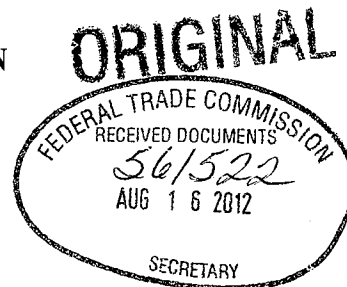


UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: **Jon Leibowitz, Chairman**
 J. Thomas Rosch
 Edith Ramirez
 Julie Brill
 Maureen K. Ohlhausen

In the Matter of)

POM WONDERFUL LLC and)
ROLL GLOBAL LLC,)
as successor in interest to)
Roll International Corporation,)
 companies, and)

Docket No. 9344

STEWART A. RESNICK,)
LYNDA RAE RESNICK, and)
MATTHEW TUPPER, individually and)
 as officers of the companies.)

PUBLIC

**COMPLAINT COUNSEL'S COMPILATION OF MATERIALS
TO PRESENT DURING ORAL ARGUMENT**

David C. Vladeck
Director

Mary K. Engle
Associate Director

Heather Hipsley
Assistant Director

Mary L. Johnson
Serena Viswanathan
Tawana E. Davis
Janet M. Evans
Michael F. Ostheimer
Elizabeth K. Nach
Devin W. Domond
Andrew D. Wone

Federal Trade Commission
Bureau of Consumer Protection
Division of Advertising Practices
600 Pennsylvania Ave., N.W., NJ-3212
Washington, D.C. 20580
Telephone: (202) 326-3090
Facsimile: (202) 326-3259

Counsel Supporting the Complaint

Dated: August 16, 2012

2003

2004

2005

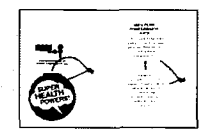
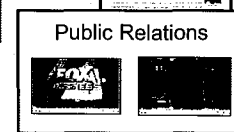
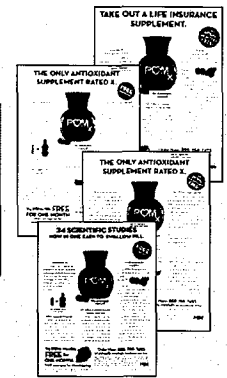
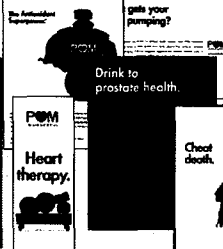
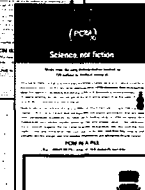
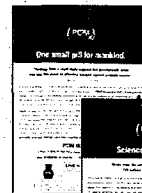
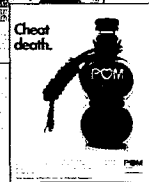
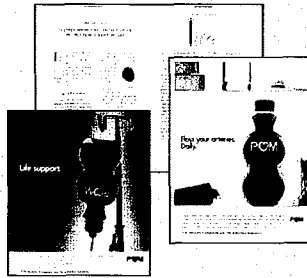
2006

2007

2008

2009

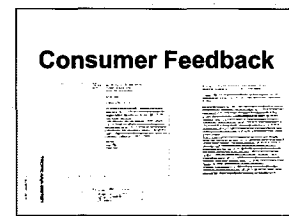
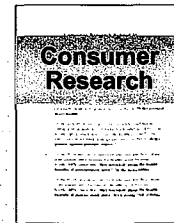
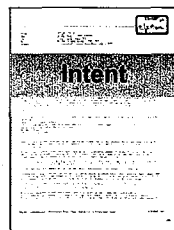
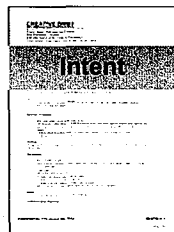
2010



CLAIMS: Heart

CLAIMS: Prostate

CLAIMS: ED

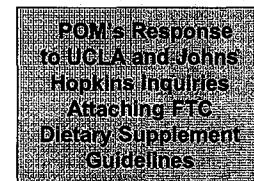
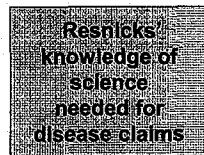
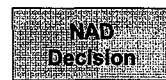


SCIENCE: Heart

SCIENCE: Prostate



SCIENCE: ED



CX0016

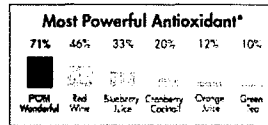
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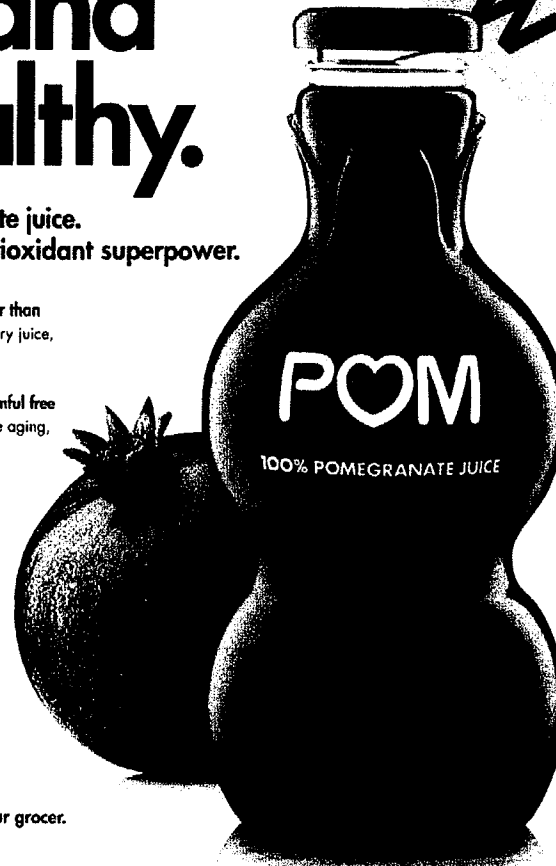
Drink and be healthy.

100% all-natural pomegranate juice.
 The delicious, refreshing antioxidant superpower.

- More naturally occurring antioxidant power than any other drink, including red wine, blueberry juice, cranberry juice, orange juice and green tea.
- Antioxidants guard your body against harmful free radicals that can cause heart disease, premature aging, Alzheimer's disease, even cancer.



- Medical studies have shown that drinking 8oz. of POM Wonderful pomegranate juice daily minimizes factors that lead to atherosclerosis (plaque buildup in the arteries), a major cause of heart disease.



In the refrigerated produce section of your grocer.
www.pomwonderful.com

*Chart compares ability of various juices to eliminate harmful free radicals, with one % of free radicals eliminated. Source: Aronow, M., Bethman Faculty of Medicine, Clark on file.

MFR. COUPON EXP. 02.29.04



SAVE \$1⁰⁰


on any flavor, any size

POM Wonderful.

100% Pomegranate Pomegranate Tangerine
 Pomegranate Blueberry Pomegranate Cherry

In the refrigerated produce section

RETAILER: This will reimburse you the face value of this coupon plus 8 cents handling provided you and the consumer have consulted with the terms of this offer. Instant gratifying purchase of sufficient stock of our brand to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon valid where prohibited, taxed or restricted. Consumers must pay any sales tax. Cash value 1/45 cent. Exp. 2/29/04. This coupon is equally prohibited. Mail coupons to: POM Wonderful, LLC, c/o UPS Dept 24150, One Fowling Drive, Dal Rio, TX 78840. POM Wonderful is a registered trademark of POM Wonderful, LLC. ©2003 POM Wonderful, LLC. All rights reserved.



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CX0029

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POMEGRANATE JUICE.

**STUDIES SHOW THAT 10 OUT OF 10
PEOPLE DON'T WANT TO DIE**

IT'S NOT EASY BEING ALIVE IN TODAY'S POLLUTED, STRESSED OUT WORLD. Here's a tip: with more naturally occurring antioxidant power than any other drink, a glass of POM Wonderful® Pomegranate Juice a day might be just what the doctor ordered.

Fighting Free Radicals

Let's start with the problem: free radicals...unstable little molecules that can accelerate aging, lead to heart disease and stroke, and have even been implicated in cancer. Where do they come from? Everywhere. Free radicals are formed by exposure to air pollution, alcohol, pesticides, sunlight, tobacco smoke, drugs, even fried foods. Of course, when you're very young, your

body's self-repair mechanism can neutralize the activity of many free radicals. But by the time you're in your twenties, those mechanisms just don't work as well. That's where antioxidants come in.



fig. 1 THE HEART

They neutralize free radicals, helping to prevent the cell and tissue damage that leads to disease. Which brings us back to POM Wonderful Pomegranate Juice.

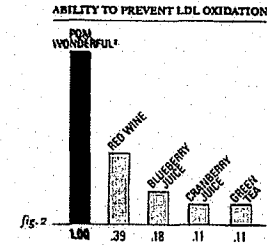
Not All Antioxidants are Equal

Since our bodies don't produce enough antioxidants to do the job on their own, we need a little outside help. POM Wonderful Pomegranate Juice, with a higher

In the refrigerated produce section of your grocer.

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advertisement



level of antioxidants than any other drink, is a real Antioxidant Superpower.TM

Our Research: Heartening

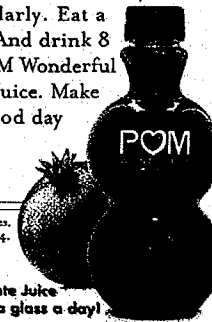
We've been working with a number of top scientists, including a Nobel Laureate, for 6 years now and our seven published, peer-reviewed papers reveal heartening results. Here's the story: Free radicals are the culprits that turn LDL – or "bad" cholesterol – into that sticky stuff that becomes the plaque that clogs your arteries. Our scientific research shows that pomegranate juice is 8 times better than green tea at preventing formation of oxidized (sticky) LDL!⁴ And a clinical pilot study shows that an 8 oz. glass of POM Wonderful 100% Pomegranate Juice, consumed daily, reduces plaque in the arteries up to 30%.²

The Heart Stopping Truth

Remember: heart disease is America's number one killer. For women as well as men. 98% of heart attacks are due to atherosclerosis, or too much plaque in the arteries. That same plaque increases your chance of stroke. One final scary statistic: half of patients who have a severe heart attack have normal cholesterol levels. In other words, we're all at risk.

Just a Glass a Day

To keep your heart healthy: exercise regularly. Eat a healthy diet. And drink 8 ounces of POM Wonderful Pomegranate Juice. Make every day a good day to be alive.



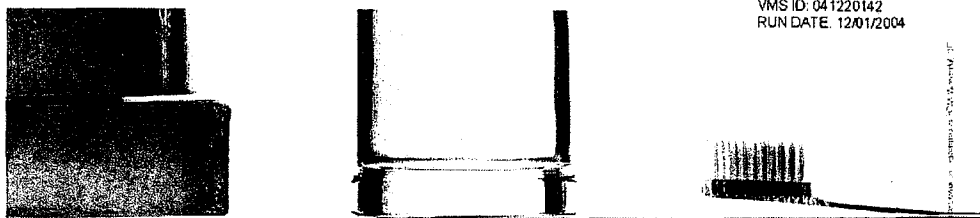
**POM Wonderful Pomegranate Juice
is the Antioxidant Superpower.TM Drink a glass a day!**

For more medical research on the Antioxidant Superpower, visit pomwonderful.com

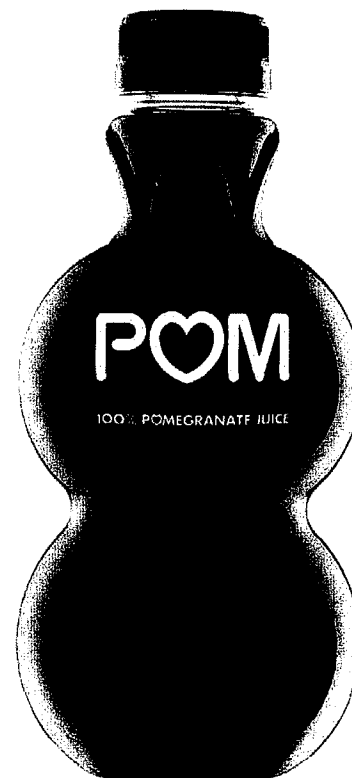


CX0031

VMS ID: 041220142
RUN DATE: 12/01/2004



**Floss your arteries.
Daily.**



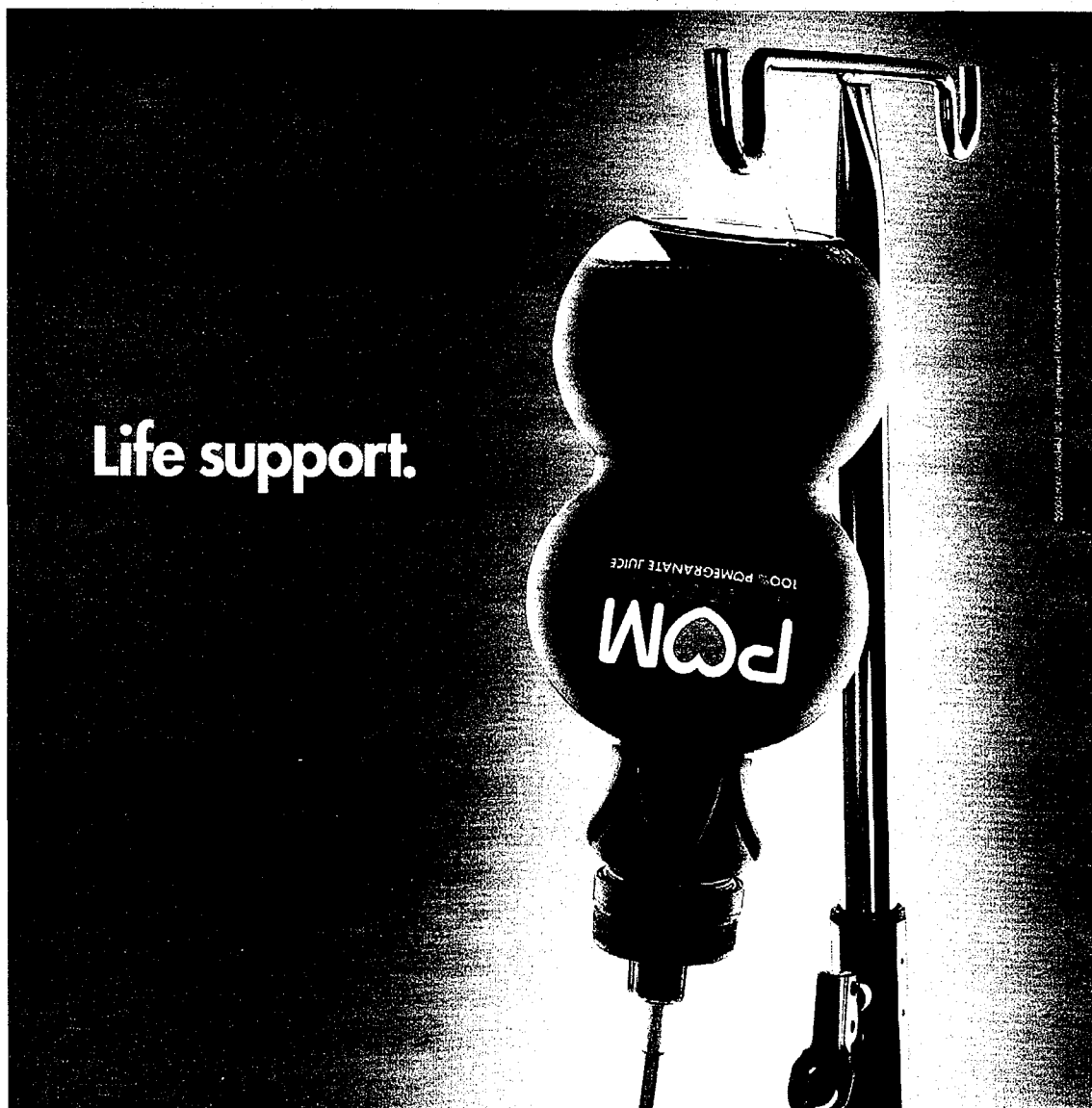
Clogged arteries lead to heart trouble. It's that simple. That's where we come in. Delicious POM Wonderful Pomegranate Juice has more naturally occurring antioxidants than any other drink. These antioxidants fight free radicals—molecules that are the cause of sticky, artery clogging plaque. Just eight ounces a day can reduce plaque by up to 30%!* So every day: wash your face, brush your teeth, and drink your POM Wonderful.

POM Wonderful Pomegranate Juice. The Antioxidant Superpower.™

*NCCIH, M. Clinical Nutrition, 2004. Based on clinical pilot study.

POM
WONDERFUL

CX0033



Life support.

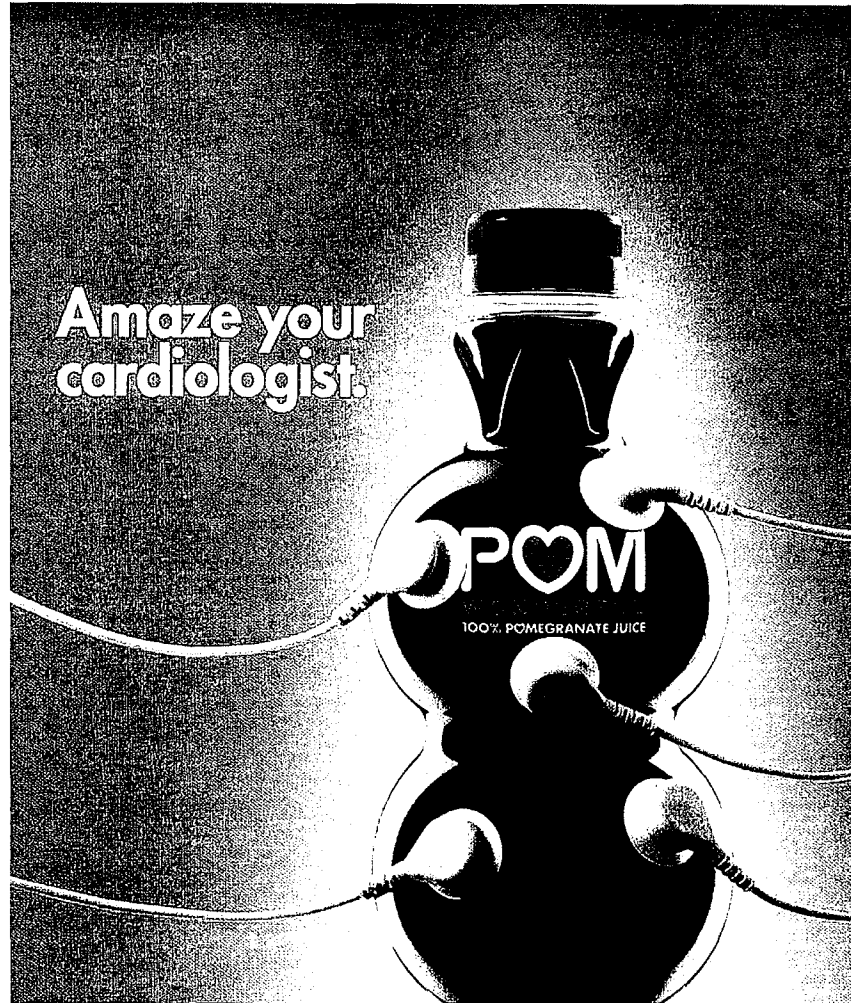
POM Wonderful Pomegranate Juice fills your body with what it needs. On top of being refreshing and delicious, this amazing juice has more naturally occurring antioxidants than any other drink. These antioxidants fight hard against free radicals that can cause heart disease, premature aging, Alzheimer's, even cancer. Just drink eight ounces a day and you'll be on life support—in a good way.

POM Wonderful Pomegranate Juice. The Antioxidant Superpower.™

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pomwonderful.com

CX0034



Ace your EKG: just drink 8 ounces of delicious POM Wonderful Pomegranate Juice a day. It has more naturally occurring antioxidants than any other drink. Antioxidants fight free radicals... nasty little molecules that can cause sticky, artery clogging plaque. A glass a day can reduce plaque by up to 30%! Trust us, your cardiologist will be amazed.

POM Wonderful Pomegranate Juice. The Antioxidant Superpower.

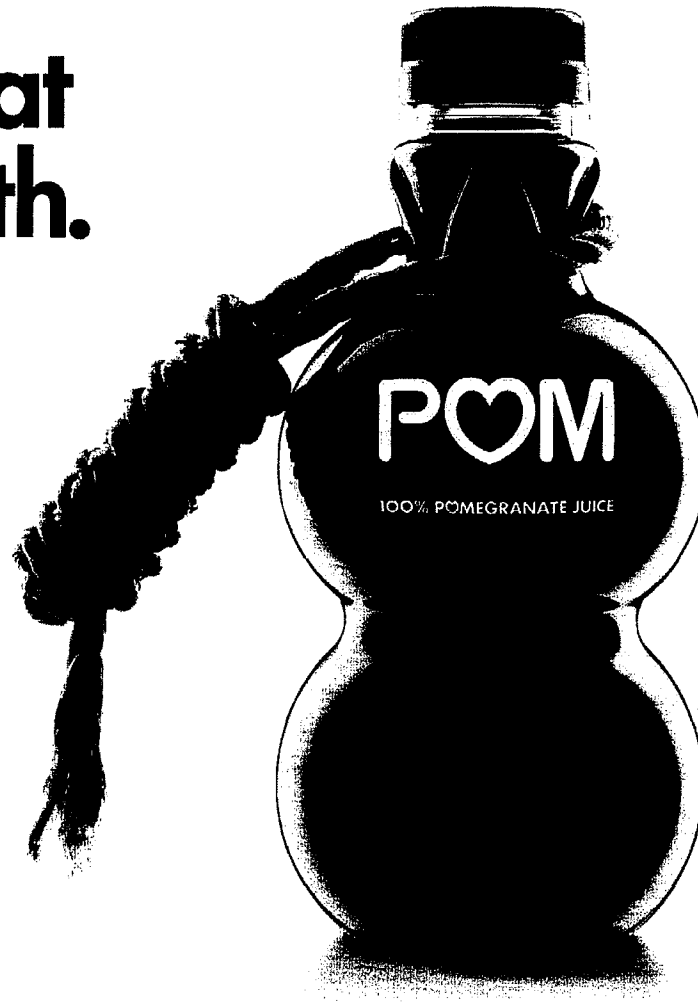
*As reported in Medical Hypotheses, 2004. Based on a review of 11 studies.

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pomwonderful.com

CX0036

Cheat death.



Dying is so dead. Drink to life with POM Wonderful Pomegranate Juice, the world's most powerful antioxidant. It has more antioxidants than any other drink and can help prevent premature aging, heart disease, stroke, Alzheimer's, even cancer. Eight ounces a day is all you need. The sooner you drink it, the longer you will enjoy it.

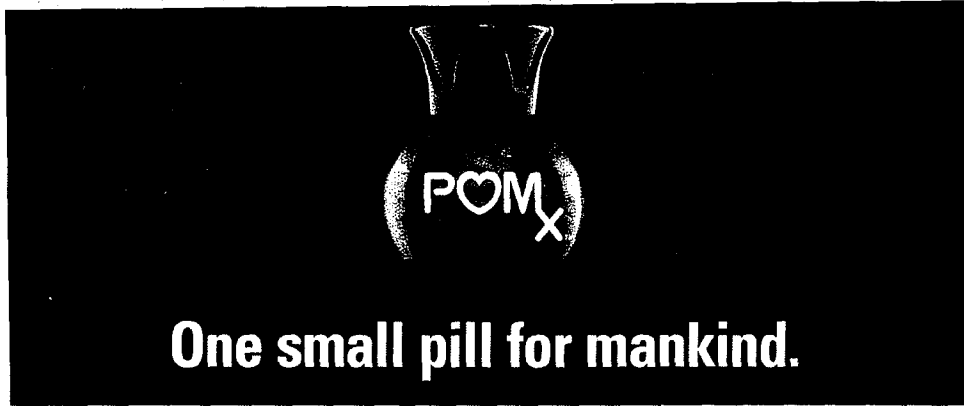
POM Wonderful Pomegranate Juice. The Antioxidant Superpower.™

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pomwonderful.com

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CX0120



One small pill for mankind.

“Findings from a small study suggest that pomegranate juice may one day prove an effective weapon against prostate cancer.”

The New York Times (July 4, 2006).

Introducing POMx™—a highly concentrated, incredibly powerful blend of all-natural polyphenol antioxidants made from the very same pomegranates in **POM Wonderful 100% Pomegranate Juice**. Our method of harnessing astonishing levels of antioxidants is so extraordinary, it's patent-pending. So now you can get all the antioxidant power of an 8oz glass of juice in the convenience of a calorie-free capsule.



Ready to take on free radicals? Put up your POMx and fight them with a mighty 1000mg capsule – that's more concentrated pomegranate polyphenol antioxidants than any other 100% pomegranate supplement. An initial UCLA medical study on POM Wonderful 100% Pomegranate Juice showed hopeful results for men with prostate cancer.^{1,3} And preliminary human research suggests that our California-grown pomegranate juice also promotes heart health.^{2,3} Take your antioxidants into your own hands. **Call 1-888-POM-PILL now, or visit pompills.com/fort and get your first monthly shipment for just ~~\$29.95~~ \$24.95 with coupon.**

POM IN A PILL™

**CALL 1-888-POM-PILL now, or visit pompills.com/fort
Not available in stores | 100% money-back guarantee**



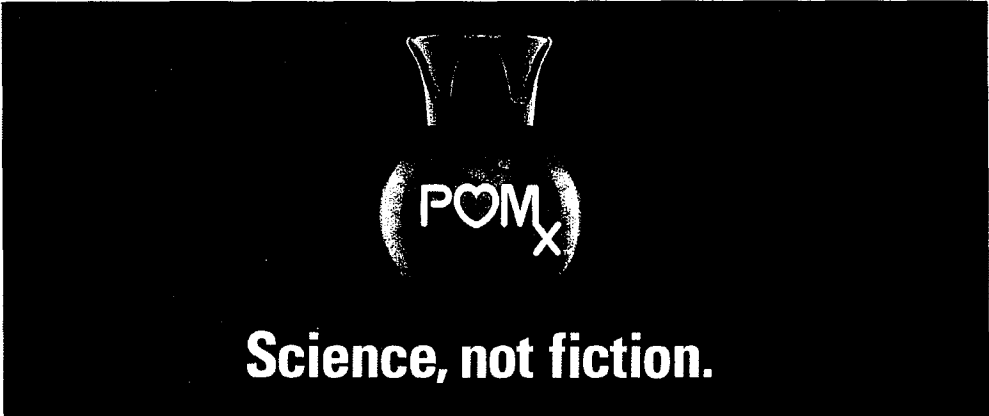
SAVE \$5 ON YOUR FIRST ORDER.
Call 1-888-POM-PILL or visit pompills.com/fort and mention or enter code **FORT5** at checkout. To pay by check, call 1-888-POM-PILL for instructions. Hurry, offer expires July 31, 2007.

COUPON: Good thru August 2, 2007. Must use either check code FORT5 or 1-888-POM-PILL. Offer requires you mention the coupon code at checkout. Offer good on orders of \$25 or more. Some restrictions apply. See pompills.com/fort for details. © 2007 PomWonderful LLC. All rights reserved. POM Wonderful, POMx and "POM in a pill" are trademarks of PomWonderful LLC.



¹ pomwonderful.com/cancer.html ² pomwonderful.com/heart_health.html ³ These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.
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CX0122



Science, not fiction.

Made from the only pomegranates backed by \$20 million in medical research.


Introducing POMx™— a highly concentrated, incredibly powerful blend of all-natural polyphenol antioxidants made from the very same pomegranates in **POM Wonderful 100% Pomegranate Juice**. Our method of harnessing astonishing levels of antioxidants is so extraordinary, it's patent-pending. So now you can get all the antioxidant power of an 8oz glass of juice in the convenience of a calorie-free pill.



Ready to take on free radicals? Put up your POMx and fight them with a mighty 1000mg capsule – that's more concentrated pomegranate polyphenol antioxidants than any other 100% pomegranate supplement. An initial UCLA medical study on POM Wonderful 100% Pomegranate Juice showed hopeful results for men with prostate cancer.^{1,3} And preliminary human research suggests that our California-grown pomegranate juice also promotes heart health.^{2,3} Take your antioxidants into your own hands. **Call 1-888-POM-PILL now, or visit pompills.com/dvr and get your first monthly shipment for just ~~\$29.95~~ \$24.95 with coupon.**

POM IN A PILL™

**CALL 1-888-POM-PILL now, or visit pompills.com/dvr
Not available in stores | 100% money-back guarantee**

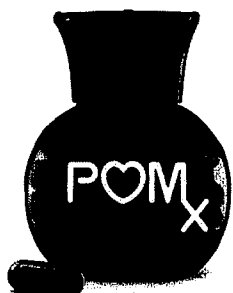
 **SAVE \$5 ON YOUR FIRST ORDER.**
 Call 1-888-POM-PILL or visit pompills.com/dvr and mention or enter code **DVR5** at checkout. To pay by check, call 1-888-POM-PILL for instructions. Hurry, offer expires July 31, 2007.

CONSUMER: This offer expires July 31, 2007. This coupon can only be used on POMx products. One money-back guarantee per customer. Cannot be combined with other offers. Tax restrictions, transfer rights or cash-refund policies will be given. We reserve the right to modify or discontinue the promotion at any time. Coupon code valid only at pompills.com/dvr or 1-888-POM-PILL.



¹ pomwonderful.com/cancer.html ² pomwonderful.com/heart_health.html ³ These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.
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CX0169



The easy, portable, calorie-free way to get your daily antioxidants.

The power of POM, in one little pill.

VMS ID: 080106753
UN DATE: 01/06/2008

Antioxidant Superpill. Not all antioxidants are created equal. POMx™ fights free radicals with a mighty 1000mg in every pill. That's more concentrated antioxidants than any other pomegranate antioxidant supplement. There are antioxidants, and then there are POMx antioxidants.

Peace of Mind in a Pill. POMx is a highly concentrated, powerful blend of polyphenol antioxidants made from the very same pomegranates as POM Wonderful® 100% Pomegranate Juice. The same pomegranates we grow exclusively in California, where they're hand-picked on site.

Safe and Natural. POMx is made from pure pomegranates. So there are no added sugars, preservatives or any other ingredients - just 100% pomegranate polyphenol antioxidants. So naturally, POMx is absorbed safely into your body. In fact, POMx is the first and only antioxidant supplement reviewed for safety by the FDA.

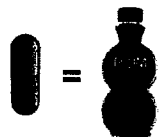
Backed by Science. POMx is made from the only pomegranates supported by \$23 million in medical research. Emerging science suggests that free radicals aggressively destroy healthy cells in your body - contributing to premature aging and even disease. The good news is POM Wonderful pomegranate antioxidants neutralize free radicals. An initial UCLA MEDICAL STUDY on POM Wonderful 100% Pomegranate Juice found *hopeful results for prostate health*. "Pomegranate juice delays PSA doubling time in humans," according to AJ Pantuck, et al, in *Clinical Cancer Research*, 2006.^{1,2} Two additional preliminary studies on our juice showed *promising results for heart health*. "Pomegranate juice improves myocardial perfusion in coronary heart patients," per D. Ornish, et al, in the *American Journal of Cardiology*, 2005.^{3,4} "Pomegranate juice pilot research suggests anti-atherosclerosis benefits," according to M. Aviram, et al, in *Clinical Nutrition*, 2004.^{1,2,5}



California-grown.

One a Day, For Life. Ready to take on free radicals? A daily POMx pill is all you need. Invest in your health and order your 30-day supply today. Call now to get your first monthly shipment.

Call 1-888-POM-PILL (766-7455) or visit pompills.com/nb and enter NB30 at checkout.



The antioxidant power of our 8 oz. juice.



Reviewed for Safety by the FDA.



100% Natural Pomegranate Extract.

Try POMx for one month - FREE!

We'll even pay for the shipping. Visit pompills.com/nb or call 1-888-POM-PILL. Use discount code: NB30

SIGN UP FOR POMx MONTHLY, AND WE'LL SEND YOUR FIRST BOTTLE FREE. AFTER THAT, YOU'LL CONTINUE TO RECEIVE MONTHLY SHIPMENTS FOR \$29.95 WITH COMPLIMENTARY SHIPPING. Offer expires April 15, 2008. The first month free plus free shipping offer applies only to the purchase price for the first month of POMx Monthly. Following months will be \$29.95 per bottle. This discount can only be used on POMx products. One discount per customer. Cannot be combined with other offers. No substitutions, transfer rights or cash equivalents will be given. We reserve the right to modify or discontinue this promotion at any time. We reserve the right to change product price or shipping charge at any time. Offer valid only at pompills.com/nb or 1-888-POM-PILL. Discount code is not valid on POMx trial.

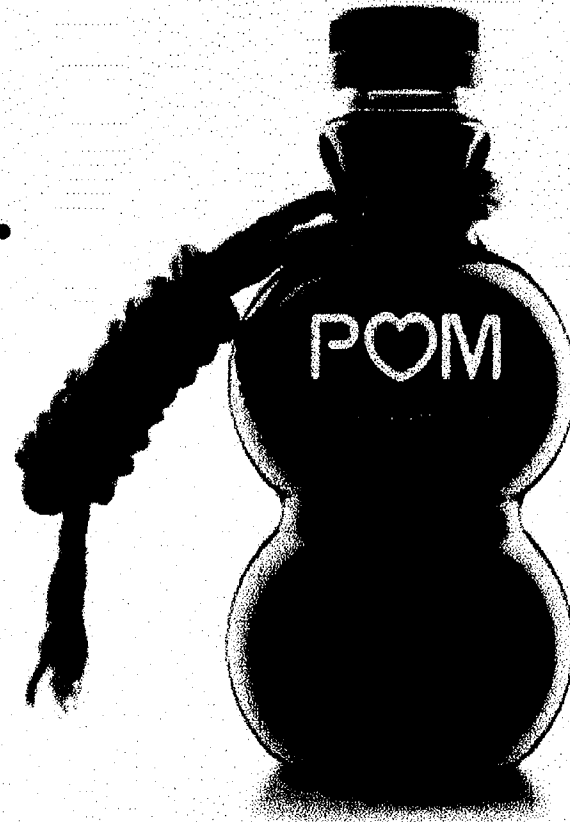
¹ pompills.com/research ² These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. ³ 45 men with rising PSA after surgery or radiotherapy drank 8 oz. 100% pomegranate juice daily for two years. ⁴ 45 patients with coronary heart disease and myocardial ischemia drank 8 oz. 100% pomegranate juice daily for three months. ⁵ 19 patients aged 65-75 years with severe atherosclerosis drank 8 oz. 100% pomegranate juice daily for one year. ©2008 PomWonderful LLC. All rights reserved. POM Wonderful, POMx and "Antioxidant Superpill" are trademarks of PomWonderful LLC.





CX0188

**Cheat
death.**



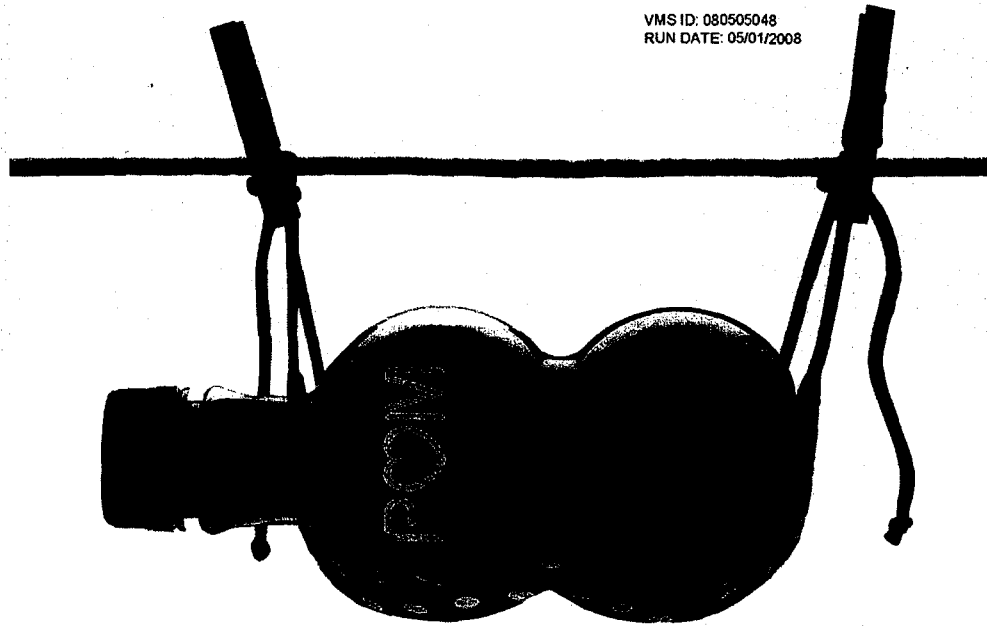
You need more than luck to live longer. You need antioxidants. And POM Wonderful 100% Pomegranate Juice is loaded with them. It helps guard your body against free radicals, unstable molecules that emerging science suggests aggressively destroy healthy cells in your body and contribute to disease. POM Wonderful 100% Pomegranate Juice is supported by \$23 million of medical scientific research from leading universities, which has uncovered encouraging results in prostate and cardiovascular health. So drink a glass a day and cheat death. Live life.

POM Wonderful 100% Pomegranate Juice. The Antioxidant Superpower.

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CX0192

VMS ID: 080505048
RUN DATE: 05/01/2008



What gets your heart pumping?

Supermodels or beaches? 36-24-36? Or perhaps healthy arteries. Drink POM Wonderful 100% Pomegranate Juice. It helps guard your body against free radicals, unstable molecules that emerging science suggests aggressively destroy healthy cells in your body and contribute to disease. POM Wonderful 100% Pomegranate Juice is supported by \$23 million of initial scientific research from leading universities, which has uncovered encouraging results in prostate and cardiovascular health. Eight ounces a day is enough to keep your heart pumping, even if you're not dating a supermodel.

POM Wonderful 100% Pomegranate Juice. The Antioxidant Superpower.™

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pomegranatetruth.com

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CX0236

TIME

Drink to prostate health.



POM Wonderful and Prostate Health

POM

A recently published medical study involving POM Wonderful 100% Pomegranate Juice followed 46 men previously treated for prostate cancer either with surgery or radiation.

Also drinking eight ounces of POM Wonderful 100% Pomegranate Juice daily for at least two years, these men experienced significantly lower PSA doubling times. PSA (Prostate Specific Antigen) is a substance that indicates the presence of prostate cancer. PSA doubling time is a measure of how long it takes for PSA levels to double. A longer doubling time may indicate slower progression of the disease.

In addition, urinary testing using blood serum from the patients who drank pomegranate juice showed a 17% increase in prostate cancer cell death and a 17% decrease in cancer cell growth.

One important note: All patients drank the same POM Wonderful 100% Pomegranate Juice which is available in your supermarket 54 months - nearly a half-century - produce section.

Prostate Cancer is the most common type of cancer in men in the United States. After lung cancer it is the second leading cause of cancer death in men. However, emerging science suggests that diet may be able to significantly improve prostate health.

The Research Continues: Results from this study were so promising that many of the original patients continued to drink pomegranate juice daily, and their PSA doubling times remained suppressed. These same clinical studies are now underway to further investigate the effects of POM on prostate health.

Learn why POM Wonderful is the only pomegranate juice you can trust.

For health food stores or for more!

POM Wonderful
100% Pomegranate Juice
pomegranatejuice.com



The proof is in the POM

100% Authentic.
POM is the only brand guaranteed to contain 100% real pomegranate juice. We will offer brands with or without. In fact, according to recent independent tests, nine out of ten so-called "pomegranate" juices were found to have added sugar, colors and other ingredients that make them taste like juice.

True to Taste.

POM is the only brand that controls its juice from tree to bottle, from harvest to processing. We only grow "Wonderful" variety pomegranates, renowned for their superior antioxidants and delicious taste. And every 100% bottle contains the juice of five whole pomegranates.

The Antioxidant Superpower.

With uniquely high levels of powerful antioxidants, POM Wonderful 100% Pomegranate Juice has demonstrated superior ability to neutralize harmful free radicals and to inhibit cancer inflammation.

Backed by Science.

Only POM is backed by \$25 million in medical research conducted at the world's leading universities. Clinical studies have documented the benefits of drinking POM Wonderful 100% Pomegranate Juice, including improved cardiovascular and prostate health.

More Antioxidants.

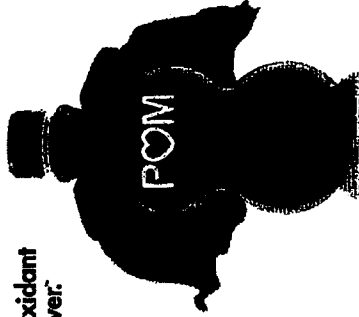
Sp for 10, POM Wonderful 100% Pomegranate Juice has more antioxidants than any other juice. It's not just the pomegranate juice, but the other fruits and other juice.



POM Wonderful
100% Pomegranate Juice
pomegranatejuice.com

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The Antioxidant Superpower.



When it fits to have a personal superhero that cut by taking antibiotics and reducing POM Wonderful 100% Pomegranate Juice. It has more naturally occurring antioxidants than other drinks. Antioxidants fight free radicals, which can lead to cancer. At you need to fight prostate cancer, heart disease, stroke, Alzheimer's, even cancer. At you need to fight cancer to save the day, every day.

The Antioxidant Superpower: 100% Pure Pomegranate Juice.

For health food stores or for more!

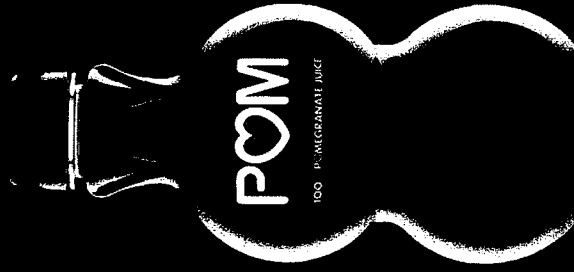
POM Wonderful
100% Pomegranate Juice
pomegranatejuice.com



CX0260

MMS ID: 081200704
RUN DATE: 12/01/2008

Drink to prostate health.



Sometimes, good medicine can taste great. Case in point: POM Wonderful. A recently published preliminary medical study followed 46 men previously treated for prostate cancer, either with surgery or radiation. After drinking 8 ounces of POM Wonderful 100% Pomegranate Juice daily for at least two years, these men experienced significantly longer PSA doubling times. Want to learn more about the results of this study? Visit pomwonderful.com/prostate. **Trust in POM.**

pomwonderful.com

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CX0274

VMS ID: 090200523
RUN DATE: 07/01/2018

**I'm off to save
PROSTATES!**



Men by man, gland by gland, The Antioxidant Superpower™ is 100% committed to defending healthy prostates. Powered by pure pomegranate juice... backed by \$25 million in vigilant medical research*... there's no telling just how far it will go to improve prostate health in the future.

*Prostate study details at http://www.pomwonderful.com/health_benefits.html

pomwonderful.com

The Antioxidant Superpower.®

U

CX0280

VMS ID: 090312940
RUN DATE: 03/12/2009



LIVE LONG ENOUGH TO WATCH YOUR 401(k) RECOVER.

**Antioxidants are a necessity.
Not a luxury.**

Emerging science suggests that antioxidants are critically important to maintaining good health because they protect you from free radicals, which can damage your body. Taking one POMx pill a day will help protect you from free radicals and keep you at your healthy best. Even when you're going through the worst.

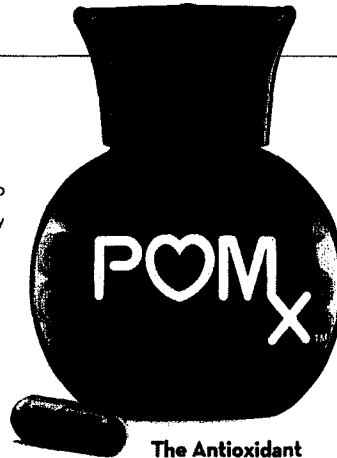
**Recession-proof your health
with POMx.**

POMx – an ultra-potent anti-oxidant extract made from the same



The antioxidant power
of our 8oz juice.

pomegranates as POM Wonderful® 100% Pomegranate Juice – is the most potent natural anti-oxidant supplement available. Each 1000mg POMx pill has the antioxidant power of a full glass of POM Wonderful 100% Pomegranate Juice.



**The Antioxidant
Superpill.™**

**\$25 million in medical research.
A sound investment.**

POMx is made from the only pomegranates backed by \$25 million in medical research at the world's leading universities.

Not only has this research documented the unique and superior antioxidant power of pomegranates, it has revealed promising results for prostate and cardiovascular health.



**Hope for the future.
Yours.**

Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate Juice, on which each of the following medical studies was conducted.

An initial UCLA study on our juice found hopeful results for prostate health, reporting "statistically significant prolongation of PSA doubling times," according to Dr. Allen J. Pantuck in *Clinical Cancer Research*, '06.^{1,2,3}

Two additional preliminary studies on our juice showed promising results for heart health. "Stress-induced ischemia (restricted blood flow to the heart) decreased in the pomegranate group," Dr. Dean Ornish reported in the *American Journal of Cardiology*, '05.^{1,2,4}

"Pomegranate juice consumption resulted in significant reduction in IMT® (thickness of arterial plaque) by up to 30% after one year," said Dr. Michael Aviram in *Clinical Nutrition*, '04.^{1,2,5,6}

Try POMx Monthly
FREE for
ONE MONTH.
We'll even pay for the shipping.*



Order Now: 888-766-7455 or pompills.com/n3
Use discount code: N330

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CX0307

VMS ID: 090500227
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HEALTHY, WEALTHY. WISE.

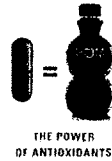
(2 OUT OF 3 IN THIS ECONOMY AIN'T BAD.)

Why you need antioxidants.

Emerging science suggests that antioxidants are critically important to maintaining good health because they protect you from free radicals, which can damage your body. Taking one POMx pill a day will help protect you from free radicals and keep you at your healthy best. Even when you're going through the worst.

POMx is potent.

POMx — an ultra-potent antioxidant extract made from the same pomegranates as POM Wonderful® 100% Pomegranate Juice — is the most potent natural antioxidant supplement available. Each 1000mg POMx pill has the antioxidant power of a full glass of POM Wonderful 100% Pomegranate Juice.



Backed by science.

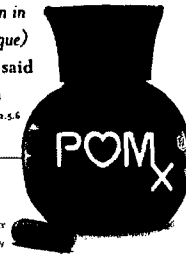
POMx is made from the only pomegranates backed by \$25 million in medical research at the world's leading universities. Not only has this research documented the unique and

superior antioxidant power of pomegranates, it has revealed promising results for prostate and cardiovascular health.

Medical studies reveal promising results.



Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate Juice, on which each of the following medical studies was conducted. An initial UCLA study on our juice found hopeful results for prostate health, reporting "statistically significant prolongation of PSA doubling times," according to Dr. Allen J. Pantuck in *Clinical Cancer Research*, 2006.^{1,2,3} Two additional preliminary studies on our juice showed promising results for heart health. "Stress-induced ischemia (restricted blood flow to the heart) decreased in the pomegranate group," Dr. Dean Ornish reported in the *American Journal of Cardiology*, 2005.^{4,5} "Pomegranate juice consumption resulted in significant reduction in IMT (thickness of arterial plaque) by up to 30% after one year," said Dr. Michael Aviram in *Clinical Nutrition*, 2004.^{6,7,8,9}



POMx. The Antioxidant Superpill.™

pompx.com/cx0307. These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease. ¹ 45 men with rising PSA after surgery or radiotherapy drank the POMx pomegranate juice daily for two years. ² 45 patients with coronary heart disease used pomegranate juice daily for three months. ³ Study measured arterial media thickness (IMT) in 10 patients aged 65-75 years with severe atherosclerosis. ⁴ 100% pomegranate juice daily for one year. ⁵ 100% Pom Wonderful LLC. All rights reserved. POM Wonderful, POMx and antioxidant superpill are trademarks of Pom Wonderful LLC.

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CX0328

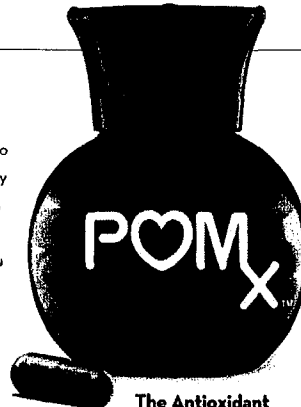
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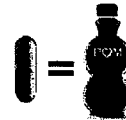
YOUR NEW HEALTH CARE PLAN. (NO TOWN HALL MEETING REQUIRED.)

Antioxidant Health Insurance.

Emerging science suggests that antioxidants are critically important to maintaining good health because they protect you from free radicals, which can damage your body. Taking one POMx pill a day will help protect you from free radicals and keep you at your healthy best. Better yet, it's a health plan that's open to everyone.



The Antioxidant Superpill.



The antioxidant power of our Boz juice.

All-natural. Non-political.

POMx is an all-natural, ultra-potent antioxidant extract. Containing a full spectrum of pomegranate polyphenols, POMx is so concentrated that a single capsule has the antioxidant power of a full glass of POM Wonderful® 100% Pomegranate Juice.

\$32 million in medical research. Zero deductible.

POMx is made from the only pomegranates backed by \$32 million in medical research at the world's leading universities. Not only has this research documented the unique and superior antioxidant power of pomegranates, it has revealed promising results for prostate and cardiovascular health.



A health care plan for a healthy future.

Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate Juice, on which each of the following medical studies was conducted.

An initial UCLA study on our juice found hopeful results for prostate health, reporting "statistically significant prolongation of PSA doubling times," according to Dr. Allen J. Pantuck in *Clinical Cancer Research*, '06.^{1,2,3}

Two additional preliminary studies on our juice showed promising results for heart health. "Stress-induced ischemia (restricted blood flow to the heart) decreased in the pomegranate group," Dr. Dean Ornish reported in the *American Journal of Cardiology*, '05.^{4,5}

"Pomegranate juice consumption resulted in significant reduction in IMT⁶ (thickness of arterial plaque) by up to 30% after one year," said Dr. Michael Aviram, in *Clinical Nutrition*, '04.^{6,7,8,9}

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Sample comparison? These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. Not men with rising PSA after surgery or radiation therapy. For 100% pomegranate juice daily for 1 year versus 400 patients with coronary heart disease and myocardial infarction daily for 100% pomegranate juice daily for 3 months. Study measured intima-media thickness (IMT). The patients aged 50-75 years with average IMT of 0.8 mm. 100% pomegranate juice daily for 1 year year. ©2009 POM Wonderful LLC. All rights reserved. POM Wonderful Antioxidant Superpill and POMx are trademarks of POM Wonderful LLC. POMx

CX0342

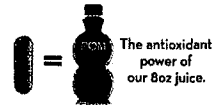
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FREE!

Antioxidants? We've got you covered.

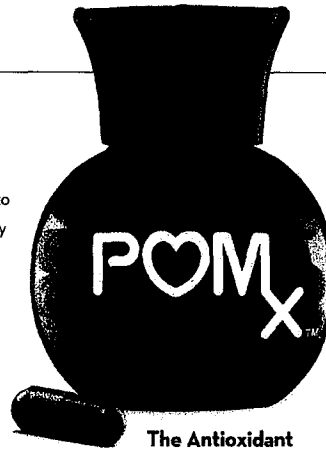
Emerging science suggests that antioxidants are critically important to maintaining good health because they protect you from free radicals, which can damage your body. Taking one POMx pill a day will help protect you from free radicals and keep you at your healthy best. (Just the way insurers like you to be.)



The antioxidant power of our Boz juice.

POMx. Now that's a plan.

POMx is an all-natural, ultra-potent antioxidant extract. Containing a full spectrum of pomegranate polyphenols, POMx is so concentrated that a single capsule has the antioxidant power of a full glass of POM Wonderful® 100% Pomegranate Juice.



The Antioxidant Superpill.™

\$32 million in medical research. No deductible.

POMx is made from the only pomegranates backed by \$32 million in medical research at the world's leading universities. Not only has this research documented the unique and superior antioxidant power of pomegranates, it has revealed promising results for prostate and cardiovascular health.

Get the maximum benefits.

Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate



Juice, on which each of the following medical studies was conducted.

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Additional preliminary study on our juice showed promising results for heart health. "Stress-induced ischemia (restricted blood flow to the heart) decreased in the pomegranate group," Dr. Dean Ornish reported in the *American Journal of Cardiology*, 2005.^{1,2,4}

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ONE MONTH
TRIAL**

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or pompills.com/t Use discount code: T30

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¹pompills.com/research ²Those statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. ³46 men with rising PSA after surgery or radiotherapy drank Boz 100% pomegranate juice daily for two years. ⁴45 patients with coronary heart disease and myocardial ischemia drank Boz 100% pomegranate juice daily for three months. ©2010 Pom Wonderful LLC. All rights reserved. POM Wonderful, POMx and Antioxidant Superpill are trademarks of Pom Wonderful LLC. PP319

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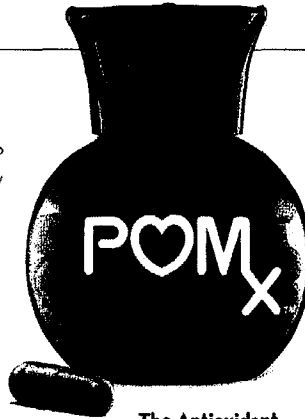
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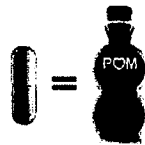
THE ONLY ANTIOXIDANT SUPPLEMENT RATED X.

FREE SHIPPING!

Always use protection.
Emerging science suggests that antioxidants are critically important to maintaining good health because they protect you from free radicals, which can damage your body. Taking one POMx pill a day will help protect you from free radicals and keep you at your healthy best.



The Antioxidant Superpill.[®]



The antioxidant power of our 8oz juice.

POMx. Super-potent. Like you.

POMx is an all-natural, ultra-potent antioxidant extract. Containing a full spectrum of pomegranate polyphenols, POMx is so concentrated that a single capsule has the antioxidant power of a full glass of POM Wonderful[®] 100% Pomegranate Juice.

\$32 million in research. We're not just playing doctor.

POMx is made from the only pomegranates backed by \$32 million in medical research at the world's leading universities. Not only has this research documented the unique and superior antioxidant power of pomegranates, it has revealed promising results for erectile, prostate and cardiovascular health.



Is that POMx in your pocket?

Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate Juice, on which each of the following medical studies was conducted.

In a preliminary study on erectile function, men who consumed POM Juice reported a 50% greater likelihood of improved erections as compared to placebo. "As a powerful antioxidant, enhancing the actions of nitric oxide in vascular endothelial cells, POM has potential in the management of ED.. further studies are warranted." *International Journal of Impotence Research*, '07.^{12,3}

An initial UCLA study on our juice found hopeful results for prostate health, reporting "statistically significant prolongation of PSA doubling times." *Clinical Cancer Research*, '06.^{12,4}

A preliminary study on our juice showed promising results for heart health. "Stress-induced ischemia (restricted blood flow to the heart) decreased in the pomegranate group." *American Journal of Cardiology*, '05.^{12,5}

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¹ pompills.com/research ² These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. ³ 55 men with mild/moderate erectile dysfunction drank 8oz fresh pomegranate juice daily for one month. 46 men with rising PSA after surgery or radiotherapy drank 8oz fresh pomegranate juice daily for two years. ⁴ 54 patients with coronary heart disease and myocardial ischemia drank 8oz fresh pomegranate juice daily for three months. ©2010 Pom Wonderful LLC. All rights reserved. POM Wonderful, POMx and Antioxidant Superpill are trademarks of Pom Wonderful LLC. PP5423

CX0351



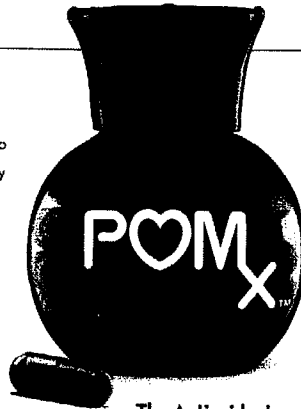
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THE ONLY ANTIOXIDANT SUPPLEMENT RATED X.

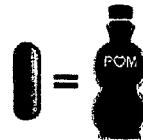


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The antioxidant power of our Boz juice.

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¹Pomegranate polyphenols. ²These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. ³33 men with mild/moderate erectile dysfunction. Boz 100% pomegranate juice daily for nine months. ⁴46 men with rising PSA after surgery or radiation therapy drank Boz 100% pomegranate juice daily for two years. ⁵45 patients with coronary heart disease and moderate to severe chest pain. Boz 100% pomegranate juice daily for three months. ©2010 Pom Wonderful LLC. All rights reserved. POM Wonderful, POMx and Antioxidant Superpill are trademarks of Pom Wonderful LLC. P0937

CX0360

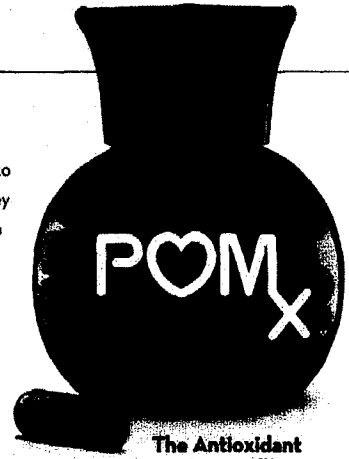
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The Antioxidant Superpill.™

Complicated studies. Simplified.
Our POMx pills are made from the same pomegranates we use to make our POM Wonderful 100% Pomegranate Juice, on which each of the following medical studies was conducted.



The antioxidant power of our 8oz juice.

POMx is powerful. Naturally.
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\$32 million in medical research. Science. Not fiction.

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Try POMx Monthly **FREE** for ONE MONTH. We'll even pay for the shipping.*



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*SIGN UP FOR POMx MONTHLY, AND WE'LL SEND YOUR FIRST BOTTLE FREE. AFTER THAT, YOU'LL CONTINUE TO RECEIVE MONTHLY SHIPMENTS FOR \$20.05 WITH COMPLIMENTARY SHIPPING. Offer expires 8/31/10 and applies only to the purchase price for the first bottle of POMx Monthly. Following months will be \$20.95 per bottle. One discount per customer. Cannot be combined with other offers. No substitutions, transfer rights or cash equivalents. We reserve the right to discontinue this promotion, change product price or shipping charge at any time. Valid only at pompills.com or 1-888-766-7455. Not valid on POMx Trial or other POM products.

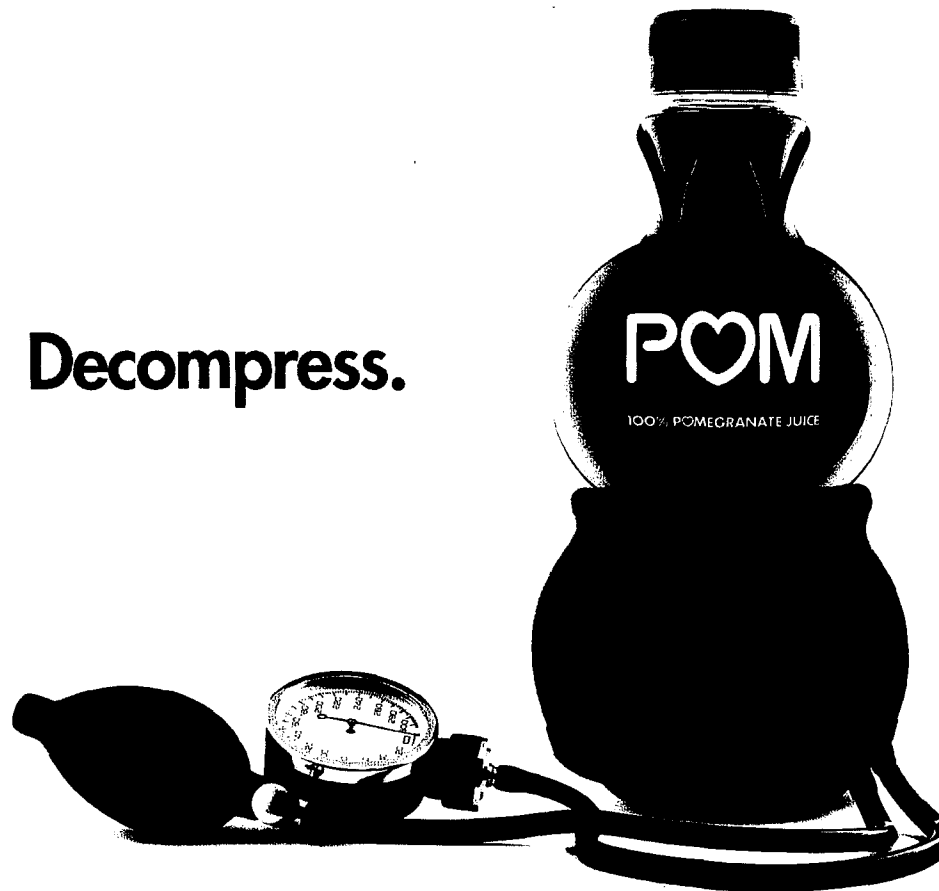


¹pompills.com/research ²These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. ³65 men with rising PSA after surgery or radiotherapy drank 100% pomegranate juice daily for two years. ⁴As patients with coronary heart disease and myocardial ischemia drank 100% pomegranate juice daily for three months. ©2010 Pom Wonderful LLC. All rights reserved. POM Wonderful, POMx and Antioxidant Superpill are trademarks of Pom Wonderful LLC. P03275

CX0103



Decompress.



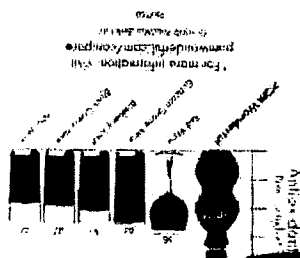
Amaze your cardiologist. Drink POM Wonderful Pomegranate Juice. It helps guard your body against free radicals, unstable molecules that emerging science suggests aggressively destroy and weaken healthy cells in your body and contribute to disease. POM Wonderful Pomegranate Juice is supported by \$20 million of initial scientific research from leading universities, which has uncovered encouraging results in prostate and cardiovascular health. Keep your ticker ticking and drink 8 ounces a day.

POM Wonderful Pomegranate Juice. The Antioxidant Superpower.™

POM
WONDERFUL
pomwonderful.com

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CX0475



The antioxidant power of POM Wonderful.



100% PURE POMEGRANATE JUICE.

It's 100% pure! It's heroically healthy! It's The Antioxidant Superpower, POM Wonderful 100% authentic pomegranate juice.

Backed by \$25 million in medical research. Proven to fight for cardiovascular, prostate and erectile health. Committed to keeping you healthy for a good, long time!



Claims: Heart

Respondents claim that POM juice, POMx pills, or POMx liquid prevent, reduce the risk of, or treat heart disease and that their research proves the efficacy of those products.



Claims: Prostate

Respondents claim that POM juice, POMx pills, or POMx liquid prevent, reduce the risk of, or treat prostate cancer and that their research proves the efficacy of those products.



Claims: ED

Respondents claim that POM juice, POMx pills, or POMx liquid prevent, reduce the risk of, or treat erectile dysfunction and that their research proves the efficacy of those products.



Creative Briefs Demonstrate Intent to Make Disease Claims

"I always say I want a marketing brief so tight that if the author were run over by a bus, anyone could pick up the project and complete it."

- L. Resnick, *Rubies in the Orchard*, CX0001 at 74.

CREATIVE BRIEF

(Please fill in all sections. If not applicable indicate "N/A")

Project Name: Women's Lifestyle Print/Outdoor concept

Date Submitted: 2/16/2005

Brief Description of the Creative Assignment

Brainstorm visual concepts and headlines to use in Print advertising and Outdoor advertising to reach women who read Martha Stewart, Oprah, Southern Living, etc.

Objective

Will be used in both print and outdoor advertising. Primary objective is to educate consumer about health benefits of POM Wonderful pomegranate juice.

Target Audience:

Usual POM target: Mid Gen X 25-39. Skews female (60/40). They are likely to be affluent, professional, college grads who are very health-conscious (physiochondriac) and live in urban areas. Either single or married without kids.

Target for these ads: Slightly older (30+) affluent women who are health conscious and may or may not live in urban areas. They are more likely married and may have kids. Some may be working women, others are noncareerists.

Insights

- They are confident, and while they want to look and feel good, they are not as "hip" or "trendy" as the typical POM target. A sliver of being trend setters / early adopters, think of this group as influencers (the next step in the adoption cycle).
- While the magazines may focus on different aspects of life (e.g. crafts, gardening (MSJ), sexual empowerment (O)) the readers are all interested in improving their lives and the lives of their families and friends.

Benefits:

- General Health - If you drink POM Wonderful DAILY, you will live longer.

OR

- Heart Health - If you drink POM Wonderful DAILY, you will have clean & healthy arteries (e.g. Floss Your Arteries Daily).

Reasons To Believe

- More antioxidant power than other drinks
- The powerful antioxidants in POM Wonderful guard your body against harmful free radicals that can cause chronic diseases such as heart disease, premature aging, Alzheimer's disease, even cancer.
- Drinking POM Wonderful daily can help reduce plaque in your arteries up to 30% if it's the flossing your arteries daily.

Toneality:

- Straight to the point, simple. Use as few words as possible. Sophisticated, but not elitist. Can be witty or clever, but off edge to the point of "Cheat Death". A bit more "wholesome".
- Parodies like *The Extreme Makeover* ad (playing off the TV show) are also acceptable strategies.
- Concepts that make the bottle a person are also desirable as in *Life, the Brew or Juice Creature*.
- A "cuteness" factor could also work well when you see the ad you say "awwww that's cute".

The Challenge is to stay on strategy with the health message while achieving these objectives.

Mandatories

CONFIDENTIAL-FTC Docket NO. 0344

RESP061416

CX0409_0010

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Communicated Intent to Make Disease Claims to Consumers and Press

EXHIBIT 111
1-8-1984

TO: Mr. [Name Redacted]
FROM: [Name Redacted]
DATE: [Date Redacted]
RE: [Subject Redacted]

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CX0456_0001



Science: Heart

Respondents' research on Heart Disease does not establish or provide a scientific basis for their product efficacy claims.

| CARDIOVASCULAR DISEASE | | | | | | | | |
|------------------------|---------------------------|---|---|-------------------------------|-----------------------------|--|-----------------------------------|--|
| Name of Study | Avram ACE/ESP (pub. 2001) | Avram DMT/SP Study (pub. 2004) | Ornish MP (pub. 2005) | Ornish DMT (enpub. 2005) | Davidson PWD (unpubl. 2004) | Davidson DMT (completed 2006, pub. 2006) | Heber/Hill Overweight (pub. 2007) | Heber/Asselmeier Overweight (pub. 2007) |
| Number Enrolled | 10 subjects | 10 patients (also "matched" group of 9) | 45 patients | 73 patients | 45 patients | 209 patients | 24 subjects | 64 subjects |
| Duration | 2 weeks | 12 months | 3 months | 12 months | 13 weeks | 18 months | 28 days | 28 days |
| Placebo Controlled? | No | No | Yes | Yes | Yes | Yes | No | Yes |
| Product | Concentrated Juice | Concentrated Juice | POM Juice | POM Juice | POM Juice | POM Juice | POM Pills | POM Pills |
| Blood Pressure | ↓ 5% systolic only | ↓ 12% systolic only | No Change | No Change | No Change | No Change | No Change | No Change |
| Blood Flow | | | SDS reduced; SDS and SR5 unchanged; blood flow increased 33% compared to placebo; study cut short | | no change in FMD | | | |
| Arterial Plaque | | ↓ 35% DMT | | No change in DMT at 12 months | | No change in DMT at 18 months; subgroup analysis | | |
| Other | ↓ 36% ACE | | | | | No change in inflammatory/oxidative stress markers | ↓TBARS | No change in inflammatory/oxidative stress markers, including nitric oxide |

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**Medical Research
Portfolio Review**

January 13, 2009

HIGHLY CONFIDENTIAL

CONFIDENTIAL - HEALTH CARE PROFESSIONALS ONLY

CX1029_0001

| Study Name | Year | Journal | Author | Summary |
|------------------|------|-------------------------|-------------------------------|--|
| Avram ACE/ESP | 2001 | Journal of Hypertension | Avram M, et al. | Study of ACE inhibitor effects on blood pressure and heart rate. |
| Avram DMT/SP | 2004 | Journal of Hypertension | Avram M, et al. | Study of DMT/SP effects on blood pressure and heart rate. |
| Ornish MP | 2005 | Journal of Hypertension | Ornish D, et al. | Study of Mediterranean diet effects on blood pressure. |
| Ornish DMT | 2005 | Journal of Hypertension | Ornish D, et al. | Study of DMT effects on blood pressure. |
| Davidson PWD | 2004 | Journal of Hypertension | Davidson M, et al. | Study of PWD effects on blood pressure. |
| Davidson DMT | 2006 | Journal of Hypertension | Davidson M, et al. | Study of DMT effects on blood pressure. |
| Heber/Hill | 2007 | Journal of Hypertension | Heber D, Hill J, et al. | Study of overweight effects on blood pressure. |
| Heber/Asselmeier | 2007 | Journal of Hypertension | Heber D, Asselmeier J, et al. | Study of overweight effects on blood pressure. |

| Study Name | Year | Journal | Author | Summary |
|------------------|------|-------------------------|-------------------------------|--|
| Avram ACE/ESP | 2001 | Journal of Hypertension | Avram M, et al. | Study of ACE inhibitor effects on blood pressure and heart rate. |
| Avram DMT/SP | 2004 | Journal of Hypertension | Avram M, et al. | Study of DMT/SP effects on blood pressure and heart rate. |
| Ornish MP | 2005 | Journal of Hypertension | Ornish D, et al. | Study of Mediterranean diet effects on blood pressure. |
| Ornish DMT | 2005 | Journal of Hypertension | Ornish D, et al. | Study of DMT effects on blood pressure. |
| Davidson PWD | 2004 | Journal of Hypertension | Davidson M, et al. | Study of PWD effects on blood pressure. |
| Davidson DMT | 2006 | Journal of Hypertension | Davidson M, et al. | Study of DMT effects on blood pressure. |
| Heber/Hill | 2007 | Journal of Hypertension | Heber D, Hill J, et al. | Study of overweight effects on blood pressure. |
| Heber/Asselmeier | 2007 | Journal of Hypertension | Heber D, Asselmeier J, et al. | Study of overweight effects on blood pressure. |

CX 1029



Science: Prostate

Respondents' research on Prostate Cancer does not establish or provide a scientific basis for their product efficacy claims.

| PROSTATE CANCER | | | | |
|---------------------|---------------------|-------------------------|---------------------------|-----------------------------------|
| Name of Study | Pantuck (pub.:2006) | Carducci (pub. pending) | Pantuck/Radiant (ongoing) | UCLA/Johns Hopkins/Duke (ongoing) |
| Number enrolled | 48 subjects | 104 subjects | 180 subjects | 70 patients |
| Duration | 33 months | 18 months | 52 weeks | 4 weeks |
| Placebo controlled? | No | No | Yes | Yes |
| Product | POM Juice | POMx Capsules | POMx Liquid | POMx Pills |
| Endpoints: PSADT | ↑ mean PSADT | ↑ median PSADT | unknown | N/A |
| 80hdG | N/A | N/A | N/A | unknown |

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**Medical Research
Portfolio Review**
January 13, 2009

HIGHLY CONFIDENTIAL

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CX1029_0001

| Study Name | | Phase | Start Date | End Date | Status |
|-----------------------------------|--|----------|------------|----------|-----------|
| Pantuck (pub.:2006) | | Phase II | 2006 | 2009 | Completed |
| Carducci (pub. pending) | | Phase II | 2006 | 2009 | Completed |
| Pantuck/Radiant (ongoing) | | Phase II | 2006 | Ongoing | Ongoing |
| UCLA/Johns Hopkins/Duke (ongoing) | | Phase II | 2006 | Ongoing | Ongoing |

| Study Name | | Phase | Start Date | End Date | Status |
|-----------------------------------|--|----------|------------|----------|-----------|
| Pantuck (pub.:2006) | | Phase II | 2006 | 2009 | Completed |
| Carducci (pub. pending) | | Phase II | 2006 | 2009 | Completed |
| Pantuck/Radiant (ongoing) | | Phase II | 2006 | Ongoing | Ongoing |
| UCLA/Johns Hopkins/Duke (ongoing) | | Phase II | 2006 | Ongoing | Ongoing |


CX 1029



Science: ED

Respondents' research on Erectile Dysfunction does not establish or provide a scientific basis for their product efficacy claims.

| ERECTILE DYSFUNCTION | | |
|----------------------------|--|--|
| Name of Study | Forest, Padma-Nathan, and L'Heor (published 2007) | Davidson FMD Study (unpublished 2004) |
| Number enrolled | 61 subjects | 27 male subjects |
| Duration | 10 weeks (two 28 day treatment periods separated by a 14 day washout period) | 13 weeks |
| Placebo controlled? | Yes | Yes |
| Product | POM Juice | POM Juice |
| Results | Neither the International Index of Erectile Function (erectile function domain) nor the unvalidated Global Assessment Questionnaire had statistically significant results. | The International Index of Erectile Function (erectile function domain) did not have a statistically significant result. |


Medical Research Portfolio Review
 January 13, 2009

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CONFIDENTIAL - U.S.F.A. 11/08/08

CX1029_0001

CX 1029

ERECTILE DYSFUNCTION / BSEUDAL FUNCTION

| Study Name | Study Design | Study Results |
|---|--|---|
| Forest, Padma-Nathan, and L'Heor (2007) | Randomized, double-blind, placebo-controlled trial | No statistically significant results for IIEF or GAIQ |
| Davidson FMD Study (2004) | Randomized, double-blind, placebo-controlled trial | No statistically significant results for IIEF |

CONFIDENTIAL - U.S.F.A. 11/08/08



CARDIOVASCULAR DISEASE

| Name of Study | Aviram ACE/BP (pub. 2001) | Aviram IMT/BP Study (pub. 2004) | Ornish MP (pub. 2005) | Ornish IMT (unpub. 2005) | Davidson FMD (unpubl. 2004) | Davidson IMT (completed 2006, pub. 2009) | Heber/Hill Overweight (pub. 2007) | Heber/Accelovance Overweight (unpub. DATE) |
|---------------------|---------------------------|---|---|-------------------------------|-----------------------------|---|-----------------------------------|---|
| Number Enrolled | 10 subjects | 10 patients (plus "matched" group of 9) | 45 patients | 73 patients | 45 patients | 289 patients | 24 subjects | 70 subjects |
| Duration | 2 weeks | 12 months | 3 months | 12 months | 13 weeks | 18 months | 28 days | 28 days |
| Placebo Controlled? | No | No | Yes | Yes | Yes | Yes | No | Yes |
| Product | Concentrated Juice | Concentrated Juice | POM Juice | POM Juice | POM Juice | POM Juice | POMx Pills | POMx Pills |
| Blood Pressure | ↓ 5% systolic only | ↓ 12% systolic only | No Change | No Change | No Change | No Change | No Change | No Change |
| Blood Flow | | | SDS reduced; SSS and SRS unchanged; blood flow increased 35% compared to placebo; study cut short | | no change in FMD | | | |
| Arterial Plaque | | ↓ 35% IMT | | No change in IMT at 12 months | | No change in IMT at 18 months | | |
| Other | ↓ 36% ACE | | | | | No change in inflammatory/ oxidative stress markers | ↓TBARS | No change in inflammatory/ oxidative stress markers, including nitric oxide |

Portfolio Summary – January, 2009

| Research Area | Page | Current Plan of Action | 2008 (Forecast) | 2009 (Committed) |
|-------------------------------|------|--|--------------------|---------------------|
| | | | \$\$ Thousands | \$\$ Thousands |
| A. Chronic Diseases | | | | |
| Heart Disease | 3 | A. Continue limited funding for Dr. Aviram's ongoing mechanistic research. B. Potentially conduct another IMT study – using <u>POMx Pills</u> – on high-risk population. Probably an international site. Hold an expert brainstorming session to begin investigating options now, but wait for Davidson study to be published and gather feedback from key opinion leaders before committing. | \$160 | \$120 |
| Prostate Cancer | 4 | Wait & see: no additional research until our 3 ongoing studies are finished. | \$1,600 | \$1,800 |
| Other Cancers | 5 | No additional research; attempt to "sell" NIH, etc. on investigating POM & cancer. | -- | -- |
| Type 2 Diabetes | 6 | Finish current study, then launch PR effort to convince diabetics that POM Juice is safe. | \$350 | \$75 |
| Inflammatory Disorders | 7 | Engage independent inflammatory expert to review POM data and recommend next research step. | \$40 | -- |
| B. Infectious Diseases | | | | |
| Cold & Flu | 8 | Re-examine data from second study & submit if appropriate. Then stop future research. | \$800 | -- |
| HIV / AIDS | 9 | Finish current study, at which point we would most likely stop future research. | \$125 | \$350 |
| Oral Health | 10 | Submit dental plaque in vitro study for publication. Then stop – no further research. | \$80 | -- |
| Urinary Tract Infection | 11 | Finish current study; publish & aggressively communicate results. Then stop. | \$80 | -- |
| Livestock / Pet Health | 12 | Finish current immunity study (Q3 '09). Consider commercializing POMx as feed additive. | \$170 | -- |
| C. Quality of Life | | | | |
| Erectile Dysfunction | 13 | High likelihood of pursuing new ED clinical on juice or POM Coffee. Bring leading ED expert to review existing POM studies and brainstorm on new study in February 2009. | \$50 | -- |
| Sports Performance | 14 | Finish current study. If positive, aggressively publicize results. No future research. | \$80 | -- |
| Cognitive Function | 15 | Allow three ongoing studies to finish (early 2010); then determine next steps. | \$400 | \$100 |
| Skin Care | 16 | Wait until current study is finished in February, 2009. If positive, decide whether to launch commercial skin care product. | \$250 | -- |
| D. Product Research | | | | |
| Authenticity | 17 | Focus on making IMAS the international standard, and aggressively refine the spec over time. | \$100 | -- |
| Antioxidant Superiority | 18 | Immediately test international beverages. Launch Aviram human comparative study. Develop new format for presenting LDL oxidation data that focuses on comparing % remaining not % preventing | \$100 | \$75 |
| Bioavailability | 19 | Pursue further studies only for new products based on POMx / POMo / etc. | \$150 | -- |
| Drug Interaction / Safety | 20 | Seek publication of Korean statin clinical study. No further POM research. | -- | -- |
| E. Other Costs | n/a | Scientific advisors, shipping, miscellaneous testing, etc. | \$685 | \$675 |

GRAND TOTAL \$5,220 \$3,195

HEART DISEASE

1) WHAT HAVE WE LEARNED?

| | In vitro | Animal | Human | Ongoing Studies | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|--|--|---|-----------------|-----------------|--------------------|-----------------|-----------------|--------------------|-------------|----------------|----------------|------------|----|-------|---------------|-----|-----|-----|---------|--------|---------|----|----|----|----|----|------------|--------|-----------|-------------|-----------|---------|--|----|----|-----|-----|-----|--------------|----|----|----|----|-----|-----|-----|-----|---|
| Arterial Plaque | <div style="border: 1px solid black; padding: 2px;">5 Publications</div> <ul style="list-style-type: none"> POM Juice & POMx prevent LDL oxidation – better than any other food or beverage | <div style="border: 1px solid black; padding: 2px;">9 Publications</div> <p>Aviram:</p> <ul style="list-style-type: none"> Early-stage plaque: ↓40% Late-stage plaque: ↓17% <p>Rosenfeld:</p> <ul style="list-style-type: none"> Late-stage plaque: no effect | <div style="border: 1px solid black; padding: 2px;">7 Studies (4 published)</div> <p>A) Carotid IMT Studies (% change relative to control group)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Aviram (2004)</th> <th>Ornish (2005)</th> <th colspan="2">Davidson (2007)</th> <th>Lipitor (multiple)</th> </tr> </thead> <tbody> <tr> <td># subjects</td> <td>19</td> <td>73</td> <td colspan="2">290</td> <td>1000+</td> </tr> <tr> <td>Patient Group</td> <td>All</td> <td>All</td> <td>All</td> <td>HI-risk</td> <td>All</td> </tr> <tr> <td>Months</td> <td>12</td> <td>12</td> <td>12</td> <td>18</td> <td>18</td> </tr> <tr> <td>IMT Result</td> <td>↓40%</td> <td>No change</td> <td>↓1.3%</td> <td>No change</td> <td>↓2 - 5%</td> </tr> </tbody> </table> <p>B) 2 other studies: ↓LDL oxidation & ↑PON 1 HDL antioxidant activity</p> | | Aviram (2004) | Ornish (2005) | Davidson (2007) | | Lipitor (multiple) | # subjects | 19 | 73 | 290 | | 1000+ | Patient Group | All | All | All | HI-risk | All | Months | 12 | 12 | 12 | 18 | 18 | IMT Result | ↓40% | No change | ↓1.3% | No change | ↓2 - 5% | <div style="border: 1px solid black; padding: 2px;">1 Study</div> <p>Plaque Biomarkers</p> <ul style="list-style-type: none"> Heber / Hill (UCLA / Colorado) Endpoints: oxidized-LDL and multiple inflammatory markers n = 50 subjects Testing both POM Juice & POMx Pills (plus a placebo) Results expected June 2009 | | | | | | | | | | | | | | | |
| | | Aviram (2004) | Ornish (2005) | Davidson (2007) | | Lipitor (multiple) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| # subjects | 19 | 73 | 290 | | 1000+ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient Group | All | All | All | HI-risk | All | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Months | 12 | 12 | 12 | 18 | 18 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| IMT Result | ↓40% | No change | ↓1.3% | No change | ↓2 - 5% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Blood Flow & Pressure | <div style="border: 1px solid black; padding: 2px;">2 Publications</div> <ul style="list-style-type: none"> ACE activity ↓30% Protects Nitric Oxide, 100-300 times better than other fruit beverages | | <div style="border: 1px solid black; padding: 2px;">5 Studies (3 published)</div> <p>A) Blood Flow to Heart: ↑35% vs. placebo (Ornish, n=45)</p> <p>B) Blood Pressure Studies (change vs. control)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Aviram (2002)</th> <th>Aviram (2004)</th> <th>Ornish (2004)</th> <th>Davidson (2007)</th> <th>UK (2007)</th> <th>Grape Juice</th> <th>Dark Chocolate</th> <th>ACE Inhibitors</th> </tr> </thead> <tbody> <tr> <td># Subjects</td> <td>10</td> <td>19</td> <td>73</td> <td>290</td> <td>15</td> <td>40</td> <td>45</td> <td>1,000+</td> </tr> <tr> <td># Weeks</td> <td>2</td> <td>52</td> <td>52</td> <td>90</td> <td>2</td> <td>8</td> <td>4 - 18</td> <td>12 hrs</td> </tr> <tr> <td>Systolic BP</td> <td>↓5%</td> <td>↓21%</td> <td>0%</td> <td>0%</td> <td>0%</td> <td>↓5%</td> <td>↓5%</td> <td>↓5%</td> </tr> <tr> <td>Diastolic BP</td> <td>0%</td> <td>0%</td> <td>0%</td> <td>0%</td> <td>↓7%</td> <td>↓6%</td> <td>↓3%</td> <td>↓3%</td> </tr> </tbody> </table> | | Aviram (2002) | Aviram (2004) | Ornish (2004) | Davidson (2007) | UK (2007) | Grape Juice | Dark Chocolate | ACE Inhibitors | # Subjects | 10 | 19 | 73 | 290 | 15 | 40 | 45 | 1,000+ | # Weeks | 2 | 52 | 52 | 90 | 2 | 8 | 4 - 18 | 12 hrs | Systolic BP | ↓5% | ↓21% | 0% | 0% | 0% | ↓5% | ↓5% | ↓5% | Diastolic BP | 0% | 0% | 0% | 0% | ↓7% | ↓6% | ↓3% | ↓3% | <div style="border: 1px solid black; padding: 2px;">1 Study</div> <p>Blood Pressure / Arterial Function</p> <ul style="list-style-type: none"> Univ. Nottingham; Queens Medical Center (UK) Endpoints: Blood pressure, blood clotting, Nitric Oxide, inflammation n=50 (medical students) POM Juice vs. placebo Results expected March 2009 |
| | | Aviram (2002) | Aviram (2004) | Ornish (2004) | Davidson (2007) | UK (2007) | Grape Juice | Dark Chocolate | ACE Inhibitors | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| # Subjects | 10 | 19 | 73 | 290 | 15 | 40 | 45 | 1,000+ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| # Weeks | 2 | 52 | 52 | 90 | 2 | 8 | 4 - 18 | 12 hrs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Systolic BP | ↓5% | ↓21% | 0% | 0% | 0% | ↓5% | ↓5% | ↓5% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Diastolic BP | 0% | 0% | 0% | 0% | ↓7% | ↓6% | ↓3% | ↓3% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

2) WHERE DO WE GO FROM HERE?

| End Game Scenarios | Required Action for Scenario | Assessment |
|--|---|---|
| <p>A. Botanical Drug (Pills only)</p> <p><u>2 Different Options:</u></p> <ol style="list-style-type: none"> "Prevent Heart Disease" (based on Death / Heart Attack data) "Lower Blood Pressure" (based on Systolic BP data) | <ul style="list-style-type: none"> 2 studies required for either option In total: 1000++ patients, \$20M+++, 10+ years Requires FDA approval Requires pharmaceutical grade manufacturing | <p>Not worth pursuing</p> <ul style="list-style-type: none"> Too expensive Too risky |
| <p>B. Health Claim (Juice or Pills)</p> <p><u>2 Different Options:</u></p> <ol style="list-style-type: none"> "Reduced risk of heart disease" (based on IMT data) "Reduced risk of hypertension" (based on Systolic BP) | <ul style="list-style-type: none"> 2 studies for either option In total: 200+ patients, \$3-5M, 3-5 years International center as one site to lower cost? Additional 1-2 years for FDA approval | <p>Probably not worth pursuing</p> <ul style="list-style-type: none"> The claim would not be specific to POM, but rather it would be generic to all pomegranate products meeting a minimum level of polyphenol content Plus, it's possible the FDA would extend the claim beyond pomegranates, to a broader set of other high polyphenol products Science risk: our heart disease / BP data may not be strong enough |
| <p>C. Additional, targeted research for Marketing / PR / Medical Outreach purposes</p> | <ul style="list-style-type: none"> Continue basic research (Aviram) Plus, 1 or more clinical studies (n=50+) Need to decide which area(s) to pursue: <ul style="list-style-type: none"> - CIMT (International ?) - Systolic BP (perhaps with grape juice or chocolate as the placebo) | <p>Possible, but requires additional discussion</p> <p>CIMT: wait to see if Davidson Study is accepted for publication. If yes, then consider "definitive" study on high risk patient population.</p> <p>Systolic BP:</p> <ul style="list-style-type: none"> Fairly easy to initiate new study, and decent odds we would see good result But, other products already have strong BP results, so what's POM's upside? |
| <p>D. No more clinical research – publicize what we already have</p> | <ul style="list-style-type: none"> Continue encouraging others to fund heart disease / cardiovascular research such as NIH | <p>Lowest cost / risk, but our research has holes</p> <ul style="list-style-type: none"> Issue: current body of research only viewed as "3" on a scale of 1-10 by MDs |



PROSTATE CANCER

| Name of Study | Pantuck (pub. 2006) | Carducci (pub. pending) | Pantuck/Radiant (ongoing) | UCLA/Johns Hopkins/Duke (ongoing) |
|---------------------|------------------------|----------------------------|------------------------------|---|
| Number enrolled | 48 subjects | 104 subjects | 180 subjects | 70 patients |
| Duration | 33 months | 18 months | 52 weeks | 4 weeks |
| Placebo controlled? | No | No | Yes | Yes |
| Product | POM Juice | POMx Capsules | POMx Liquid | POMx Pills |
| Endpoints: PSADT | ↑ mean PSADT | ↑ median PSADT | unknown | N/A |
| 80hdG | N/A | N/A | N/A | unknown |

PROSTATE CANCER



1) WHAT HAVE WE LEARNED?

| In vitro | Animal | Human | Ongoing Studies | | | | | | | | | | | | | | | | | | | | |
|---|--|---|---|---------|--------|---------|--------------------|-----------------|-----------------------|-----------|-------------------|--------------|-------------------|--|-------------------|---------------------|-------------------|---|--------------------|---------------------|--------------------|--------------|---|
| <p>6 Studies (4 POM, 2 non-POM)</p> <p>POM Studies</p> <ul style="list-style-type: none"> Heber/Pantuck(2005/8) <ul style="list-style-type: none"> POM Juice / POMx vs. control Tumor growth rate ↓70% Cell death (apoptosis) ↑4x POM Juice & POMx have same effect Agensys (2001) <ul style="list-style-type: none"> POM Juice vs. control Tumor growth rate ↓60% <p>NON-POM Study</p> <ul style="list-style-type: none"> Lansky (2005, 2006) <ul style="list-style-type: none"> Juice, seed oil, polyphenol extract mix vs. control Tumor growth rate ↓70% | <p>5 Studies (4 POM, 1 non-POM)</p> <p>POM Studies</p> <ul style="list-style-type: none"> Heber / Pantuck (2005, 2008) <ul style="list-style-type: none"> POM Juice / POMx vs. control Tumor growth rate ↓50% PSA ↓75% POM metabolites were found concentrated in the prostate POM Juice & POMx = same effect Agensys (2001) <ul style="list-style-type: none"> POM Juice vs. control Tumor growth rate ↓30% <p>Non-POM Study</p> <ul style="list-style-type: none"> Mukhtar (2005) <ul style="list-style-type: none"> Polyphenol extract vs. control PSA ↓85% Cancer survival ↑30% | <p>1 Published Study</p> <p>Pantuck (2006 / 2008)</p> <ul style="list-style-type: none"> Post-treatment patients with rising PSA (n=46) 8 oz POM Juice daily; no placebo (patient's own baseline as control) Initial 2 year results: <ul style="list-style-type: none"> Slower PSA doubling time: increase from 15 to 54 months Cancer growth ↓12% / Cancer cell death (apoptosis) ↑17% 5 year continuation results: PSA doubling time increased to 69 mos <p>Benchmark: Tomato / Lycopene Studies</p> <table border="1"> <thead> <tr> <th>Condition</th> <th>Product</th> <th>Design</th> <th>Results</th> </tr> </thead> <tbody> <tr> <td>Cancer progression</td> <td>Tomato Products</td> <td>30,000 men 4 years</td> <td>No effect</td> </tr> <tr> <td>Pre-prostatectomy</td> <td>Tomato sauce</td> <td>31 men 3 weeks</td> <td>↓ PSA by 20% ↓ DNA damage by 20-40%</td> </tr> <tr> <td>Pre-prostatectomy</td> <td>Lycopene supplement</td> <td>26 men 3 weeks</td> <td>Lower PSA & smaller tumor size, but not stat. significant</td> </tr> <tr> <td>Benign hyperplasia</td> <td>Lycopene supplement</td> <td>43 men 10 weeks</td> <td>↓ PSA by 10%</td> </tr> </tbody> </table> | Condition | Product | Design | Results | Cancer progression | Tomato Products | 30,000 men 4 years | No effect | Pre-prostatectomy | Tomato sauce | 31 men 3 weeks | ↓ PSA by 20% ↓ DNA damage by 20-40% | Pre-prostatectomy | Lycopene supplement | 26 men 3 weeks | Lower PSA & smaller tumor size, but not stat. significant | Benign hyperplasia | Lycopene supplement | 43 men 10 weeks | ↓ PSA by 10% | <p>3 POM Studies</p> <p>Pantuck (Q4 2010 completion)</p> <ul style="list-style-type: none"> Endpoint: PSA doubling time @ 24 months n = 200 post-treatment / rising-PSA patients POMx Liquid vs. placebo <p>Carducci (Q1 2010 completion):</p> <ul style="list-style-type: none"> Endpoint: PSA doubling time @ 12 months n = 100 post-treatment / rising-PSA patients POMx Pills, multiple doses <p>Carducci (Q1 2010 completion)</p> <ul style="list-style-type: none"> "Pre-Prostatectomy Study". Endpoints: prostate cancer activity and PSA change POMx Pills vs. placebo, 1 month treatment <p>Other Prostate Cancer Studies (>1,000 total)</p> <ul style="list-style-type: none"> Lycopene / Tomato: 6 trials (prevention) Selenium / Vitamin E: 8 trials (treatment / prevention), including one with n=30K Green tea: 5 trials (treatment / prevention) |
| Condition | Product | Design | Results | | | | | | | | | | | | | | | | | | | | |
| Cancer progression | Tomato Products | 30,000 men 4 years | No effect | | | | | | | | | | | | | | | | | | | | |
| Pre-prostatectomy | Tomato sauce | 31 men 3 weeks | ↓ PSA by 20% ↓ DNA damage by 20-40% | | | | | | | | | | | | | | | | | | | | |
| Pre-prostatectomy | Lycopene supplement | 26 men 3 weeks | Lower PSA & smaller tumor size, but not stat. significant | | | | | | | | | | | | | | | | | | | | |
| Benign hyperplasia | Lycopene supplement | 43 men 10 weeks | ↓ PSA by 10% | | | | | | | | | | | | | | | | | | | | |

2) WHERE DO WE GO FROM HERE?

| End Game Scenarios | Required Action for Each Scenario | Assessment |
|--|---|---|
| <p>A. Botanical Drug (Pills only)</p> <p><i>"Prevent / Treat Prostate Cancer ..."</i></p> | <ul style="list-style-type: none"> 2 studies. Total: 1000 ++ patients, \$40+ MM PSA will not be accepted as an endpoint Possible endpoints could include: (a) Death or (b) Cancer progression actively monitored via biopsy Requires pharmaceutical grade manufacturing | <p>Most likely not worth pursuing</p> <ul style="list-style-type: none"> Long & expensive Risky: we have no clinical data beyond PSA Difficult to prevent other pomegranate supplements from benefiting from our halo |
| <p>B. Health Claim (Juice or Pills)</p> <p><i>"Reduced Risk of Prostate Cancer ..."</i></p> | <ul style="list-style-type: none"> At least 1 study Total: 100 patients, \$1.5-2 M, at least 2-3 years to complete Endpoint: active surveillance of cancer progression via biopsy; PSA alone not sufficient International trials acceptable | <p>Probably not worth pursuing</p> <ul style="list-style-type: none"> The claim would not be specific to POM, but rather generic to all pomegranate products meeting a minimum level of polyphenol content Unless our cancer progression data is outstanding, the resulting claim could be weak. For example, the tomato claim is: <i>"Preliminary scientific research suggests that eating ½ cup of tomatoes / tomato sauce a week may reduce the risk of prostate cancer. FDA concludes that there is little scientific evidence supporting this claim."</i> |
| <p>C. Additional, targeted research for Marketing / PR / Medical Outreach purposes</p> | <ul style="list-style-type: none"> One additional study beyond PSA For example, active surveillance prevention study (using biopsy) for 6 months 60+ patients, \$1M+ total, 1 ½ yrs total time | <p>Potentially valuable, although expensive & possibly unnecessary</p> <ul style="list-style-type: none"> POM currently has a research gap: no data on prostate cancer prevention, prior to radiation or prostatectomy. In contrast, tomatoes and selenium are actively studying this approach. High probability of success, given existing POM research plus tomatoes, etc. What's the right timing: Wait until current trials are complete? Or pursue sooner? |
| <p>D. No more clinical research – publicize what we have</p> | <ul style="list-style-type: none"> Continue encouraging others to fund prostate cancer research | <p>Smart bet, given that we already have 3 additional studies in progress</p> |



ERECTILE DYSFUNCTION

| Name of Study | Forest, Padma-Nathan, and Liker (published 2007) | Davidson (unpublished 2004) |
|--|--|--|
| Number of subjects who completed the study | 53 subjects | 27 subjects |
| Duration | 10 weeks (two 4 week treatment periods separated by a 2 week washout period) | 13 weeks |
| Randomized control? | Yes | Yes |
| Product | Pomegranate juice | Pomegranate juice |
| Results | Neither the International Index of Erectile Function (erectile function domain) nor the Global Assessment Questionnaire had statistically significant results. | The International Index of Erectile Function (erectile function domain) did not have a statistically significant result. |

ERECTILE DYSFUNCTION / SEXUAL FUNCTION



| 1) WHAT HAVE WE LEARNED? | | | |
|--------------------------|--|--|-----------------|
| In vitro | Animal | Human | Ongoing Studies |
| None | 4 Studies (3 POM, 1 non-POM) | 1 Publication | None |
| | <p>POM Studies:</p> <ul style="list-style-type: none"> • Azadzoï (2005) <ul style="list-style-type: none"> - POM Juice (8oz equivalent), Rabbit model - ↑ erectile function by 40% compared to placebo - ↑ Nitric Oxide protection - Significantly ↓ oxidative stress & atherosclerosis • Azadzoï (2006, 2008) <ul style="list-style-type: none"> - POMx, Rabbit model - 1x POMx dose: provides same benefit as POM Juice - 1x vs. 3x levels: no dose response effect - 10x POMx dose: results in hypotension <p>Non-POM Studies:</p> <ul style="list-style-type: none"> • Firat, Turkey (2008): <ul style="list-style-type: none"> - Rat model - Pomegranate juice for 7 weeks vs. placebo - ↑ sperm count/viability by 40% | <p>Padma-Nathan (2007):</p> <ul style="list-style-type: none"> • n = 53 patients, with mild / moderate ED • 8 oz POM Juice daily for 1 month • Results (% of patients who experienced better erections): <ul style="list-style-type: none"> - POM = 47% vs. Placebo = 32% (p=0.058) - This represents nearly 50% improvement over the placebo • Drug benchmarks: <ul style="list-style-type: none"> - Cialis / Viagra = 73% vs. Placebo = 26% (n=200-500) - This represents nearly 3x improvement over the placebo | |

| 2) WHERE DO WE GO FROM HERE? | | |
|---|---|---|
| End Game Scenarios | Required Action for Each Scenario | Assessment |
| A) Additional, targeted research for Marketing / PR / Medical Outreach purposes | <ul style="list-style-type: none"> • Explore 1 larger ED clinical study to achieve statistical significance and stronger marketing value • If we did a study, there are several decisions to make: <ul style="list-style-type: none"> - POM Juice? POMx Coffee? POMx Pills? - What's the control: Placebo? ED Drug (Viagra)? Both? - Number of patients: 100+ ??? | <p>Worth Considering</p> <ul style="list-style-type: none"> • Fairly high likelihood of success based on first clinical study, plus animal studies • Unique: No other fruit juices have any research on ED • POM Juice could be the likely candidate, as it would provide a halo over the entire line of POM products |
| B) No more clinical research – publicize what we already have | <ul style="list-style-type: none"> • Continue encouraging others to fund additional research | <p>Acceptable</p> <ul style="list-style-type: none"> • Low cost / risk, since we already have a published clinical study • However, the study has limitations: it was small (n=53) and just missed statistical significance (p = 0.058) |

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2012, I filed the foregoing document electronically using the FTC's E-Filing System and delivered 8 copies to:

Donald S. Clark
Office of the Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW H-135
Washington, DC 20580
dclark@ftc.gov

I also certify that on August 16, 2012, I delivered via electronic mail and hand delivery a copy of the foregoing document to:

The Honorable D. Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW H-110
Washington, DC 20580
oalj@ftc.gov

I further certify that on August 16, 2012, I delivered via electronic mail a copy of the foregoing to:

John D. Graubert, Esq.
Covington & Burling LLP
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004-2401
Email: Jgraubert@cov.com;
sperryman@cov.com

Kristina Diaz, Esq.
Roll Law Group
Email: kdiaz@roll.com

Edward P. Lazarus, Esq.
c/o Michael Small
Akin Gump Strauss Hauer & Feld LLP
2029 Century Park East, Suite 2400
Los Angeles, CA 90067
Email: lazarus.eddie@gmail.com

Bertram Fields, Esq.
Greenberg Glusker
Email: bfields@greenbergglusker.com

Attorneys for Respondents

/s/ Mary L. Johnson
Mary L. Johnson
Complaint Counsel