medical doctors are usually not very helpful either. Feeling pressured to provide some kind of treatment, they prescribe useless cough suppressants, nasal decongestants and even antibiotics that are completely useless against viruses. This practice is the main reason for the increasingly common problem of bacterial resistance, when even the most potent antibiotics become powerless against the bacteria.

Natural Protection against the Viruses

Fortunately, there are a number of natural substances that help the immune system fight the viruses causing colds and flu. They have been used in folk medicine long before the first antibiotic was even discovered.

Wild Oregano possesses superior antimicrobial powers, capable of bringing fast relief from cold and flu symptoms (runny nose, congestion, chills, sore throat, ear aches, cough, fever, fatigue, stuffiness and muscle aches) because it is able to kill the virus which is their cause. Oregano oil has incredible antiviral, antibacterial and antifungal effects. Studies show it also has unrivaled antiseptic (pain-killing) qualities. Many studies have shown that oregano oil can improve the symptoms and shorten the duration of the common cold and flu. Plus, as discussed in Dr. Cass Ingram's *The Cure is in the Cupboard: How to Use Oregano for Better Health*, oregano oil has been proven effective against a variety of microorganisms. The best part is that oregano oil is completely non-toxic and does not cause any side effects.



The **Olive Leaf** has the distinction of being one of the few medicinal plants mentioned in the Bible. Studies show that Olive Leaf extract is a potent antimicrobial that has inhibited the growth of every human pathogen it has been tested against, including viruses, bacteria, protozoa, fungi and yeast.

Echinacea has a rich tradition of use by North American Indians who used it medicinally more than any other plant. Echinacea stimulates the overall activity of the cells responsible for fighting all kinds of infection. In other words, it stimulates the immune system.

It is more efficient in attacking bacteria, viruses and abnormal cells; including cancer cells.

Today millions of Europeans use Echinacea as their primary therapy for colds, flu, infections, and for general immune-boosting effects. The main uses of Echinacea include: colds, coughs and flu and other upper respiratory conditions, enlarged lymph nodes and sore throat.

Golden Seal has been used for centuries in herbal medicine. Golden Seal has antiviral, antibacterial and anti-inflammatory properties. It soothes irritated mucus membranes, aiding the eyes, ears, nose and throat. Taken at the first signs of respiratory problems, Golden Seal may help prevent further symptoms from developing. It may be used to help reduce fevers and relieve congestion and excess mucus.

Garlic (*Allium sativum*) has been used since the days of the Egyptians to treat wounds, infections, tumors, and intestinal parasites. Modern scientific research confirms the benefits of these and other ancient uses for garlic.

The Allicin in Garlic is responsible for many of its healing properties. It stimulates the immune system, increasing the activity of white blood cells that fight foreign organisms, such as viruses, bacteria, and yeast. Garlic is particularly effective in treating upper respiratory viral infections due to its immune-enhancing properties and its ability to clear mucous from the lungs.

Astragalus is a Chinese herb that has traditionally been used to strengthen the Wei Ch'i, or immune system. It is regarded as a potent tonic for increasing energy levels and stimulating the immune function. It has been proven effective in cases of colds, flu and even cancer. *American Cancer Society* reported that it restored immune functions in 90% of the cancer patients studied. It improves the white cell function and general resistance to infection.

The effect of the mineral **Zinc** on the immune system is well known. According to medical studies, it can reduce the average duration of colds by 7 days and decrease the severity of all cold symptoms to virtually nonexistent after the third day!

Vitamin C is well known for its ability to fight viruses and bacteria by stimulating the white cells, which are the "soldiers" of the immune system. Vitamin may be the most important antioxidant when it comes to immune system function. It works well with other immune activators and does not cause any side effects.

You Don't have to Suffer from Colds and Flu!

Now you can protect yourself and strengthen your immune system with the **Super Cold and Flu™** formula. It scientifically combines Oregano (extract), Olive Leaf (extract), Garlic (allicin), Echinacea, Astragalus, Golden Seal, Zinc and Vitamin C to help your body fight viruses and bacteria. This combination works synergistically, increasing the effects of every component to help strengthen your immune system, resulting in the ultimate protection.

Special Introductory Offer!

As a special introductory offer, when you order two bottles of **Super Cold and Flu™** formula, for added protection, you will receive a one-month supply of **Super Wild Oregano Oil™ Absolutely FREE!** Call 1-800-324-5257 and guard your family's health with **Super Cold and Flu™** and **Super Wild Oregano Oil™**. Say "good bye" to colds and flu today!

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