# Exhibit A

#### OFFICIAL TRANSCRIPT PROCEEDING

#### FEDERAL TRADE COMMISSION

| · |            | · · ·   |
|---|------------|---|
|   | MATTER NO. | 1223015   |
|   | TITLE      | ANTI-CONCUSSION PRODUCTS  |
|   | DATE       | RECORDED: DATE UNKNOWN<br>TRANSCRIBED: NOVEMBER 21, 2011<br>REVISED: JANUARY 10, 2012 |
|   | PAGES      | 1 THROUGH 8   |

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BRAIN PAD COMMERCIAL

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| 1  | FEDERAL TRADE COMMISSION |  |
|----|--------------------------|--|
| 2  | <u>INDEX</u>             |  |
| 3  |                          |  |
| 4  |                          |  |
| 5  | RECORDING: PAGE:         |  |
| 6  | Brain Pad Commercial 3   |  |
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| 1  | FEDERAL TRADE COMMISSION                              |
|----|---|
| 2  |   |
| 3  | In the Matter of: )                                   |
| 4  | Anti-Concussion Products ) Matter No. 1223015         |
| 5  | )   |
| 6  |   |
| 7  | Date Unknown  |
| 8  |   |
| 9  |   |
| 10 |   |
| 11 | The following transcript was produced from a          |
| 12 | digital recording provided to For The Record, Inc. on |
| 13 | November 9, 2011.                                     |
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| 1  | PROCEEDINGS   |
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| 3  | BRAIN PAD COMMERCIAL                                  |
| 4  | MALE ANNOUNCER: While long-time anchor stores         |
| 5  | like Flaco Shoes still line Fayette Street, this      |
| 6  | storefront houses the most modern in technology and   |
| 7  | JOSEPH MANZO: Onto the face mask.                     |
| 8  | MALE ANNOUNCER: football. This company is             |
| 9  | called Brain Pad. Got that? Brain Pad.                |
| 10 | MALE INTERVIEWER: Is your primary push into           |
| 11 | football or boxing or any sport with this?            |
| 12 | ON SCREEN: Joseph Manzo                               |
| 13 | PRESIDENT, CEO  |
| 14 | JOSEPH MANZO: Football, boxing, MMA. MMA is           |
| 15 | like taking over.                                     |
| 16 | ON SCREEN: Brain Pad photo                            |
| 17 | Model: PRO+PLUS                                       |
| 18 | MALE ANNOUNCER: This may look like a sports           |
| 19 | mouthpiece, but as the name implies, it protects more |
| 20 | than teeth.   |
| 21 | ON SCREEN: BRAIN PAID                                 |
| 22 | Protective & Performance Solutions                    |
| 23 | BIOMECHANICALLY TESTED:                               |
| 24 | REDUCES RISK OF CONCUSSIONS!                          |
| 25 | For All CONTACT SPORTS                                |
|    |   |

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1 JOSEPH MANZO: The way the product is designed is that it brings the lower jaw forward about a half a 2 3 millimeter in front of your upper teeth and the thickness of the unit brings your jaw down, so you get this down 4 5 and forward motion, creating a safety space here. 6 ON SCREEN: Actual Lab Impact Test 7 JOSEPH MANZO: No matter if you're taking direct hits, lateral hits, it's keeping -- these are the 8 9 strongest bones in the skull. So, a lot of that energy 10 is absorbed there and into the jaw joint protector. MALE ANNOUNCER: So much attention is now being 11 paid to concussions, literally a contusion to the brain. 12 THE IMPORTANCE OF JAW POSITION 13 ON SCREEN: 14 MALE ANNOUNCER: And Brain Pad may be on the verge of a huge breakthrough in prevention after 15 years 15 of hard work and belief. 16 ON SCREEN: PROTECTION PERFORMANCE 17 ENDURANCE 18 BRAIN PAD , 19 PROTECTION 20 Creates this: 21 BRAIN SAFETY SPACE! 22 PERFORMANCE 23 Jaw/TMJ alignment 24 promotes Strength & 25 Competitive Edge

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ENDURANCE 1 2 Creates Increased 3 Constant Breathing-EVEN WHILE CLENCHING! 4 5 ON SCREEN: Joseph Manzo 6 PRESIDENT, CEO JOSEPH MANZO: Every time we got a school 7 involved with it, at the end of the year, they would say, 8 9 wow, man, our concussions went from nine to zero or nine 10 to one. You know, it was just this constant feedback. My head -- we don't play with the headaches anymore. 11 12 MALE ANNOUNCER: Finally, a big breakthrough 13 and now a breakout from Brain Pad's humble beginning in 14 Conshohocken. 15 JOSEPH MANZO: The product is available in all 500 Sports Authority stores --1617 ON SCREEN: SPORTS AUTHORITY "Spring into...Sport Safety!" 18 Brain-Pad's 2011 Jaw-Joint Protector 19 Mouth Guard Series 20 21 Brain-Pad 22 "Jaw-Joint Protectors" are a patented Sport Safety Technology! 23 24 REDUCES Jaw Impact CONCUSSION Risk! 25 Includes: Dental Warranty, hard-shell anti-

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microbial case, optional strap & custom fitting 1 instructions 2 · · · · · PROTECTION PERFORMANCE ENDURANCE 3 JOSEPH MANZO: -- and it's in over 1,000 4 Walmart stores. 5 ON SCREEN: BRAIN PAD advertisement 6 JOSEPH MANZO: We have at least 500 mom-and-pop 7 8 retailers, single brick and mortar retail outlets. 9 ON SCREEN: BRAIN PAD 10IMPACT PROTECTIVE 11 ALL AGES 12 HEADBANDS & WRISTBANDS 13 WITH IMPACT ABSORBENT INNER MATERIAL 14 YEAR-ROUND PROTECTION for ALL 15 SPORTS, ACTIVITIES & ALL AGES! JOSEPH MANZO: So, the product is easily 16 17 accessible now. 18 ON SCREEN: BRAIN PAD 19 PROTECTIVE & PERFORMANCE SOLUTIONS JAW-JOINT PROTECTORS 20 322 FAYETTE STREET 21 22 CONSHOHOCKEN, PA 23 WWW.BRAINPADS.COM 24 610-397-0893 25 MALE ANNOUNCER: Brain Pad is located at 322

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Fayette Street and their website will show and tell you all you need to know at www.brainpads.com. And you can reach them by phone at (break in recording) 97-0893. 3 .. (The recording was concluded.) 

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1 CERTIFICATION OF TYPIST 2 MATTER NUMBER: 1223015 ·3 CASE TITLE: ANTI-CONCUSSION PRODUCTS 4 TAPING DATE: DATE UNKNOWN 5 TRANSCRIPTION DATE: NOVEMBER 21, 2011 6 REVISED: JANUARY 10, 2012 7 I HEREBY CERTIFY that the transcript contained 8 herein is a full and accurate transcript of the tapes 9 transcribed by me on the above cause before the FEDERAL 1011 TRADE COMMISSION to the best of my knowledge and belief. 12 DATED: JANUARY 10, 2012 13 14 15 16 ELIZABETH M. FARRELL 17 CERTIFICATION OF PROOFREADER 18 19 I HEREBY CERTIFY that I proofread the transcript for 20 accuracy in spelling, hyphenation, punctuation and 21 22 format. 23 Fanda J. Raver 24 25 WANDA J. RAVER

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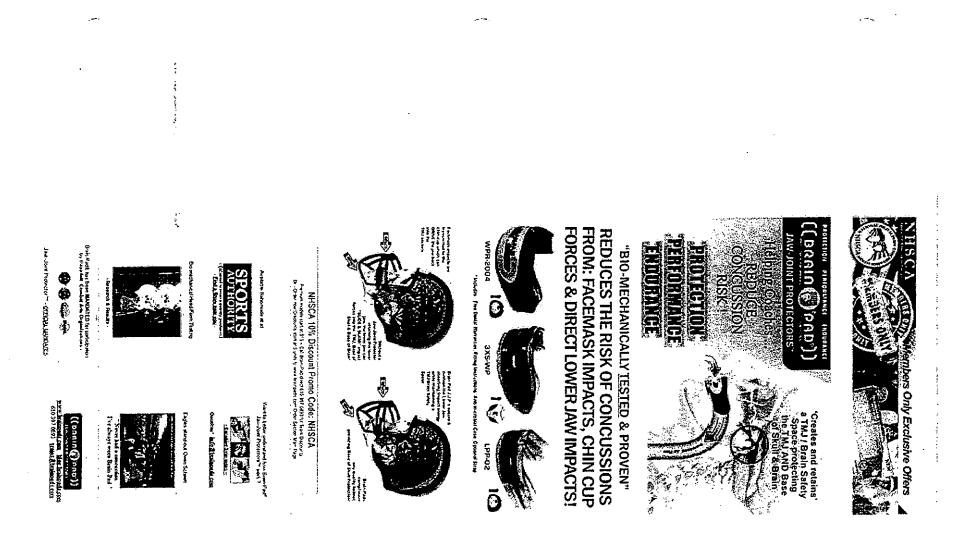
### **Exhibit B**



**BP00075** 

# **Exhibit** C

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Emailer for National High School coaches Association July 2011

# **Exhibit D**

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BP00131

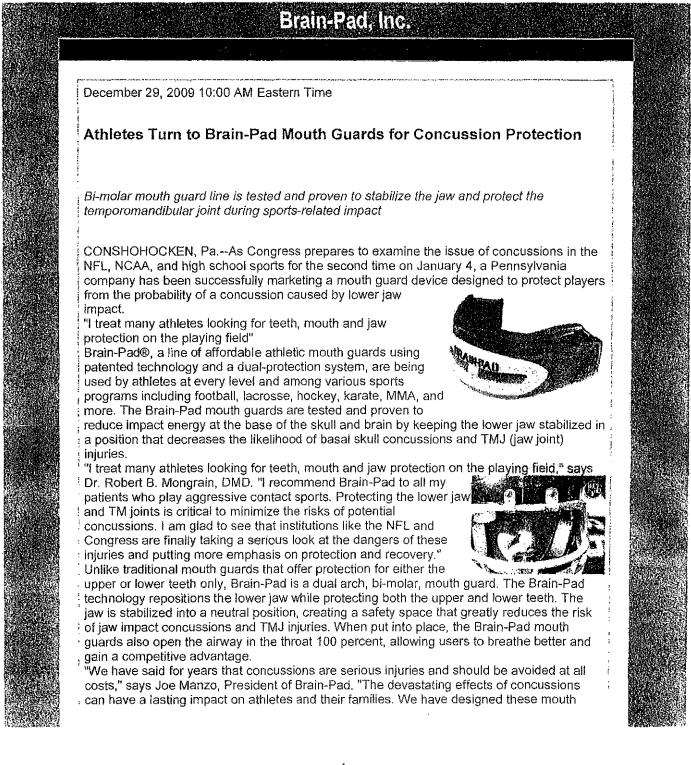
## **Exhibit E**

#### Andrew Piacine, Brain-Pad Inc

Subject:

FW: Athletes Turn to Brain-Pad Mouth Guards

Bates # CC-21 from 2009 to 2011 Delivery Date: Wednesday, December 30, 2009 at 3:05 PM EST Sent 2909 opens 569



unprotected area for athletes. When used properly, there is a 40 percent reduction of impact energy to the base of the skull, these forces can cause a concussion or knock out as boxers call it. Athletes from the NFL to the MMA and at every level from professional to local youth leagues are recognizing the significant health benefits of our Brain-Pad mouth guards to offer protection against these dangerous injuries."

The House Judiciary Committee, chaired by Representative John Conyers, D-Michigan, will hear testimony on Monday to examine the NFL's response to concussion injuries and assess the protocols or lack thereof, in place for college and high school football players. Scheduled witnesses include NFL neurologist Ira Casson, DeMaurice Smith, the executive director of the NFL. Players Association, David Klossner, the NCAA's director of health and safety and Dr. Bennet Omalu, a neuropathologist and primary researcher into brain damage in football players.

Brain-Pad mouth guards are available at leading athletic retailers including Wal-Mart® stores nationwide, and retail between \$7 and \$30 based on the model. ABOUT BRAIN-PAD, INC.

A privately held corporation, founded in 1995 specifically for the promotion, manufacture, and sale of customized Brain-Pad® dual-arch mouth-guards designed to reduce the risk of concussion from lower jaw impacts while increasing endurance and performance. Brain-Pad, Inc. has become a leader in technology development in this field. Its Brain-Pad® products are available in retail and wholesale outlets as well as through distributors, contact sports leagues, professional organizations, school teams at intermediate, high-school, college, and university level. Brain-Pad® products are well-accepted by professional sports athletes in boxing, mixed martial arts, football and many other contact sports. Brain-Pad® products also include shock-absorbing wrist, arm and head-bands as well as: juniors', women's, men's, and professional athlete's dual-arch protective and high performance mouth-guards. Additionally, Brain-Pad, Inc. recently developed, patented, and commercially released a premium ultra-violet/ozone oral appliance sanitizer, the NatureZone™, available to the retailers and distributors but exclusively distributor of dental and medical products to dentists, dental laboratories and physicians.

Brain-Pad, Inc.'s corporate headquarters are located in Conshohocken, Pennsylvania. For product or company details contact 610-397-0893, <u>info@brainpads.com</u>, or visit www.brainpads.com

Photos/Multimedia Gallery Available: <u>http://www.businesswire.com/cgi-bin/mmg.cgi?eid=6127151&lang=en</u>

Contacts

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Director of Sales

bsamuel@brainpads.com

www.brainpads.com

1-888-424-9477

Forward email

## Exhibit F

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