



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

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**HARRY SISKIND PLEADS GUILTY TO MAKING FALSE STATEMENT
IN DEPOSITION TO FEDERAL TRADE COMMISSION**

United States Attorney Johnny Sutton announced that in San Antonio this morning, 53-year-old Harry Siskind, former CEO of Mark Nutritional Incorporated (MNI), which did business as Body Solutions, pleaded guilty to making a false statement to the Federal Trade Commission. As a result, Siskind faces up to five years in federal prison, a maximum \$250,000 fine and \$155 million restitution, the amount of a stipulated judgement the FTC has against Siskind. Sentencing is scheduled for 9:30am on August 28, 2008, before United States District Judge Orlando Garcia.

Appearing before United States Magistrate Judge Nancy Stein Nowak, Siskind admitted that on June 23, 2003, during a deposition taken by the FTC in connection with the FTC's lawsuit against himself, MNI and others, he knowingly made a materially false statement/representation to authorities regarding his assets.

MNI, Siskind, and others are being sued by the FTC due to the marketing claims made by Body Solutions that drinking its "Evening Solution" weight loss product would cause users to lose substantial weight without diet or exercise. In connection with the FTC's lawsuit, and a related bankruptcy case, the FTC took a sworn deposition of Siskind. Of material concern to the FTC was the nature, location and valuation of any and all assets "owned or controlled, directly or indirectly, in whole or in part by" Siskind. The United States District Court ordered Siskind to disclose such information. In the deposition, under oath, Siskind falsely stated that certain assets owned by him were valueless stock when in fact they were valuable loans owed to him which he expected to be repaid.

This case was referred by the United States Trustee's Office in San Antonio, Texas, and was investigated by the Federal Trade Commission together with the Federal Bureau of Investigation. Assistant United States Attorney William R. Harris and Special Assistant United States Attorney Pat S. Layng of the Criminal Enforcement Unit, United States Trustee Program are prosecuting this case on behalf of the Government.

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