



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

In the Matter of)
)
POM WONDERFUL LLC and)
ROLL INTERNATIONAL CORP.,)
companies, and)
)
STEWART A. RESNICK,)
LYNDA RAE RESNICK, and)
MATTHEW TUPPER, individually and)
as officers of the companies.)

Docket No. 9344
Public Document

RESPONDENTS' PRELIMINARY WITNESS LIST

Pursuant to the Court's Scheduling Order, dated October 26, 2010, Respondents hereby submit their Preliminary Witness List identifying individuals who may testify in Respondents' case (excluding expert witnesses and rebuttal expert witnesses) and a description of their proposed testimony.

The information disclosed herein is based upon the information reasonably available to Respondents at the current time. Without prejudicing Respondents' ability to supplement this Preliminary Witness List at a later time in Respondents' Expert Witness List and Respondents' Final Proposed Witness List, Respondents hereby offer their Preliminary Witness List. Identification of witnesses on this list is not a commitment that Respondents will call these witnesses at the evidentiary hearing or will designate any testimony for use at the hearing.

Respondents' Preliminary Witness List

- 1. Stewart Resnick

Proposed Testimony: Respondents anticipate that Mr. Resnick will testify regarding Respondents' defenses, the core values and mission of POM Wonderful LLC, POM's history, business operations, and practices, the operations of Roll International Corporation,

Respondents' research regarding pomegranate juice, Respondents' commitment to research and development, including the scientific study of pomegranates and the economics of funding such research.

2. Lynda Resnick

Proposed Testimony: Respondents anticipate that Ms. Resnick will testify regarding Respondents' defenses, POM's founding, POM's initial research and marketing, POM's business practices, and Respondents' commitment to research and development, including to the scientific study of pomegranates.

3. Matthew Tupper, President POM Wonderful LLC

Proposed Testimony: Respondents anticipate that Mr. Tupper will testify regarding Respondents' defenses, POM's branded juice products, Respondents' research regarding pomegranate juice, POM's costs to produce, market, and distribute its branded juice products, Respondents' costs of research programs, the core mission and values of POM Wonderful LLC, and Respondents' commitment to research and development, including to the scientific study of pomegranates.

4. Brad Gillespie

Proposed Testimony: Respondents anticipate that Mr. Gillespie will testify regarding Respondents' defenses, including the scientific support for the benefits of POM products, Respondents' commitment to research and development, including to the scientific study of pomegranates, and Respondents' interactions with scientists.

5. Michael Perdigao

Proposed Testimony: Respondents anticipate that Mr. Perdigao will testify regarding Respondents' advertising and other of Respondents' defenses.

6. Harley Liker, M.D., David Geffen School of Medicine at UCLA; Outside Medical Director, POM Wonderful LLC

Proposed Testimony: Respondents anticipate that Dr. Liker will testify regarding his participation in and support of research and development regarding pomegranates and POM products, and Respondents' commitment to research and development, including to the scientific study of pomegranates.

7. Mark Dreher, former POM Wonderful employee

Proposed Testimony: Respondents anticipate that Mr. Dreher will testify regarding Respondents' defenses, the scientific research supporting POM's products and advertising and marketing claims, and Respondents' interactions with scientists and researchers.

8. Risa Schulman, former POM Wonderful LLC employee

Proposed Testimony: Respondents anticipate that Dr. Schulman will testify regarding Respondents' defenses, the scientific research supporting Respondents' marketing and advertising, and Respondents' commitment to research and development, including to the scientific research and study of the pomegranate.

9. National Institute of Health (Individual to be determined)

Proposed Testimony: Respondents anticipate that a representative from the National Institute of Health will testify about research regarding pomegranates and pomegranate products.

10. David Heber

Proposed Testimony: Respondents anticipate that Dr. Heber will testify regarding his scientific research regarding pomegranates and POM products and his communications and interactions with Respondents.

11. Michael Aviram, PhD Head, Lipid Research Laboratory, Rambam Medical Center and Technion Faculty of Medicine Bat-Galim

Proposed Testimony: Respondents anticipate that Dr. Aviram will testify regarding Respondents' defenses, his research regarding pomegranates and POM products, and his interactions with Respondents.

12. Michael Carducci, M.D., Professor in Oncology and Urology, Johns Hopkins Medical Institutions

Proposed Testimony: Respondents anticipate Dr. Carducci to testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

13. Michael Davidson, MD, Radiant Research, Inc.

Proposed Testimony: Respondents anticipate that Dr. Davidson will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

14. Christopher Forest, Assistant Professor of Clinical Family Medicine, Keck School of Medicine, University of Southern California

Proposed Testimony: Respondents anticipate that Dr. Forrest will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

15. Dr. Harin Padma-Nathan

Proposed Testimony: Respondents anticipate that Dr. Padma-Nathan will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

16. Dr. James Hill, MD, Professor of Pediatrics and Medicine, Director, Center for Human Nutrition, University of Colorado Denver

Proposed Testimony: Respondents anticipate that Dr. Hill will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

17. Dr. Kristen Hirsch, Sr. Professional Research Assistant, Center for Human Nutrition, University of Colorado Denver

Proposed Testimony: Respondents anticipate that Dr. Hirsch will testify regarding her research regarding pomegranates and POM products and her interactions with Respondents.

18. Dr. Allan Pantuck, Assistant Professor, Department of Urology, UCLA

Proposed Testimony: Respondents anticipate that Dr. Pantuck will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

19. Dr. Dean Ornish, Preventive Medicine Research Institute

Proposed Testimony: Respondents anticipate that Dr. Ornish will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

20. Louis Ignarro

Proposed Testimony: Respondents anticipate that Dr. Ignarro will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

21. Michael Sumner, Research Manager, University of California Berkley School of Law

Proposed Testimony: Respondents anticipate that Dr. Sumner will testify regarding his research regarding pomegranates and POM products and his interactions with Respondents.

22. Accelovance Inc. representative; Individual To Be Determined

Proposed Testimony: Respondents anticipate that a representative from Accelovance Inc. will testify regarding their work regarding POM products.

23. Gregory Bovitz or other representative, Bovitz Research Group

Proposed Testimony: Respondents anticipate that a representative of Bovitz Research Group will testify about the work performed regarding POM products and communications and interactions with the Respondents.

24. Bob Bryant, Senior Vice President and Chief Financial Officer, Roll International Corp.

Proposed Testimony: Respondents anticipate Mr. Bryant will testify about his work regarding POM products, the nature of the corporate relationship between and among Respondents, and other of Respondents' defenses.

25. Robert deGroof, PhD, Keystone Scientific Management

Proposed Testimony: Respondents anticipate Dr. deGroof will testify regarding his work and research regarding pomegranates and POM products and his communications and interactions with Respondents.

26. Alice Gold, OTX

Proposed Testimony: Respondents anticipate that Ms. Gold will testify about her work regarding POM products.

27. Staci Glovsky, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate that Ms. Glovsky will testify about her work regarding POM products and Respondents' defenses.

28. Sarah Hemmati, Chief Financial Officer, POM Wonderful LLC

Proposed Testimony: Respondents anticipate that Ms. Hematti will testify about her work regarding POM products, including expenditures relating to POM products, and other of Respondents' defenses.

29. Pam Holmgren, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate Ms. Holmgren will testify about her work regarding POM products.

30. Kazem M. Azadzo

Proposed Testimony: Respondents anticipate Dr. Azadzo will testify regarding his research regarding pomegranates and POM products and other of Respondents' defenses.

31. David Kessler, M.D., Professor of Pediatrics, Epidemiology, and Biostatistics, University of California at San Francisco

Proposed Testimony: Respondents anticipate Dr. Kessler will testify about his knowledge of POM products and the health benefits of such products.

32. Diane Kuyoomjian, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate that Ms. Kuyoomjian will testify regarding her work regarding POM products.

33. Monique McLaws, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate Ms. McLaws will testify about regarding her work regarding POM products.

34. Roni Pfeffer, POM Wonderful LLC

Proposed Testimony: Respondents anticipate Ms. Pfeffer will testify regarding her work regarding POM products.

35. Fiona Posell, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate Ms. Posell will testify regarding her work regarding POM products.

36. Jess Reed, PhD, Professor, Animal Science, University of Wisconsin-Madison

Proposed Testimony: We anticipate Jess Reed will testify about his research regarding pomegranates and POM products and his interactions with Respondents.

37. John Regal, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate John Regal will testify about his work regarding POM products.

38. Jeff Rushton, Former POM Wonderful Employee

Proposed Testimony: Respondents anticipate Mr. Rushton will testify about his work regarding POM products.

39. Paul Sheppard, Vice President, General Manager, Beverages, POM Wonderful LLC

Proposed Testimony: Respondents anticipate Mr. Sheppard will testify about his work regarding POM products, including POM's costs to produce, market, and distribute its branded juice products, POM's sales, and POM's business practices.

40. Martin Shreeves, Director, Medical Outreach Marketing, POM Wonderful LLC

Proposed Testimony: Respondents anticipate Mr. Shreeves will testify about his work regarding POM products.

41. Jennifer Stein Simms, Former POM Wonderful and Roll International Employee

Proposed Testimony: We anticipate Ms. Simms will testify about her work regarding POM products.

42. Kurt Vetter

Proposed Testimony: Respondents anticipate that Mr. Vetter will testify regarding his work regarding POM products, including the sales of POM products.

43. Malcolm Knight, POM Wonderful Employee

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Counsel for Respondents

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*Counsel for Respondents Stewart Resnick
and Lynda Rae Resnick*

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

COMMISSIONERS: Jon Leibowitz, Chairman
 William E. Kovacic
 J. Thomas Rosch
 Edith Ramirez
 Julie Brill

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| companies, and |) | Docket No. 9344 |
| |) | PUBLIC |
| |) | |
| STEWART A. RESNICK, |) | |
| LYNDA RAE RESNICK, and |) | |
| MATTHEW TUPPER, individually and |) | |
| as officers of the companies. |) | |

CERTIFICATE OF SERVICE

I hereby certify that this is a true and correct copy of the Respondents' Preliminary Witness List, and that on this 15th day of December, 2010, I caused the foregoing to be served by hand delivery and e-mail on the following:

Donald S. Clark
The Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Rm. H-135
Washington, DC 20580

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

I hereby certify that this is a true and correct copy of the Respondents' Preliminary Witness List, and that on this 15th day of December, 2010, I caused the foregoing to be served by e-mail on the following:

Mary Engle
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*Counsel for Respondents Stewart Resnick
and Lynda Rae Resnick*

Dated: December 15, 2010